



OVERALL AGENDA

DATE	February 17, 2023
LOCATION	Hybrid Event Engineers and Geoscientists BC office (Dan Lambert Boardroom) & Virtually Via Teams (<i>Meeting Link Sent Via Outlook Invitation</i>)

Meeting Schedule

08:30 – 10:00	Closed Session
10:00 – 10:15	Morning Break
10:15 – 11:30	Closed Session (continued)
11:30 – 11:50	Open Session
11:50 – 12:50	Lunch Break
12:50 – 14:10	Open Session (continued)
14:10 – 14:30	Agenda Overflow Buffer
14:30 – 14:45	Break Before In-Camera Session
14:45 – 15:45	In-Camera Session
15:45	Adjournment

For more information, contact Tracy Richards at trichards@egbc.ca or 604.412.6055.

OPEN AGENDA

DATE	February 17, 2023
TIME	11:30 – 14:10 (followed by agenda overflow buffer of 20 mins if needed)
LOCATION	Hybrid Event Engineers and Geoscientists BC Office (Dan Lambert Boardroom) & Virtually Via Teams (<i>Meeting Link Sent Via Outlook Invitation</i>)

11:30 (5 mins)	4.0 OPEN SESSION – Welcome Greetings & Call to Order Chair: Mark Adams, P.Eng., President MOTION: That Council approve the Open Agenda in its entirety.	
11:35 (2 mins)	4.1 Declaration of Conflict of Interest	
11:37 (10 mins)	4.2 Safety Moment	
11:47 (3 mins)	5.0 OPEN CONSENT AGENDA MOTION: That Council approve all items (5.1 to 5.7) on the Open Consent Agenda.	
	5.1 November 25, 2022 Open Minutes MOTION: That Council approve the November 25, 2022 Open Meeting minutes as circulated.	November 25, 2022 Open Minutes
	5.2 Appointments Approval MOTION: That Council approve the recommended appointment and re-appointments to the Discipline Committee as presented.	Report can be found in the Closed Agenda package
	5.3 Appointment of Chair & Vice Chair to the Discipline Committee MOTION: That Council appoint Neil Cumming, P.Eng., as Chair of the Discipline Committee until February 17, 2026.	Report can be found in the Closed Agenda package

	<p>MOTION: That Council appoint Ronald Yaworsky, P.Eng., as Vice Chair of the Discipline Committee until February 17, 2026.</p> <p><i>Nomination Committee</i></p>	the Discipline Committee												
	<p>5.4 Approval of the 103rd AGM Minutes</p> <p>MOTION: That Council approve the Minutes of the 103rd Annual General Meeting of Engineers and Geoscientists BC.</p> <p><i>Ros Seibert, Senior Policy and Governance Analyst</i></p>	Approval of the 103 rd AGM Minutes												
	<p>5.5 Updates to Council Policy to Align with Legislative Changes</p> <p>MOTION: That Council i) authorize terminology changes to update Council policies to align with legislative changes; and ii) direct staff to make the following changes on or after the coming into force of the corresponding sections of the <i>Professional Governance Amendment Act, 2022</i>:</p> <table><tr><th>Current</th><th>New</th></tr><tr><td>Council</td><td>Board</td></tr><tr><td>Councillor</td><td>Board member (Lay Board Member, Registrant Board Member)</td></tr><tr><td>Immediate Past President</td><td>Immediate Past Board Chair</td></tr><tr><td>President</td><td>Board Chair</td></tr><tr><td>Vice President</td><td>Board Vice Chair</td></tr></table> <p><i>Deesh Olychick, Director, Corporate Governance & Strategy</i></p>	Current	New	Council	Board	Councillor	Board member (Lay Board Member, Registrant Board Member)	Immediate Past President	Immediate Past Board Chair	President	Board Chair	Vice President	Board Vice Chair	Updates to Council Policy to Align with Legislative Changes
Current	New													
Council	Board													
Councillor	Board member (Lay Board Member, Registrant Board Member)													
Immediate Past President	Immediate Past Board Chair													
President	Board Chair													
Vice President	Board Vice Chair													
	<p>5.6 Updates to the Statutory Committees Terms of Reference</p> <p>MOTION 1: That Council approve the updated Terms of Reference for the Audit & Practice Review Committee.</p> <p>MOTION 2: That Council approve the updated Terms of Reference for the Credentials Committee.</p> <p>MOTION 3: That Council approve the updated Terms of Reference for the Discipline Committee.</p> <p>MOTION 4: That Council approve the updated Terms of Reference for the Investigation Committee.</p> <p>MOTION 5: That Council approve the updated Terms of Reference for the Nomination Committee.</p> <p><i>Governance Sub-Committee</i></p>	Updates to the Statutory Committees Terms of Reference												

	5.7 Information Reports	
	5.7.1 CEO Report (Open Session) <i>Heidi Yang, P.Eng., FEC, FGC (Hon.) Chief Executive Officer</i>	CEO Report (Open)
	5.7.2 Project Management Office Update <i>Dan Rankin, Manager, Project Management Office</i>	Project Management Office Update
	5.7.3 Engineers and Geoscientists BC Road Map for 2022/2023 <i>Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer</i>	Council Road Map
11:50 (60 mins)	LUNCH BREAK	
12:50	6.0 OPEN REGULAR AGENDA	
12:50 (10 mins)	6.1 FY2023 Q2 Financial Results and Forecast Update MOTION 1: That Council receives the Engineers and Geoscientists British Columbia financial results as at December 31, 2022. MOTION 2: That Council receives the Engineers and Geoscientists British Columbia's latest financial forecast for fiscal year 2023. <i>Jennifer Cho, CPA, CGA, Chief Financial and Administration Officer</i> <i>Alicia Tan, CPA, CMA, Director, Finance</i>	FY2023 Q2 Financial Results and Forecast Update
13:00 (10 mins)	6.2 FY2024 Budget Guidelines MOTION: That Council approve the FY2024 budget guidelines, as presented. <i>Jennifer Cho, CPA, CGA, Chief Financial and Administration Officer on behalf of the Executive Sub-Committee</i>	FY2024 Budget Guidelines
13:10 (20 mins)	6.3 Amendments to the Bylaws of Engineers and Geoscientists BC MOTION: That Council approve the attached amended draft Bylaws and authorize staff to forward the amended Bylaws to the Office of the Superintendent of Professional Governance for filing with the Attorney General pursuant to section 37 of the <i>Professional Governance Act</i>. <i>Efrem Swartz, LLB, mMBA, Director, Legislation, Ethics & Compliance</i> <i>Amrita Virk, Legal Counsel, Policy Manager</i> <i>Klara Hillmann, Senior Policy Analyst</i>	Amendments to the Bylaws of Engineers and Geoscientists BC
13:30 (40 mins)	6.4 Annual Update from Geoscientists Canada For information and discussion only. <i>Del Ferguson, P.Geo., P.L.Eng., FGAC, FGC, Engineers and Geoscientists BC Appointee to the Geoscientists Canada Board</i>	Annual Update from Geoscientists Canada

14:10	END OF OPEN SESSION	
14:10 (20 mins)	AGENDA OVERFLOW BUFFER	
14:30 (15 mins)	BREAK BEFORE IN-CAMERA SESSION	
14:45 (60 mins)	IN-CAMERA SESSION	
15:45	ADJOURNMENT	

MINUTES OF THE OPEN SESSION OF THE SECOND MEETING OF THE 2022/2023 COUNCIL of Engineers and Geoscientists BC, held on NOVEMBER 25, 2022 at the Engineers and Geoscientists BC Office (Dan Lambert Boardroom) and virtually via Teams.

Present

Council	
Mark Adams, P.Eng.	President (2022/2023)
Michelle Mahovich, P.Eng., P.Geo.	Vice President (2022/2023)
Carol Park, P.Eng.	Immediate Past President (2022/2023)
Suky Cheema, CPA, CMA	Councillor (2022/2023)
Leslie Hildebrandt, LL.B, ICD.D	Councillor (2022/2023)
Emily Lewis, CPA, CMA	Councillor (2022/2023)
Karen Ling, P.Eng.	Councillor (2022/2023)
Mahsoo Naderi-Dasoar, P.Eng.	Councillor (2022/2023)
Mark Porter, P.Eng., StructEng.	Councillor (2022/2023)
Jessica Steeves, P.Eng.	Councillor (2022/2023)
Jens Weber, P.Eng.	Councillor (2022/2023)
David Wells, JD	Councillor (2022/2023)
Staff	
David Pavan, R. Ph.	Chief Regulatory Officer & Registrar
Liza Aboud, MBA, ABC, ICD.D	Chief Operating Officer
Alicia Tan, CPA, CMA	Director, Finance
Deesh Olychick	Director, Corporate Governance & Strategy
Megan Archibald	Director, Communications & Stakeholder Engagement
Efrem Swartz, LLB	Director, Legislation, Ethics & Compliance
Ollie Campbell	Acting Associate Director, Corporate Governance & Strategy
Kate Henry, CPA, CMA	Associate Director, Finance
Mark Rigolo, P.Eng.	Director, Programs and Professional Development
Kelly Dayman, ASCT, Eng.L.	Associate Director, Regulation of Firms
Lindsay Steele, P.Geo.	Associate Director, Professional Practice
Ailene Lim	Associate Director, Programs and Professional Development
Dan Rankin	Acting Manager, Organizational Performance
Tracy Richards	Executive Assistant to CEO and to Council
Ros Siebert	Senior Policy and Governance Analyst

OPEN SESSION – CALL TO ORDER

Mark Adams, P.Eng., President and Chair called the Open Session to order at 08:35 a.m.

The Chair began the meeting by acknowledging the ancestral, traditional and unceded Aboriginal territories of the Coast Salish people and the Musqueam, Squamish and Tsleil-waututh Nations on whose territory he stands.

Deesh Olychick, Director, Corporate Governance & Strategy acted as the Governance Advisor for the meeting.

The Chair welcomed everyone to the meeting and announced that Theresa McCurry, BSc, PMP, CEO of ASTTBC would be joining for the Open Session.

CO-23-16 OPEN AGENDA

MOTION **It was moved that Council approve the Open Agenda in its entirety.**

CARRIED

DECLARATION OF CONFLICT OF INTEREST

None declared.

SAFETY MOMENT

Councillor Jessica Steeves, P.Eng. provided the Safety Moment for the meeting.

CO-23-17 OPEN CONSENT AGENDA

MOTION **It was moved that Council approve all items (5.1 to 5.4) on the Open Consent Agenda.**

CARRIED

Motions carried by approval of the Consent Agenda:

5.1 Approval of Previous Minutes

MOTION: That Council approve the November 3, 2022 Open Meeting minutes as circulated.

5.2 Appointments Approval

MOTION: That Council approve the recommended appointment and re-appointments to the Credentials Committee as presented.

MOTION: That Council approve the recommended appointments and re-appointment to the Audit & Practice Review Committee as presented.

MOTION: That Council approve the recommended re-appointment to the Investigation Committee as presented.

MOTION: That Council approve the recommended re-appointment to the Canadian Engineering Accreditation Board as presented.

Individual, Designation	Position	Engineers and Geoscientists BC Volunteer Group/Outside Organization	Staff Contact	Start Date	Expiry Date	New/Returning/ * Over 9 Years
New Appointments and Re-Appointments (over nine years)						
Mr. Scott William Campbell, P.Eng.	Member	Credentials Committee	Jason Ong	11/25/22	11/24/25	New
Eduard Andrei C. Cvaci, P.Eng	Member	Audit & Practice Review	Lindsay Steele	11/25/22	11/25/25	New
Laura Beverley Lessingham, P.Geo.	Member	Audit & Practice Review	Lindsay Steele	11/25/22	11/25/25	New
Re-appointments (under nine years)						
Mrs. Shiloh Marie Carlson	Member	Credentials Committee	Jason Ong	11/25/22	11/24/25	Returning
Mr. David Ian Harvey	Member	Credentials Committee	Jason Ong	11/25/22	11/24/25	Returning
Dr. Joan Hansen	Member	Credentials Committee	Jason Ong	11/25/22	11/24/25	Returning
Mr. David B. Collins	Member	Credentials Committee	Jason Ong	11/25/22	11/24/25	Returning
Dr. Catherine Aczel Boivie	Member	Credentials Committee	Jason Ong	11/25/22	11/24/25	Returning
Mr. Alan Andison, LLB	Member	Credentials Committee	Jason Ong	11/25/22	11/24/25	Returning
Louis Bloom	Lay Member	Audit & Practice Review	Lindsay Steele	2/5/23	2/5/26	Returning
Daniel Gene Kunimoto	Member	Investigation Committee	Jesse Romano	2/2/23	2/2/26	Returning
Julius Pataky	Member	CEAB	Executive Sub-Cmte	6/27/23	6/27/26	Returning

5.3 Professional Practice Guidelines - Sustainability, Version 2.0

MOTION: Consistent with the authority granted under PGA 57 (1) (b) and Bylaw 7.3.1 (1), Council approves *Professional Practice Guideline – Sustainability, Version 2.0* to be published following editorial and legal review. Council's approval is based on confirmation that the criteria within the Council Policy CO-21-105 on Professional Practice Guidelines have been met.

5.4 The following information reports were received by Council:

- CEO Report
- Engineers and Geoscientists BC Road Map for 2022/2023

CO-23-18 KEY PERFORMANCE INDICATOR DEVELOPMENT

MOTION: It was moved that Council endorse the Key Performance Indicator framework as presented.

CARRIED

Let the record reflect that part way through this item, President Mark Adams excused himself from the meeting and turned the Chair responsibility over to Vice President, Michelle Mahovlich in his absence.

CO-23-19 TRANSITION FROM COUNCIL TO BOARD – SELECTION OF BOARD CHAIR

President Adams resumed the role of Chair for this item.

MOTION: It was moved that Council: i) approve moving to a system whereby the President/Board Chair is elected from amongst the elected registrant Councillors/Board directors by the Council/Board,

ii) direct staff to develop a bylaw to reflect this change, effective for the 2023/24 Council/Board year; and

iii) direct the Governance Sub-Committee to consider further the nature of Chair and Vice Chair elections (including but not limited to: timing, term lengths, automatic ascension of Vice Chair) and bring forward for future consideration by Council/Board.

CARRIED

CO-23-20 PROJECT MANAGEMENT OFFICE UPDATE

Ollie Campbell, Acting Associate Director, Corporate Governance & Strategy and Dan Rankin, Acting Manager, Organizational Performance provided Council with an update on the Organization's major projects to date and answered questions from the floor.

There was no motion associated with this item.

CO-23-21 FY2023 Q1 FINANCIAL RESULTS AND FORECAST UPDATE

It was moved:

MOTION 1: That Council receives the Engineers and Geoscientists British Columbia financial results as at September 30, 2022.

MOTION 2: That Council receives the Engineers and Geoscientists British Columbia's latest financial forecast for fiscal year 2023.

CARRIED

Motions 1 & 2 were passed as an omnibus motion.

CO-23-22 AMENDMENTS TO THE BYLAWS OF ENGINEERS AND GEOSCIENTISTS BC

MOTION: It was moved that Council approve the attached amended draft Bylaws and authorize staff to forward the amended Bylaws to the Office of the Superintendent of Professional Governance for filing with the Attorney General pursuant to section 37 of the Professional Governance Act.

CARRIED

CO-23-23 COUNCIL COMPOSITION

Deesh Olychick, Director, Corporate Governance & Strategy spoke to this item and answered questions from the floor.

There was no motion associated with this item.

END OF OPEN SESSION

The meeting ended at 2:05 p.m.



OPEN SESSION

ITEM 5.4

DATE	January 31, 2023
REPORT TO	Council for Decision
FROM	Ros Seibert, Senior Policy and Governance Analyst
SUBJECT	Approval of the 103 rd AGM Minutes
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To review and approve the Minutes of the 103 rd Annual General Meeting
Motion	That Council approve the Minutes of the 103 rd Annual General Meeting of Engineers and Geoscientists BC.

BACKGROUND

The 103rd Annual General Meeting of Engineers and Geoscientists BC was held on Saturday, October 15, 2022. The AGM Rules of Order state that the minutes from the AGM must be posted within 30 days of the AGM and be available for review and comment for a period of 30 days from the date of publication. Under the updated AGM Rules of Order, Council makes any requisite changes to the minutes after the review period and approves them for the final record. Registrants no longer vote to approve the minutes at the following AGM.

DISCUSSION

The minutes were posted online on November 3, 2022 and an email was sent to all attendees to notify them to the comment period. Registrants and trainees were encouraged to review the drafted minutes and inform staff of any corrections by 5:00pm on December 5, 2022. Staff received no comments or corrections from Registrants during the review period.

MOTION

That Council approve the Minutes of the 103rd Annual General Meeting of Engineers and Geoscientists BC.

APPENDIX A – Minutes of the 103rd Annual General Meeting

MINUTES OF THE 103rd ANNUAL GENERAL MEETING OF ENGINEERS AND GEOSCIENTISTS OF BRITISH COLUMBIA

**Minutes are presented as a draft, until approved by Council*

WELCOME AND INTRODUCTIONS

The meeting was held virtually via webcast on Saturday, October 15, 2022. After establishing that quorum of registrants was present, Chair, Carol Park, P.Eng. convened the meeting at 8:30 am.

The Chair acknowledged that she was joining the meeting from Burnaby, on the ancestral and unceded homelands of the Coast Salish peoples, including the Tsleil-Waututh, Squamish, and Musqueam nations, and extended appreciation for the opportunity to hold a meeting on this territory. The Chair added that while the meeting was being hosted on a virtual platform, she would also like to acknowledge the Indigenous Peoples of all the lands nationwide, that we are on today. The Chair then proceeded to ask the assembly to partake in a moment of reflection to acknowledge the harms and mistakes of the past and to consider how we are and can, in our own way, try to move forward in a spirit of reconciliation and collaboration.

The Chair noted that the legal and notification requirements for the meeting had been met and the meeting duly constituted.

The Chair addressed the assembly and advised that the AGM is an opportunity for registrants to hear from Council and senior staff on the organization's strategic progress and financial standing. She remarked that this year saw several significant milestones for the organization. We closed off our 2017 – 2022 Strategic Plan and developed a new strategic plan that will guide our work over the next five years. New programs including mandatory continuing education and the regulation of firms were introduced, along with significant work to operationalize the *Professional Governance Act*. Our commitment to equity, diversity and inclusion has deepened, and work to implement our Climate Change Action Plan had begun.

Introduction of 2021/2022 Council

The Chair then introduced the 2021/2022 members of Council and provided an overview of Council's role and responsibilities under Engineers and Geoscientists BC's primary mandate of protection of the public.

Introduction of Staff

The Chair introduced several Engineers and Geoscientists BC staff who were actively participating in the meeting and thanked staff working behind the scenes for their efforts.

Introduction of Parliamentarian

Eli Mina, Registered Parliamentarian, was introduced as the parliamentarian for the meeting.

OVERVIEW OF MEETING RULES AND PROTOCOLS

The Chair advised that Engineers and Geoscientists BC was hosting the AGM remotely for the third year in a row and informed registrants that there were some minor changes to the AGM rules with the goal of facilitating an efficient virtual meeting. The Chair informed registrants of the AGM rule changes which included: that Council has approved the agenda in advance of the AGM; and secondly, that we have amended the process to approve the minutes of this meeting. Rather than having the AGM minutes approved by the attendees of next year's AGM, we will post them on our website within 30 days of this meeting so registrants have an opportunity to review them. Following that consultation period, which will allow registrants to submit corrections, Council will approve the minutes.

The Chair also informed registrants that in order to facilitate engagement in our digital environment, we have included several question periods throughout the meeting where registrants are able to submit a question or comment. The Chair also outlined the voting procedures using the webcast platform.

APPROVAL OF MINUTES OF 102nd (2021) ANNUAL GENERAL MEETING

The Chair advised that although we have amended this process for future years, the minutes of the 2021 AGM were made available online in advance of the meeting and were available within the webcast platform.

MOTION: It was moved and seconded that the minutes of the 102nd Annual General Meeting (2021) of Engineers and Geoscientists BC be approved.

CARRIED

Subsequently to the vote on approving the 2021 AGM minutes, a point of order was raised that these minutes had not been uploaded to the webcast platform and, as a result, it was not possible to cast an informed vote on their approval.

The minutes of the 2021 AGM were then successfully uploaded, the vote on their approval was then re-taken, and the motion was approved. The motion to approve the 2021 AGM minutes was thereby adopted.

CARRIED

GREETINGS FROM ENGINEERS CANADA AND GEOSCIENTISTS CANADA

The Chair shared greetings from Engineers Canada President Kathy Baig, MBA, FIC, ing., DHC who brought greetings on behalf of our national engineering organization. The Chair advised that President Baig's remarks had been pre-recorded for the meeting.

The Chair then introduced Geoscientists Canada President Yuri Kinakin, P.Geo, who brought greetings on behalf of our national geoscience organization. President Kinakin's remarks were also pre-recorded for the meeting.

Acknowledgment of Guests from Other Regulators

The Chair welcomed representatives joining the meeting virtually from other professional regulatory bodies, and other engineering and geoscience regulators across the country.

ANNUAL REPORT

The Chair directed the assembly's attention to the 2021/2022 Annual Report, which included reports from the President, the Chief Executive Officer, as well as the Engineers and Geoscientists BC's financial statements. The annual report was made available on Engineers and Geoscientists BC's website.

President's Report

The Chair then began to provide a report on the organization's activities from this past fiscal year and shared some of the highlights from the organization's work from July 1, 2021 to June 30, 2022.

Some of the key highlights included: navigating changes and challenges resulting from the COVID -19 pandemic, the operationalization of new tools and requirements under the *Professional Governance Act* including the transition from serving a dual mandate to a regulatory mandate only, the launch of the 2022-2027 Strategic Plan, dissolution of the Benevolent Fund and advances in climate action and equity, diversity and inclusion strategies.

The Chair then acknowledged the outstanding contributions to the professions by the 2022 Award Winners.

Chief Executive Officer's Report

Heidi Yang, P.Eng., FEC, FGC (Hon.) Chief Executive Officer, briefed the assembly on major operational activities of the past year. One of the major activities this year was the development of a new five-year strategic plan. This plan was developed with input from many stakeholders, and focuses on modernizing our processes, collaborating with partners, agile regulation, and social impact. Other major activities were the continued implementation of the Professional Governance Act which included: the introduction of the regulation of engineering and geoscience firms and the launch of the Continuing Education Program as well as the conclusion of the multi-year investigation into the 2014 Mount Polley mine tailings pond breach.

At the conclusion of her report, Heidi Yang thanked President Park, Council, staff, volunteers, and the wider engineering and geoscience community for their efforts.

The Chair then opened the floor for questions regarding the Chief Executive Officer's Report and the President's Report.

Questions were raised related to: i) why the recently hired Chief Regulatory Officer and Registrar is not a P.Eng; ii) whether Council would consider bringing back the Life Membership designation for registrants; iii) request for a status update on the current Engineers and Geoscientists BC website outage; and iv) who owns the building located on Regent Street now that the organization is a regulator under the PGA.

All questions were addressed by the Chair and CEO.

At this point in the meeting a break was taken for 15 minutes.

As additional questions were received during the break, the Chair and CEO addressed the following questions after the break: i) are there plans to consider a form of remuneration for all volunteers in the future; ii) what action is the organization taking regarding misuse of title; iii) is the organization arranging for training for authorities having jurisdiction as some are not aware of the verification process for digitally signed documents; and iv) can registrants claim continuing education credits for attending the AGM.

Audited Financial Statements

The Chair called upon Suky Cheema, CPA, CA, Chair of the Audit Sub-Committee, to report on the audit process and to present the financial statements for the fiscal year ending June 30, 2022.

Suky Cheema confirmed that these statements have been approved by Council and do not require a motion for approval at the AGM. They are available to registrants and the public in our Annual Report.

The Chair then opened the floor for questions regarding the audited financial statements. No questions were raised.

OFFICE OF THE SUPERINTENDENT OF PROFESSIONAL GOVERNANCE REPORT

The Chair welcomed Paul Craven, Superintendent, to present a report from the Office of the Superintendent of Professional Governance (OSPG). The Chair advised that Mr. Craven's remarks had been pre-recorded for the meeting.

The Chair thanked Mr. Craven and informed the audience that today, Kate Haines, Director with the OSPG, was in attendance to address any questions from registrants related to this report. The Chair then opened the floor for questions.

Four questions were raised and addressed by Kate Haines. Questions included: i) what is the OSPG's stance on the interprovincial mobility of professionals; ii) are there plans for the lawyers to also be transitioned to the PGA; iii) when will the other regulatory bodies under the PGA begin regulating firms; and iv) when does the term of the current Superintendent expire, and does the next provincial election impact the appointment of the Superintendent?

AGM MOTIONS

The Chair addressed the audience and stated that in accordance with the organization's bylaws and meeting rules, registrants had the opportunity to submit motions in advance of the AGM for Council's consideration. All motions must have been received no later than 5:00 PM on September 14, 2022 to allow adequate time for review and inclusion in the virtual meeting and to support fair and informed debate. At the close of the submission deadline, no motions were received.

IN MEMORIAM

The Chair acknowledged registrants of the organization who had passed away over the last year. A moment of respectful silence was observed.

RESULTS OF THE 2022 COUNCIL ELECTION

The Chair welcomed Heidi Yang, P.Eng., FEC, FGC (Hon.) Chief Executive Officer, in her capacity as Chief Electoral Officer, to review the results and election process.

The Engineers and Geoscientists BC election was conducted by electronic ballot. All registrants in good standing, including, our more than 8,000 trainees, were eligible to vote.

The process is run through a two-tiered, secure third-party administered system, so while the organization can access an up-to-date voter list, the results are held by the third party and not released to us until the close of voting. By using this system, neither Engineers and Geoscientists BC nor the third party can connect voter to vote. As Chief Electoral Officer, I am satisfied that the election was conducted in a fair, confidential and impartial manner.

This year 14.0% of eligible voting members participated. 5,550 votes were cast.

The council election results were announced as follows:

President: Mark Adams, P.Eng.

The newly-elected Councillors were Mark Porter, P.Eng., StructEng., FEC, Mahsoo Naderi-Dasoar, P.Eng., and Karen Ling, P.Eng.

As Councillor Mark Adams was elected President, creating a vacancy on Council, Ms. Naderi-Dasoar will serve the remainder of Mr. Adams' term, which is two years.

This Fall, Council will appoint one of its elected members to serve as Vice President for a 1-year term.

This governance best practice, well-established in similar organizations, enables Council to select a Vice President who can best meet the needs of the Council.

RECOGNITION OF OUTGOING COUNCIL

The Chair took a moment to thank the councillors who had completed their terms of service on Council for their dedication of time and energy to the organization and to the professions.

She began with thanking outgoing Past President Larry Spence for his many years of dedicated service and leadership on Council.

Councillors completing their terms at this time were:

- Kevin Turner, P.Eng., FEC, FGC (Hon.) and
- Dr. Brent Ward, P.Geo., FGC, FEC (Hon.)

On behalf of Engineers and Geoscientists BC, the Chair expressed his sincere thanks to all of the outgoing Councillors for their tremendous dedication of time and energy to the organization and to the professions.

INDUCTION OF PRESIDENT AND 2022/2023 COUNCIL

Carol Park, P.Eng., then introduced Mark Adams, P.Eng. as incoming President for the 2022/2023 Council year. Chief Regulatory Officer and Registrar, David Pavan, RPh, CSC, administered the Oath of Office for the incoming President.

Mark Adams addressed the audience and spoke to several initiatives he would be focusing on over the coming year. He then proceeded to thank outgoing President, Carol Park for her leadership and then introduced the new and continuing members of the 2022/2023 Council:

- Immediate Past President is Carol Park, P.Eng.

New and returning Councillors are:

- Karen Ling, P.Eng.
- Michelle Mahovich, P.Eng., P.Geo.
- Mahsoo Naderi-Dasoar, P.Eng
- Mark Porter, P.Eng., StructEng., FEC
- Jessica Steeves, P.Eng, and
- Jens Weber, P.Eng

Engineers and Geoscientists BC's public representatives appointed by government are:

- Suky Cheema, CPA, CA
- Leslie Hildebrandt, ICD.D, LLB
- Emily Lewis, CPA, CMA and
- David Wells, JD

Presidential Year in Review Video

Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer acknowledged Carol Park, P.Eng., outgoing President for her service and commitment over the past year and thanked her on behalf of Engineers and Geoscientists BC for her continued contributions to the professions and the public.

Stripped Gear Presentation

Outgoing President Carol Park, P.Eng., was then honoured with the “Stripped Gear” medallion in a virtual ceremony presented by outgoing Past President Larry Spence, P.Eng., FEC, FGC (Hon.). Larry Spence’s presentation was pre-recorded for the AGM.

CLOSING REMARKS AND ANNOUNCEMENTS

In closing, the Chair underlined the requirement for diverse experience, skills and expertise required for Council, and requested that attendees for help in identifying and recruiting candidates for next year’s Council elections, and to consider running. The Chair offered thanks to those who had organized the AGM, as well as the annual conference sessions and for all those in attendance at today’s meeting.

ADJOURNMENT

The Chair declared the meeting adjourned at 10:44 am.

OPEN SESSION

ITEM 5.5

DATE	January 31, 2023
REPORT TO	Council for Decision
FROM	Deesh Olychick, Director, Governance & Strategy
SUBJECT	Updates to Council Policy to Align with Legislative Changes
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation

Purpose	To authorizing the terminology changes to Council policies to align with changes in legislation.												
Motion	<p>That Council i) authorize terminology changes to update Council policies to align with legislative changes; and ii) direct staff to make the following changes on or after the coming into force of the corresponding sections of the <i>Professional Governance Amendment Act, 2022</i>:</p> <table border="1"> <thead> <tr> <th>Current</th><th>New</th></tr> </thead> <tbody> <tr> <td>Council</td><td>Board</td></tr> <tr> <td>Councillor</td><td>Board Member (Lay Board Member; Registrant Board Member)</td></tr> <tr> <td>Immediate Past President</td><td>Immediate Past Board Chair</td></tr> <tr> <td>President</td><td>Board Chair</td></tr> <tr> <td>Vice President</td><td>Board Vice Chair</td></tr> </tbody> </table>	Current	New	Council	Board	Councillor	Board Member (Lay Board Member; Registrant Board Member)	Immediate Past President	Immediate Past Board Chair	President	Board Chair	Vice President	Board Vice Chair
Current	New												
Council	Board												
Councillor	Board Member (Lay Board Member; Registrant Board Member)												
Immediate Past President	Immediate Past Board Chair												
President	Board Chair												
Vice President	Board Vice Chair												

BACKGROUND

This Spring, the terminology for Council will change. Council will be renamed the Board, the President will be renamed as Chair and the Vice President will be renamed as Vice Chair. In addition to making changes to our website, a number of policies, guides and documents will need

to be updated to reflect this change. Staff is creating an inventory of the work ahead and planning for this work to occur over the next six months.

DISCUSSION

As many Council policies will require updates to reflect the new terminology, rather than bringing each updated policy forward for approval, it is recommended that Council authorize the terminology changes to update the Council policies to align with the legislative changes and direct staff to make the necessary changes once the amendments to the PGA are in force.

A note will be added to each policy as it is updated to reflect the date of the revision and the context of the change. All policy changes will be reviewed by the Director, Corporate Governance & Strategy before being finalized.

Any policies requiring any substantive change will be brought forward for Council consideration and approval.

The proposed approach was endorsed by the Governance Sub-committee at its January 25, 2023 meeting.

MOTION

That Council i) authorize terminology changes to update Council policies to align with legislative changes; and ii) direct staff to make the following changes on or after the coming into force of the corresponding sections of the *Professional Governance Amendment Act, 2022*:

<i>Current</i>	<i>New</i>
<i>Council</i>	<i>Board</i>
<i>Councillor</i>	<i>Board Member (Lay Board Member; Registrant Board Member)</i>
<i>Immediate Past President</i>	<i>Immediate Past Board Chair</i>
<i>President</i>	<i>Board Chair</i>
<i>Vice President</i>	<i>Board Vice Chair</i>

OPEN SESSION

ITEM 5.6

DATE	January 31, 2023
REPORT TO	Council for Decision
FROM	Governance Sub-committee
SUBJECT	Updates to the Statutory Committees Terms of Reference
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation

Purpose	To review and consider approval of the revised Terms of Reference for the Statutory Committees.
Motion 1:	That Council approve the updated Terms of Reference for the Audit & Practice Review Committee.
Motion 2:	That Council approve the updated Terms of Reference for the Credentials Committee.
Motion 3:	That Council approve the updated Terms of Reference for the Discipline Committee.
Motion 4:	That Council approve the updated Terms of Reference for the Investigation Committee.
Motion 5:	That Council approve the updated Terms of Reference for the Nomination Committee.

BACKGROUND

Pursuant to the *Professional Governance Act* (PGA), Engineers and Geoscientists BC has established the following five Statutory Committees:

- Audit & Practice Review Committee
- Credentials Committee
- Discipline Committee
- Investigation Committee

- Nomination Committee

The Statutory Committees' Terms of Reference need to be revised to match recent changes in the PGA, the Bylaws of Engineers and Geoscientists BC (the "Bylaws"), and Council policy:

1. An upcoming amendment to the PGA will change the terminology for regulatory bodies' governance structure: "Council" will become "Board", "President" and "Vice President" will become "Chair" and "Vice-Chair".
2. The Bylaws, as amended in September 2022, allow for non-practicing Registrants to serve as Committee members.
3. Council Policy on Statutory Committee Term Length (CO-22-92), as amended in September 2022, increased committee member appointments to three-year terms, renewable twice for a total of nine years.
4. Additional changes to the Audit and Practice Review Committee Terms of Reference.
5. Correction to the term length specified for the Branch Chairs Representative on the Nomination Committee.

The Governance Sub-committee reviewed the revised Terms of Reference at their meeting on January 25, 2023 and recommends that Council approve the updated Terms of Reference for the Statutory Committees.

DISCUSSION

1. **PGA terminology change: "Council" will become "Board"**

The Council of Engineers and Geoscientists BC will be renamed the Board in 2023. This change emanates from amendments to the PGA that will be brought into force by regulation in spring of 2023. In anticipation of the PGA amendments, the Bylaws will be amended in February 2023 to change the terminology from Council to Board. Concurrently, the Statutory Committees' terms of reference also need to be updated to reflect the new terminology.

2. **Bylaw amendment to allow non-practising Registrants to serve as members on Committees**

Section 32(6)(b) of the PGA allows Council to make Bylaws with respect to the appointment and termination of committee members. The Bylaws adopted in February 2021 established that Registrants without the right to engage in Reserved Practice are not eligible for appointment to any Committee.

In September 2022, Council passed Bylaw amendments to repeal the eligibility provision and instead establish a rule requiring that Professional Registrants (i.e., Registrants with the right to engage in the Reserved Practice) must constitute the majority of Committee members on the following Statutory Committees: Audit and Practice Review Committee, Credentials Committee, Discipline Committee, and Investigation Committee (the “Regulatory Committees”). This Bylaw change allows for non-practising Registrants to also serve as Committee members. There is no similar restriction to the member composition of the Nomination Committee; both practicing and non-practicing registrants are eligible.

An additional Bylaw provision allows for the Regulatory Committees to function without a majority of Professional Registrants for up to one year to allow sufficient time for new committee member appointments by Council.

See Attachment A for excerpt of the relevant bylaw.

Following these Bylaw amendments, Terms of Reference for all Regulatory Committees need to be revised to reflect the Bylaw rules on Committee membership composition.

3. Council Policy: Committee member term lengths

Council revised the Policy on Statutory Committee Term Length (CO-22-92) in September 2022, increasing the term lengths from two to three years, renewable twice for a total term length of nine years. Following completion of a nine year total term length, Committee members interested in re-appointment must observe a three year stand-down before re-applying to the same statutory committee. Engineers and Geoscientists BC staff may seek extensions to the total term limit or a reduction in the stand-down period in accordance with Council policy. The Terms of Reference for all Statutory Committees need to be revised to update the term length for committee members.

4. Audit and Practice Review Committee Terms of Reference

The Terms of Reference for the Audit and Practice Review Committee contains additional changes. Under the *Professional Governance Act* and Bylaws, the committee was given responsibilities not captured in the existing Terms of Reference approved by Council in September 2020. These updates were reviewed and endorsed by the Governance Sub-Committee in 2021 but were not brought to the Council as changes to the committee composition were expected. Therefore, the Terms of Reference updates from 2021 are being brought to Council together with the new changes.

5. Change to Term of Branch Chair Representative on Nomination Committee

In the Nomination Committee Terms of reference, a correction has been made to the duration of the term of the Branch Chair Representative. The term on the committee is now equal to the duration of the term as Branch Chair Representative. The change is now reflected in the Nomination Committee's Terms of Reference (10.2) alongside the terminology changes.

RECOMMENDATION

The Governance Sub-committee of Council recommends that Council approved the update Terms of Reference for all Statutory Committees. Track change versions are included as [Appendices B – F](#).

MOTIONS

- Motion 1: That Council approve the updated Terms of Reference for the Audit & Practice Review Committee.
- Motion 2: That Council approve the updated Terms of Reference for the Credentials Committee.
- Motion 3: That Council approve the updated Terms of Reference for the Discipline Committee.
- Motion 4: That Council approve the updated Terms of Reference for the Investigation Committee.
- Motion 5: That Council approve the updated Terms of Reference for the Nomination Committee.

[APPENDIX A: Bylaw amendment](#)

[APPENDIX B: Audit & Practice Review Committee TORs \(Tracked Changes\)](#)

[APPENDIX C: Credentials Committee TORs \(Tracked Changes\)](#)

[APPENDIX D: Discipline Committee TORs \(Tracked Changes\)](#)

[APPENDIX E: Investigation Committee TORs \(Tracked Changes\)](#)

[APPENDIX F: Nomination Committee TORs \(Tracked Changes\)](#)

Bylaw amendment to allow non-practising Registrants to serve as Committee members.

Bylaw section 2.2 – relevant subsections:

- (5) The Council must appoint the members of each Committee.
- (6) For each Regulatory Committee, the Council must appoint Professional Registrants to constitute a majority of the Regulatory Committee members.
- (7) If the composition of a Regulatory Committee changes such that Professional Registrants no longer constitute a majority of Regulatory Committee members, the Regulatory Committee may continue to operate and carry out its business without a majority of Professional Registrants for up to one year.
- (8) A member, a vice-chair, or a chair of a Committee who is an individual Registrant and whose registration has been suspended or cancelled is terminated from the Committee effective the start date of the suspension or cancellation.
- (9) A Committee member serves on a Committee at the pleasure of the Council and may be removed by the Council from a Committee before the expiry of their term of office without prior notice to the Committee member.



TERMS OF REFERENCE

1. **Name:** Audit and Practice Review Committee (the “Committee”)

2. **Definitions:**

“Board” means the same as defined in the Bylaws.

“Bylaws” means the bylaws of Engineers and Geoscientists BC.

“Electronic Means” includes videoconference, telephone conference, and webcasting.

“Lay Committee Member” means the same as defined in section 21 of the PGA [Definitions].

“PGA” means the *Professional Governance Act*, S.B.C. 2018, c. 47.

“Professional Registrants” means the same as defined in section 1.1(1) of the Bylaws [Definitions].

“Registrant” means the same as defined in Schedule 1, section 5 of the PGA [Definitions in respect of the Association of Professional Engineers and Geoscientists of the Province of British Columbia].

“Reserved Practice” means the same as defined in section 1(1) of the PGA [Definitions and interpretation].

3. **Type:**

3.1 The Committee is a Statutory Committee created by the PGA established by ~~Council~~the Board.

4. **Reporting Relationship:**

4.1 The members of the Committee are appointed by ~~Council~~the Board.

- 4.2 The Committee reports to ~~Council~~the Board in accordance with section 16 of these Terms of Reference.

5. Purpose:

- 5.1 To administer the Audit and Practice Review Programs for individual and firm registrants in accordance with the PGA and Bylaws

6. Authorities of the Committee:

- 6.1 To exercise the Committee's responsibilities, powers and duties as set out in the PGA and Bylaws.

7. Functions of the Committee:

- 7.1 In accordance with the PGA and Bylaws, the Audit and Practice Review Committee has the following functions:

- (a) To annually review and approve the risk criteria to be applied to the random selection process for individual registrant audits.
- (b) To review and make decisions on audit exemption applications.
- (c) To exercise and delegate, as appropriate the powers granted by the ~~Council~~Board to the Audit and Practice Review Committee to one or more officers to review and make decisions on continuing education program exemptions.
- (d) To delegate the powers granted by the ~~Council~~Board to the Audit and Practice Review Committee to the Registrar and one or more other officers to appoint assessors.
- (e) To adjudicate audit files for individual and firm registrants.
- (f) To adjudicate practice review files for individual and firm registrants.
- (g) To provide advice on topics for remedial courses and/or training to be delivered by or facilitated through Engineers and Geoscientists BC.
- (h) To review and make decisions regarding the suspended status of registrants for failure to complete continuing education requirements.
- (i) To review and make decisions regarding the remittance of late exemption fees related to continuing education requirements.

- (j) To review and make decisions on applications, enrolment or, conditions prohibiting regulated practice, reinstatement or registrant category for firms.
- (k) To delegate the powers granted by the ~~Council~~Board to the Audit and Practice Review Committee to the Registrar and one or more other officers to review and make decisions on applications, enrolment, conditions prohibiting regulated practice, or reinstatement or registrant category for firms
- (l) To notify the Investigation Committee of an individual or firm registrant's conduct when if the Audit and Practice Review Committee considers ~~notifying the Investigation Committee~~ it necessary to protect the public and has reasonable grounds to believe that an individual or firm registrant's conduct constitutes:
 - professional misconduct;
 - conduct unbecoming a registrant; or
 - incompetent performance of duties undertaken while engaged in the regulated practice.
- (m)To make decisions on whether to notify an appropriate authority:
 - if the Audit and Practice Review Committee believes that an individual or firm registrant knowingly gave false information to the Committee; or
 - for the purpose of reporting a risk of significant harm to the environment or to the health or safety of the public or a group of people.

8. Budget:

- 8.1 Except as allocated in Engineers and Geoscientists BC's budget, the Committee has no budget authority beyond reasonable expenses for travel or ancillary expenses.

9. Membership:

- 9.1 At least seven (7) persons, one (1) of whom must be a Lay Committee Member who is not a registrant of Engineers and Geoscientists BC.

- 9.2 The majority of Committee members must be Professional Registrants (i.e., Registrants with the right to engage in Reserved Practice) pursuant to section 2.2(6) of the Bylaws.

~~9.29.3~~ ~~Council Board~~ members ~~and~~ are not eligible for appointment to the Committee.

~~9.3 Registrants without the authority to engage in Reserved Practice are not eligible for appointment to the Committee.~~

9.4 It is preferable that Committee membership include a broad range of areas of practice and at least one representative from the engineering profession and one representative from the geoscience profession.

9.5 It is preferable that registrant members have a minimum of 7 years of experience practicing in Reserved Practice.

10. Term of Office:

10.1 Appointments are normally ~~two-three~~ years and renewable twice, unless the ~~Council Board~~ deems it appropriate to extend beyond the normal terms in accordance with the ~~Statutory Committee Member~~ Term Length Policy.

11. Committee Chair and Vice-Chair:

11.1 In accordance with the Chair of Statutory Committee Position Description and Role Profile, the chair manages the meetings and function of the Committee, with the assistance of the vice-chair.

12. Frequency of Meetings:

12.1 The Committee is expected to meet frequently enough to adjudicate the ongoing audit and practice review files. At a minimum, the Committee must meet 6 times annually.

13. Quorum:

13.1 The majority of the members of the Committee, including at least one (1) Lay Committee Member.

14. Conduct of Meetings:

14.1 The Committee meets or adjourns as it sees fit, including meeting by any combination of Committee members attending in person or by Electronic Means.

14.2 On occasion, a Committee chair may communicate with all members by e-mail and, with supporting information, propose and call for a consent resolution. Committee members have the option of responding by moving, seconding or supporting the motion, or requesting that it be considered further at a meeting of the committee. A consent resolution is deemed to have been achieved if

- (a) there are no negative votes,
- (b) there are no calls for in-person discussion, and
- (c) the number of support votes is equal to or greater than the number required for a quorum.

In the case where a member so requests, the motion is not carried, but instead brought forward for consideration at a subsequent meeting of the Committee. In the case of an urgent matter, this may occur at a special meeting conducted by Electronic Means where the normal requirements for a quorum will prevail. Any motion so carried is considered to take effect immediately and is recorded in the minutes of the subsequent Committee meeting.

15 Minutes:

- 15.1 Minutes of Committee meetings are the responsibility of Engineers and Geoscientists BC staff.
- 15.2 Minutes are confidential and distributed only to Committee members.

16 Periodic Reporting and Review of Terms of Reference:

- 16.1 The Committee shall review its Terms of Reference on an annual basis and as requested by the Governance ~~Committee~~Sub-committee, submit verification of reviews to the Governance ~~Committee~~Sub-committee.
- 16.2.1 With the assistance of staff, the Committee shall submit statistical quarterly and annual reports to ~~Council~~the Board.

17 Staff Support:

- 17.1 Staff support is the responsibility of the Associate Director, Professional Practice and the Associate Director, Regulation of Firms.

Approved by Council:

<u>APPROVED BY COUNCIL:</u>	<u>March 3, 1994</u>	<u>(Minute #CO 34-94)</u>
<u>REVISED BY COUNCIL</u>	<u>February 26, 2003</u>	<u>(Minute #CO 03-30)</u>
<u>REVISED BY COUNCIL</u>	<u>May 5, 2006</u>	<u>(Minute #CO 06-42)</u>
<u>REVISED BY COUNCIL</u>	<u>September 11, 2020</u>	<u>(Minute #CO 20-83)</u>
<u>REVISED BY THE BOARD</u>	<u>February 17, 2023</u>	
March 3, 1994 (Minute #CO 34-94)		
February 26, 2003 (Minute #CO 03-30)		
May 5, 2006 (Minute #CO 06-42)		

September 11, 2020 (Minute #xxx~~CO 20-83~~)



TERMS OF REFERENCE

1. **Name:** Credentials Committee (the “Committee”)

2. **Definitions:**

“Board” means the same as defined in the Bylaws.

“Bylaws” means the bylaws of Engineers and Geoscientists BC.

“Electronic Means” includes videoconference, telephone conference, and webcasting.

“Lay Committee Member” means the same as defined in section 21 of the PGA [Definition].

“Non-Contentious Decision” means a decision which, pursuant to a policy approved by the ~~Council~~Board, may be made by an Officer in relation to an application for enrolment, admission, or reinstatement as a Registrant or an application for reinstatement as a Professional Registrant.

“Officer” means the Director, Registration, or the Associate Director, ~~Engineering~~Admissions.

“PGA” means the *Professional Governance Act*, S.B.C. 2018, c. 47.

“Professional Registrant” means the same as defined in section 1.1(1) of the Bylaws [Definitions]. ~~a Registrant who may engage in Reserved Practice and is registered in one of the following categories of Registrants:~~

- ~~(a) — professional engineer;~~
- ~~(b) — professional geoscientist;~~
- ~~(c) — professional licensee engineering;~~
- ~~(d) — professional licensee geoscience;~~

~~(e) — life member prior to 1998;~~

~~(f) — honorary life member~~

“Registrant” means the same as defined in Schedule 1, section 5 of the PGA [*Definitions in respect of the Association of Professional Engineers and Geoscientists of the Province of British Columbia*].

“Reserved Practice” means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

3. Type:

3.1 The Committee is a Statutory Committee created by the PGA.

4. Reporting Relationship:

4.1 The members of the Committee are appointed by ~~the Council~~Board.

4.2 The Committee reports to ~~Council~~the Board in accordance with section 16 of these Terms of Reference.

5. Purpose:

5.1 To determine whether to grant, grant subject to limitations or conditions on the registration or reject with written reasons

- (a) an application for initial registration, reinstatement as a Professional Registrant or reinstatement as a non-practising Registrant or Trainee; or
- (b) an application for reconsideration of a Credentials Committee decision.

5.2 To report to the Registrar in respect to an application for Review on the Record.

5.3 To determine, publish and monitor guidelines, policies, procedures, processes and provisions for credentials assessment and registration in the best interest of the public.

6. Authorities of the Committee:

6.1 To exercise the Committee’s responsibilities, powers and duties as set out in the PGA and Bylaws, including the Committee’s power to delegate the powers granted

by the ~~Council Board~~ to the Credentials Committee pursuant to section 45(1) of the PGA [*Application for enrolment, admission or reinstatement*] to the Officers for the sole purpose of either Officer making a Non-Contentious Decision as detailed in Appendix A to this document.

7. Function/Deliverables:

- 7.1 To carry out its responsibilities set out in Sections 5 and 6 of these Terms of Reference.
- 7.2 To create, develop Terms of Reference for and appoint Registrants to Panels, Task Forces and Subcommittees that review and make recommendations to the Committee with respect to policies, procedures and provisions and applications for registration.
- 7.3 To research and make recommendations to the Council Board with respect to
 - (a) matters respecting policies and requirements for registration,
 - (b) bylaws related to Credentials and Registrants,
 - (c) fees related to Credentials and Registrants,
 - (d) local, national and international initiatives related to Credentials and Registrants.

8. Budget:

- 8.1 Except as allocated in Engineers and Geoscientists BC's annual budget, the Committee has no budget authority beyond reasonable expenses for travel or ancillary expenses.

9. Membership:

9.1 At least ~~fifteen-nine (159)~~ persons, ~~a minimum of three-one (31)~~ of whom must be a Lay Committee Members who ~~are-is~~ not a Registrants of Engineers and Geoscientists BC.

9.19.2 The majority of Committee members must be Professional Registrants (i.e., Registrants with the right to engage in Reserved Practice) pursuant to section 2.2(6) of the Bylaws.

9.29.3 Council Board members are not eligible for appointment to the Committee.

~~9.3 Registrants without the ability to engage in Reserved Practice are not eligible for appointment to the Committee.~~

- 9.4 It is preferable that Committee membership include a broad range of areas of practice and at least one representative from the engineering profession and one representative from the geoscience profession.

10. Term of Office:

- 10.1 Appointments are normally ~~two~~three years, renewable twice unless the ~~Council Board~~ deems it appropriate to extend beyond the normal terms in accordance with the Statutory Committee ~~Member~~ Term Length Policy.

11. Committee Chair and Vice-Chair:

- 11.1 In accordance with the Chair of Statutory Committee Position Description and Role Profile, the chair manages the meetings and function of the Committee, with the assistance of the vice-chair.

12. Frequency of Meetings:

- 12.1 Meetings are normally held 10 times per annum and may be increased or reduced in order to manage the administrative business and applications requiring discussion.
- 12.2 At least one meeting per year will be dedicated to policy, guideline and procedure review.

13. Quorum:

- 13.1 A majority of the members of the Committee, including at least one (1) Lay Committee Member.

14. Conduct of Meetings:

~~14.~~

- ~~14.1 All meetings of the Committee are in camera meetings that meet the requirements of privacy legislation.~~

- ~~14.2~~14.1 The Committee meets or adjourns as it sees fit, including meeting by any combination of Committee members attending in person or by Electronic Means.

- ~~14.3~~14.2 On occasion, a Committee Chair may communicate with all members by e-mail and, with supporting information, propose and call for a consent resolution. Committee members have the option of responding by moving, seconding or supporting the motion, or requesting that it be considered further at a meeting of the committee. A consent resolution is deemed to have been achieved if

- (a) there are no negative votes,
- (b) there are no calls for in-person discussion, and
- (c) the number of support votes is equal to or greater than the number required for a quorum.

In the case where a member so requests, the motion is not carried, but instead brought forward for consideration at a subsequent meeting of the Committee. In the case of an urgent matter, this may occur at a special meeting conducted by Electronic Means where the normal requirements for a quorum will prevail. Any motion so carried is considered to take effect immediately and is recorded in the minutes of the subsequent Committee meeting.

15. Minutes:

- 15.1 Minutes of Committee meetings are the responsibility of the Director, Registration.
- 15.2 Minutes are confidential and distributed only to Committee members.

16. Periodic Reporting and Review of Terms of Reference:

- 16.1 The Committee shall review its Terms of Reference on an annual basis and, as requested by the Governance Sub-Committee, submit verification of review to the Governance Sub-Committee.
- 16.2 With the assistance of staff, the Committee shall submit semi-annual reports to the Council Board on process performance, applicant and member data, new initiatives and other issues as appropriate.

17. Staff Support:

- 17.1 Staff support is the responsibility of the Director, Registration.

Approved by ~~Council~~the Board:

Registration Committee

	<u>October 26, 1995</u>	(Minute # CO 95-126)
REVISED, APPROVED BY COUNCIL:	<u>October 24, 2002</u>	(Minute # CO 02-141)
REVISED, APPROVED BY COUNCIL:	<u>January 14, 2005</u>	(Minute # CO 05-11-1)
REVISED, APPROVED BY COUNCIL:	<u>September 8, 2006</u>	(Minute # CO 06-98)
REVISED, APPROVED BY COUNCIL:	<u>January 26, 2007</u>	(Minute # CO 07-26)
REVISED, APPROVED BY COUNCIL:	<u>October 26, 2007</u>	(Minute # CO 07-89)

REVISED, APPROVED BY COUNCIL:	<u>March 13, 2009</u>	(Minute # CO 09-38)
REVISED, APPROVED BY COUNCIL:	<u>June 19, 2009</u>	(Minute # CO 09-72-2)
REVISED, APPROVED BY COUNCIL:	<u>September 9, 2011</u>	(Minute # CO 11-141)
REVISED, APPROVED BY COUNCIL:	<u>September 14, 2012</u>	(Minute # CO 12-111)
REVISED, APPROVED BY COUNCIL:	<u>November 25, 2014</u>	(Minute # CO 15-20)
REVISED, APPROVED BY COUNCIL:	<u>April 28, 2017</u>	(Minute # CO 17-44)

Credentials Committee

REVISED, APPROVED BY COUNCIL:	<u>September 11, 2020</u>	(Minute # CO 20-83)
REVISED, APPROVED BY COUNCIL:	<u>November 20, 2020</u>	(Minute # CO 21-24)
REVISED, APPROVED BY THE BOARD:	<u>MM, DD, YYYY</u>	<u>(Minute XX)</u>

Director, Registration

Align terminology and references with the January 4, 2023
PGA and Bylaws

Appendix A: Non-Contentious Decisions

The following are the Non-Contentious Decisions which an Officer may make. An Officer is delegated the power by the Credentials Committee to make registration decisions under the circumstances specified below:

A. Granting an Application

a. Mobility within Canada

- i. Registration of applicants who are registered members, licensees, or academically -qualified engineers-in-training or geoscientists-in-training in good standing with constituent associations/ordres of Engineers Canada or Geoscientists Canada; and whose applications are in compliance with internal trade agreements including the Canadian Free Trade Agreement and the New West Partnership Trade Agreement.

b. Other Applications

- i. Registration of academically -qualified applicants for Engineer-in-Training or Geoscientist-in-Training.
- ii. Registration as a Professional Registrant when all other requirements listed in the bylaws are met and an applicant demonstrates the following:
 1. the applicant is academically -qualified in accordance with Clauses 1 – 7 and 9 of the *Policy on Minimum Academic Requirements for Registration (Engineering)* and the *Policy on Accredited and Recognized Programs for Foreign Qualifications*; and
 2. the applicant has met the experience and competency requirements for registration as confirmed by
 - a. unanimous approval by two members of the Experience Review Panel or two competency assessors,
 - b. unanimous approval by two members of the Geoscience Committee, and/or
 - c. the Low Risk or Low Risk Referee profile being satisfied in accordance with one of the following policies:
 - i. the *Looking-to-Exempt Policy for Engineering Applicants*;
 - ii. the *Policy and Procedure (Engineering)* for

*Academically Qualified Applicant Profiles and
Review of Experience;*

~~ii-iii.~~ *the Policy on the Low-Risk Assessment of
Geoscience Applications;* or

3. the applicant has at least five years of experience in Canada or the United States or has demonstrated application of the required Canadian Environment competencies outside of Canada or the United States at a satisfactory level for at least five years in accordance with Item 1 *the Looking-to-Exempt Policy for Engineering Applicants;* or
 4. the applicant has a CEAB/MRA (likely ABET)-accredited degree, is licensed in the United States and has more than five years of experience since licensure, supported by an appropriately ~~-~~validated Engineers and Geoscientists BC Competency Assessment or a complete and current record provided by the National Council of Examiners for Engineering and Surveying ("NCEES"). The Competency Assessment or the ~~-~~NCEES Record must contain good to outstanding references, at least two of which are from professional engineers licensed in the United States or Canada in a discipline of practice that is related to that of the applicant and must demonstrate the applicant's compliance with the *Policy on Engineering Work Experience in a Canadian Environment*.
- i. Reinstatement of Status as a Professional Registrant when any of the following applies:
 1. an applicant has been non-practising or a non-registrant for less than one year; or
 2. an applicant meets the reinstatement requirements set out in the Bylaws with no outstanding issues related to character or competence.
 - ii. Reinstatement as a Trainee, a Non-Practising Registrant, or a Life Member or Life Limited Licensee Registrant.

B. Rejecting an Application with Written Reasons

- a. for engineering applicants, assignment of confirmatory examinations in accordance with the Policy on Assignment of Confirmatory Examinations, or

- b. for geoscience applicants, assignment of examinations by the Geoscience Committee Academic Subcommittee

C. Administrative Decisions

- a. Name changes.
- b. Acceptance of examination results and exam period extensions.
- c. Acceptance of equivalent courses approved by the [former] Board of Examiners or the Interview Panel as being equivalent to syllabus topics for which qualifying examinations have been assigned.
- d.



TERMS OF REFERENCE

1. **Name:** Discipline Committee (the “Committee”)

2. **Definitions:**

“Board” means the same as defined in the Bylaws.

“Bylaws” means the bylaws of Engineers and Geoscientists BC.

“**Discipline Hearing Panel**” means a panel of at least three members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee pursuant to section 77(1) of the PGA [*Discipline committee to conduct hearings*] for the purpose of conducting a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*] or for the purpose of taking action pursuant to section 76 of the PGA [*Conduct in another jurisdiction*].

“**Discipline Resolution Panel**” means a panel of at least three members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee for the purpose of attempting to resolve one or more matters set out in a citation by means other than a discipline hearing pursuant to sections 72 to 74 of the PGA.

“**Electronic Means**” includes videoconference, telephone conference, and webcasting.

“**Extraordinary Action Panel**” means a panel of at least three members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee for the purpose of considering action that may be taken pursuant to section 67 of the PGA [*Extraordinary action*].

“**Lay Committee Member**” means the same as defined in section 21 of the PGA [*Definition*].

"Meeting" means a meeting of the Discipline Committee for training and administrative purposes that is unrelated to a discipline hearing or any other proceeding or process associated with a discipline matter and administered by a Panel of the Discipline Committee.

"Panel" means one or more of the following:

- a) Extraordinary Action Panel;
- b) Discipline Resolution Panel;
- c) Discipline Hearing Panel.

"PGA" means the *Professional Governance Act*, S.B.C. 2018, c. 47.

"Professional Registrants" means the same as defined in section 1.1(1) of the Bylaws [Definitions].

"Registrant" means the same as defined in Schedule 1, section 5 of the PGA [*Definitions in respect of the Association of Professional Engineers and Geoscientists of the Province of British Columbia*].

"Reserved Practice" means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

3. Type:

- 3.1 The Committee is an independent Statutory Committee under the PGA established by the Board~~Council~~.

4. Reporting Relationship:

- 4.1 The members of the Committee are appointed by ~~Council~~the Board.
- 4.2 The Committee reports to ~~Council~~the Board in accordance with section 15 of these Terms of Reference.

5. Purpose:

- 5.1 To conduct discipline hearings into alleged breaches of the PGA and Bylaws (including the Code of Ethics) by Registrants of the Association of Professional

Engineers and Geoscientists of the Province of British Columbia, also operating as Engineers and Geoscientists BC.

- 5.2 To attempt to resolve one or more of the matters set out in a citation by means other than a discipline hearing as set out in the PGA and Bylaws.

6. Authorities of the Committee:

- 6.1 To exercise the Committee's responsibilities, powers and duties as set out in the PGA and Bylaws.

7. Budget:

- 7.1 Except as allocated in Engineers and Geoscientists BC's annual budget, the Committee has no budget authority beyond reasonable expenses for travel or ancillary expenses.

8. Membership:

- ~~8.1~~ At least nine (9) persons, one (1) of whom must be a Lay Committee Member who is not a Registrant of Engineers and Geoscientists BC.

~~8.18.2~~ The majority of Committee members must be Professional Registrants (i.e., Registrants with the right to engage in Reserved Practice) pursuant to section 2.2(6) of the Bylaws.

~~8.28.3~~ Council Board members are not eligible for appointment to the Committee.

~~8.3~~ Registrants without the ability to engage in Reserved Practice are not eligible for appointment to the Committee.

- 8.4 It is preferable that Committee membership include a broad range of areas of practice and at least one representative from the engineering profession and one representative from the geoscience profession.

9. Term of Office:

- 9.1 Appointments are ~~normally two~~three years and renewable twice, unless the Council Board deems it appropriate to extend beyond the normal terms in accordance with the Statutory Committee ~~Member~~ Term Length Policy.

10. Committee Chair and Vice-Chair:

- 10.1 In accordance with the Chair of Statutory Committee Position Description and Role Profile, the chair manages the meetings and function of the Committee, with the assistance of the vice-chair.
- 10.2 The chair manages the recruitment of new Committee members, with the assistance of the vice-chair.
- 10.3 The chair manages the appointment of Committee members to the following Panels:
 - i. an Extraordinary Action Panel to take action pursuant to section 67 of the PGA [*Extraordinary action*];
 - ii. a Discipline Resolution Panel to take action pursuant to sections 72 to 74 of the PGA;
 - iii. a Discipline Hearing Panel to take action pursuant to section 75 or 76 of the PGA.

No member of the Discipline Committee may sit on more than one Panel concerning the same matter.

11. Frequency of Meetings:

- 11.1 The Committee is expected to hold a Meeting at least once per year for training and administrative purposes.

12. Quorum:

- 12.1 At a Meeting of the Committee, a majority of the members of the Committee must be present, including at least one (1) Lay Committee Member.

13. Conduct of Meetings:

- 13.1 The Committee holds or adjourns a Meeting as it sees fit, including meeting by any combination of Committee members attending in person or by Electronic Means

- 13.2 On occasion, a Committee chair may communicate with all members by e-mail and, with supporting information, propose and call for a consent resolution. Committee members have the option of responding by moving, seconding or supporting the motion, or requesting that it be considered further at a Meeting of the committee. A consent resolution is deemed to have been achieved if
- a) there are no negative votes,
 - b) there are no calls for in-person discussion, and
 - c) the number of support votes is equal to or greater than the number required for a quorum.

In the case where a member so requests, the motion is not carried, but instead brought forward for consideration at a subsequent Meeting of the Committee. In the case of an urgent matter, this may occur at a special Meeting conducted by Electronic Means where the normal requirements for a quorum will prevail. Any motion so carried is considered to take effect immediately and is recorded in the minutes of the subsequent Committee Meeting.

14. Minutes:

- 14.1 Minutes of a Meeting are the responsibility of the Associate Director, Investigation and Discipline~~Legislation, Ethics and Compliance~~.
- 14.2 Minutes are confidential and distributed only to Committee members.
- 14.3 Minutes are not kept for work conducted by Panels of the Discipline Committee.

15. Periodic Reporting and Review of Terms of Reference:

- 15.1 The Committee shall review its Terms of Reference on an annual basis and, as requested by the Governance Sub-c~~C~~Committee, submit verification of review to the Governance Sub-c~~C~~Committee.
- 15.2 With the assistance of staff, the Committee shall submit statistical quarterly and annual reports to ~~Council~~the Board.

16. Staff Support:

- 16.1 Staff support is the responsibility of the Associate Director, Investigation and Discipline, and the Director, Legislation, Ethics and Compliance.

APPROVED BY COUNCIL:

APPROVED BY COUNCIL:

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REVISED, APPROVED BY THE BOARD

December 2, 1987

May 4, 1988

October 4, 1990

February 25, 2005

June 18, 2010

November 28, 2014

June 15, 2018

September 11, 2020

February 17, 2023

(Minute# CO-88-36)

(Minute# CO-88-143)

(Minute # CO-90-230)

(Minute # CO-05-17-1)

(Minute # CO-10-106)

(Minute # CO-15-19)

(Minute # CO-18-68)

(Minute #CO-20-)

(Minute XX)



TERMS OF REFERENCE

1. **Name:** Investigation Committee (the “Committee”)

2. **Definitions:**

“Board” means the same as defined in the Bylaws.

“Bylaws” means the bylaws of Engineers and Geoscientists BC.

“Electronic Means” includes videoconference, telephone conference, and webcasting.

“Lay Committee Member” means the same as defined in section 21 of the PGA [Definition].

“PGA” means the *Professional Governance Act*, S.B.C. 2018, c. 47.

“Professional Registrants” means the same as defined in section 1.1(1) of the Bylaws [Definitions].

“Registrant” means the same as defined in Schedule 1, section 5 of the PGA [Definitions in respect of the Association of Professional Engineers and Geoscientists of the Province of British Columbia].

“Reserved Practice” means the same as defined in section 1(1) of the PGA [Definitions and interpretation].

3. **Type:**

3.1 The Committee is an independent Statutory Committee under the PGA established by ~~Council~~the Board.

4. **Reporting Relationship:**

4.1 The members of the Committee are appointed by ~~Council~~the Board.

- 4.2 The Committee reports to ~~Council~~the Board in accordance with section 15 of these Terms of Reference.

5. Purpose:

- 5.1 To investigate alleged breaches of the PGA and Bylaws (including the Code of Ethics) by Registrants of the Association of Professional Engineers and Geoscientists of the Province of British Columbia, also operating as Engineers and Geoscientists BC.
- 5.2 To attempt to resolve one or more of the matters subject to investigation by means other than a discipline hearing as set out in the PGA and Bylaws.

6. Authorities of the Committee:

- 6.1 To exercise the Committee's responsibilities, powers and duties as set out in the PGA and Bylaws.

7. Budget:

- 7.1 Except as allocated in Engineers and Geoscientists BC's annual budget, the Committee has no budget authority beyond reasonable expenses for travel or ancillary expenses.

8. Membership:

- 8.1 At least nine (9) persons, one (1) of whom must be a Lay Committee Member who is not a Registrant of Engineers and Geoscientists BC.

~~8.18.2~~ The majority of Committee members must be Professional Registrants (i.e., Registrants with the right to engage in Reserved Practice) pursuant to section 2.2(6) of the Bylaws.

~~8.28.3~~ ~~Council~~~~Board~~ members are not eligible for appointment to the Committee.

~~8.3~~ ~~Registrants without the ability to engage in Reserved Practice are not eligible for appointment to the Committee.~~

- 8.4 It is preferable that Committee membership include a broad range of areas of practice and at least one representative from the engineering profession and one representative from the geoscience profession.

9. Term of Office:

- 9.1 Appointments are ~~normally two~~three years and renewable twice, unless the ~~Council Board~~ deems it appropriate to extend beyond the normal terms in accordance with the Statutory Committee ~~Member~~ Term Length Policy.

10. Committee Chair and Vice-Chair:

- 10.1 In accordance with the Chair of Statutory Committee Position Description and Role Profile, the chair manages the meetings and function of the Committee, with the assistance of the vice-chair.

11. Frequency of Meetings:

- 11.1 The Committee is expected to meet frequently enough to manage the ongoing investigation files. In recent years, the Committee has met ten to eleven times per year.

12. Quorum:

- 12.1 A majority of the members of the Committee, including at least one (1) Lay Committee Member.

13. Conduct of Meetings:

- 13.1 The Committee meets or adjourns as it sees fit, including meeting by any combination of Committee members attending in person or by Electronic Means.
- 13.2 On occasion, a Committee chair may communicate with all members by e-mail and, with supporting information, propose and call for a consent resolution. Committee members have the option of responding by moving, seconding or supporting the motion, or requesting that it be considered further at a meeting of the committee. A consent resolution is deemed to have been achieved if
- a) there are no negative votes,
 - b) there are no calls for in-person discussion, and
 - c) the number of support votes is equal to or greater than the number required for a quorum.

In the case where a member so requests, the motion is not carried, but instead brought forward for consideration at a subsequent meeting of the Committee. In the case of an urgent matter, this may occur at a special meeting conducted by Electronic Means where the normal requirements for a quorum will prevail. Any motion so carried is considered to take effect immediately and is recorded in the minutes of the subsequent Committee meeting.

14. Minutes:

- 14.1 Minutes of Committee meetings are the responsibility of the Associate Director, Investigation and Discipline, Legislation, Ethics and Compliance.
- 14.2 Minutes are confidential and distributed only to Committee members.

15. Periodic Reporting and Review of Terms of Reference:

- 15.1 The Committee shall review its Terms of Reference on an annual basis and, as requested by the Governance Sub-cCommittee, submit verification of review to the Governance Sub-cCommittee.
- 15.2 With the assistance of staff, the Committee shall submit statistical quarterly and annual reports to Councilthe Board.

16. Staff Support:

- 16.1 Staff support is the responsibility of the Associate Director, Investigation and Discipline, and the Director, Legislation, Ethics and Compliance.

APPROVED BY COUNCIL:

APPROVED BY COUNCIL:	<u>July 6, 1988</u>	<u>(Minute# CO 88-154)</u>
REVISED, APPROVED BY COUNCIL:	<u>January 9, 1992</u>	<u>(Minute# CO 93-99)</u>
REVISED, APPROVED BY COUNCIL:	<u>January 14, 2005</u>	<u>(Minute# CO 05-12-1)</u>
REVISED, APPROVED BY COUNCIL:	<u>May 5, 2006</u>	<u>(Minute # CO 06-42)</u>
REVISED, APPROVED BY COUNCIL:	<u>June 18, 2010</u>	<u>(Minute #CO-10-105)</u>
REVISED, APPROVED BY COUNCIL:	<u>November 28, 2014</u>	<u>(Minute # CO-15-19)</u>
REVISED, APPROVED BY COUNCIL:	<u>June 15, 2018</u>	<u>(Minute # CO-18-68)</u>
REVISED, APPROVED BY COUNCIL:	<u>September 11, 2020</u>	<u>(Minute #CO-20-XXX)</u>
<u>REVISED, APPROVED BY THE BOARD:</u>	<u>MM DD, YYYY</u>	<u>(Minute XX)</u>



TERMS OF REFERENCE

1. **Name:** Nomination Committee (the “Committee”)

2. **Definitions:**

“Board” means the same as defined by the Bylaws

“Bylaws” means the bylaws of Engineers and Geoscientists BC.

“Electronic Means” includes videoconference, telephone conference, and webcasting.

“Lay Committee Member” means the same as defined in section 21 of the PGA [*Definition*].

“Lay ~~Councillor~~Board Member” means the same as defined in section 1(1) of the PGA [Definitions and interpretation].

“PGA” means the Professional Governance Act, S.B.C. 2018, c. 47.

“Trainee” means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

3. **Type:**

3.1 The Committee is a Statutory Committee under the PGA established by ~~Council~~the Board.

4. **Reporting Relationship:**

4.1 The Committee is appointed by ~~Council~~the Board

4.2 The Committee reports to ~~Council~~the Board in accordance with section 16 of these Terms of Reference.

5. Purpose:

- 5.1 To administer the nomination process established by the ~~Council~~Board for the consideration, assessment and nomination of qualified candidates for election to ~~Council~~the Board, in accordance with the requirements under the PGA.
- 5.2 To consider, assess and make recommendations to the ~~Council~~Board, in accordance with the requirements under the PGA, for the appointments of Chairs and Vice Chairs (if applicable) of the Statutory Committees.

6. Authorities of the Committee:

- 6.1 To exercise the Committee's responsibilities, powers and duties as set out in the PGA and Bylaws.

7. Function/Deliverables:

7.1 ~~Board~~Council Nominations

- 7.1.1 To conduct a nomination process to determine the suitability of candidates for ~~Council~~Board membership, which fairly and objectively evaluates candidates, and includes:
 - a) Merit-based criteria (including relevant skills and competencies), diversity factors (including regional representation and gender), and personal qualities and behaviour skills;
 - b) Interview process;
 - c) Any changes/recommendations received from the Committee from the preceding year;
 - d) A process to provide feedback to candidates that did not meet the evaluation criteria established by the Committee; and
 - e) May include the services of external independent advisers to facilitate and support the process.
- 7.1.2 To ensure that the nomination form is made available to registrants.
- 7.1.3 To assist with the identification of potential candidates and encourage candidates from a wide range of backgrounds who align with the desired requirements to apply.
- 7.1.4 To review and evaluate all nomination applicants.
- 7.1.5 To conduct any additional due diligence required with respect to candidates.

- 7.1.6 To finalize the list of candidates for election, confirming acceptance of the nomination, and advising ~~Council~~the Board of its nominees.
- 7.1.7 To deliver the final list of nominees for election to the CEO ~~& Registrar~~.
- 7.1.8 At the conclusion of the election, to develop recommendations, if any, with a view to developing any process improvements for the following year.
- 7.2 Committee Chair Appointments
 - 7.2.1 As required, to liaise with the incumbent chair and/or staff support of Statutory Committees to inform the leadership competencies of the applicants that wish to be considered for the positions of chair and vice-chair (if applicable).
 - 7.2.2 To review and evaluate applicants that wish to be considered for the chair and vice-chair (if applicable) position for each Statutory Committee.
 - 7.2.3 To consider and make recommendations to the ~~Council~~Board concerning the appointment of the chair and vice-chair (if applicable) for each Statutory Committee.

8. Budget:

- 8.1 Except as allocated in Engineers and Geoscientists BC's annual budget, the Committee has no budget authority beyond reasonable expenses for travel or ancillary expenses.

9. Membership:

- 9.1 The Committee must be comprised of between five and seven members, appointed by the Board.

- 9.1.2 The members of the Committee appointed by the ~~Council~~Board pursuant to subsection (9.1) must include:

- (a) the immediate past ~~president~~Chair of EGBC, who will serve as chair of the Committee;
- (b) at least one Lay Committee Member; and
- (c) the Branch Representatives Chair.

- 9.2.3 If the immediate past ~~president~~Chair of EGBC cannot serve as chair of the Committee, ~~Council~~the Board must appoint a Lay ~~Councillor~~Board member as the chair of the Committee.

~~9.39.4~~ If the Branch Representatives Chair cannot serve on the Committee, ~~Council~~the Board must appoint a delegate.

~~9.49.5~~ No member of the ~~Council~~Board may serve on the Committee, except

- (a) the immediate past ~~president~~Chair of EGBC, or
- (b) a Lay ~~Councillor~~Board member, if the immediate past ~~president~~Chair of EGBC is unable to serve as chair of the Committee.

~~9.59.6~~ No Trainee may serve on the Committee.

10. Term of Office:

~~10.1~~ The immediate past ~~president~~Chair of EGBC ~~and the Branch Representatives Chair shall~~shall be appointed for a one-year term or for the duration that they continue to occupy such position, if shorter.

~~10.1~~~~10.2~~ The Branch Representatives Chair shall be appointed to the Nomination Committee for the duration equal to their term as Branch Representatives Chair.

~~10.2~~~~10.3~~ Appointments for the remaining Committee members are for ~~two~~three-year terms, which may be renewed in accordance with the Committee Member Term Length Policy.

11. Committee Chair:

11.1 In accordance with the Chair of Statutory Committee Position Description and Role Profile, the chair manages the meetings and function of the Committee.

12. Frequency of Meetings:

12.1 The Committee meets approximately six times per year but has authority to convene additional meetings as required.

13. Quorum:

13.1 A majority of the members of the Committee, including at least one (1) Lay Committee Member.

~~13.2~~ A minimum of three (3) Committee members, one (1) of whom must be a Lay Committee Member, are required to form the interview panel.

14. Conduct of Meetings:

- 14.1 The Committee meets or adjourns as it sees fit, including meeting by any combination of Committee members attending in person or by Electronic Means.
- 14.2 On occasion, a Committee chair may communicate with all members by e-mail and, with supporting information, propose and call for a consent resolution. Committee members have the option of responding by moving, seconding or supporting the motion, or requesting that it be considered further at a meeting of the committee. A consent resolution is deemed to have been achieved if
- (a) there are no negative votes,
 - (b) there are no calls for in-person discussion, and
 - (c) the number of support votes is equal to or greater than the number required for a quorum.

In the case where a member so requests, the motion is not carried, but instead brought forward for consideration at a subsequent meeting of the Committee. In the case of an urgent matter, this may occur at a special meeting conducted by Electronic Means where the normal requirements for a quorum will prevail. Any motion so carried is considered to take effect immediately and is recorded in the minutes of the subsequent Committee meeting.

15. Minutes:

- 15.1 Minutes of Committee meetings are the responsibility of the Director, Corporate Governance & Strategy.
- 15.2 Minutes are confidential and distributed only to Committee members.

16. Reporting and Review of Terms of Reference:

- 16.1 The Committee shall review its Terms of Reference on an annual basis and, as requested by the Governance Sub-Committee, submit verification of review to the Governance Sub-Committee.
- 16.2 The Committee shall submit a yearly report to the ~~Council Board~~ outlining the nomination process and how the selection of nominees meets the requirement of the PGA, regulation and bylaws.

17. Staff Support:

- 17.1 Staff support is the responsibility of the Director, Corporate Governance & Strategy.

APPROVED BY ~~COUNCIL~~THE BOARD:

APPROVED BY COUNCIL:	<u>March 17, 2006</u>	<u>(Minute# CO-06-23)</u>
REVISED, APPROVED BY COUNCIL:	<u>September 10, 2010</u>	<u>(Minute# CO-10-144)</u>
REVISED, APPROVED BY COUNCIL:	<u>November 28, 2014</u>	<u>(Minute# CO-15-23)</u>
REVISED, APPROVED BY COUNCIL:	<u>September 11, 2020</u>	<u>(Minutes# CO-20-83)</u>



OPEN SESSION

ITEM 5.7.1

DATE	February 2, 2023
REPORT TO	Council for Information
FROM	Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer
SUBJECT	CEO Report to Council

Purpose	This report highlights some of the activities of the Organization since the November 2022 meeting of Council.
Motion	No motion required. For information only.

1. COMPLIANCE STATEMENT

Engineers and Geoscientists BC has met all of its legal obligations. There are no outstanding lawsuits or other liabilities that would materially modify our financial position.

2. STRATEGIC PLAN AND ORGANIZATIONAL GOALS UPDATE

We are now seven months into FY22/23, and much activity has happened since November 2022. As mentioned in the inaugural Council meeting early in November, the organization shifted its focus on Year 1 deliverables of the Strategic Plan. Executive Team along with Leadership Team felt that the organization was still adjusting to the new five year Strategic Plan and how the different departments and staff aligned to the new Vision and Mission. As a result, we decided to pause, and focus the rest of Year 1 on three key Organizational Goals:

1. Build capacity by balancing workload
2. Align the organization's resources to effectively deliver our vision and mandate
3. Implement the requirements of the PGA

On January 23rd, we conducted an all day workshop for the whole organization in support of Goal #1. This was the **first time** we had (almost) all 131 people under one roof, in the same room! It was an awesome feeling, and the energy in the room was contagious! During the workshop, we learned Lean/Agile principles and put some tools into our toolbox to remove waste in our day to day to improve capacity and reduce workload. Departments shared their top two challenges that took valuable time out of their working day.

We are continuing our learning with a follow-up workshop on February 7th to practically apply additional methodologies to remove inefficiencies from 7 of the artifacts presented in the January 23rd meeting, with the intended outcome of building capacity by balancing workload (Organizational Goal #1!).

Leadership Team continued its focus on Organizational Goal #2 through aligning our people to the strategy, aligning what we do to the strategy (by evaluating our functions and activities in what we must do, what we should do, and what is nice to do - Council will get to see the results of this work as part of the Forum on February 16th) and aligning how we work. As part of aligning how we work, the Values Working Group (made up of 1 representative in each Department) launched the Values Initiative in December, encompassing a Values Kit, activities, events, and prizes! Posters have been placed in strategic locations in the building and in our virtual offices to help bring our Values of **Collaboration, Excellence, Integrity** and **Innovation** to life.

Organizational Goal #3 is a fairly large project that is using the project management practices of the Project Management Office (PMO) to execute its work. Updates of this project is reflected in the PMO Update.

Looking forward, with the support of the PMO, Executive Team will be solidifying Year 2 projects to develop the FY23/24 Operational Plan. The intention is to develop a practice of a strategic cascade – from defining what initiatives from the Strategic pillars we will be working on, that cascades to the development of Departmental Plans, that cascades down to the development of individual goals and objectives for all staff.

3. HUMAN RESOURCES HIRING UPDATE

Recruitment for 11 of the 13 approved positions for FY23 is now complete with those hires in place. The remaining two approved positions are budgeted to start in Q3/Q4 FY23 with recruitment actively underway and progressing on time for both roles. These additional resources will provide us additional capacity to support balancing workload across the organization – a key element to supporting Organizational Goal #1 (see above)

4. TRIENNIAL REVIEW UPDATE

The Triennial Total Compensation Review process is progressing well and on time.

- Our job description review process of all roles is complete.
- Each role has been benchmarked against standardized roles by Mercer, our compensation partner.
- Mercer is currently utilizing multiple sources of compensation data against the benchmarked roles to assess for the P50 salary of each role to allow for an appropriate salary band structure to be formed.
- All elements of our benefit program are being reviewed by Mercer's benefits team to confirm if they are aligned with our compensation philosophy of paying at P50 for a similar role in a similar organization.

- Triennial review results should be finalized in March 2023, shared with employees in April 2023 with any compensation revisions made retroactive to July 1, 2022.

5. ANNUAL RENEWAL UPDATE

Our annual registration renewal process for all registrants and trainees spans between early November to early February. We are currently in the process of concluding the renewals for calendar year 2023 (Jan. 1, 2023 – Dec. 31, 2023). The preliminary count has indicated that over 36,000 professional registrants and trainees have renewed and paid their dues for 2023.

- This is a 4.7% increase, or over 1,600 more renewals compared to the same period last year. Approximately half of this growth can be accounted by more uptake in registrations in the Engineers-in-training (EIT) category at over 800 EIT's or an 11% increase; followed by the Professional Engineer (P.Eng) category with a registration uptake at nearly 700 P.Eng's or a 2.7% increase.
- The current count of resignations is approximately 950, slightly lower than this time last year, which observed around 1,100 resignations.
- We are seeing approximately 430 more non-practicing registrants currently at over 2,350 compared to 1,925 last year.
- The current count of registrants on reduced fees due to financial hardship has dropped to 455 from 661 last year.
- We are encouraged to see continuous growth in our registrant and trainee populations despite cancellations of those who did not comply with the Continuing Education Program (CEP) in early January. Those who do not pay or renew (currently less than 900) will have their registration status cancelled on the week of February 6th, 2023.

6. REGISTRATION ADMISSIONS REPORT

For calendar year 2022 (Jan 1, 2022 – Dec 31, 2022), a total of 6,223 new applications for all designations was submitted. This is a 6.7% increase in new applications over the calendar year 2021 total of 5,834. This increase was mainly led by first time applicants for all designations which surpassed the calendar 2021 totals by 12.4%. For professional engineer (P.Eng.) applications, 50.5% were internationally educated while 49.5% were educated in Canada. For professional geoscientist (P.Geo.) applications, 40.3% were internationally educated while 59.7% were educated in Canada. The number of national mobility applications from those holding designations with engineering and/or geoscience regulators in other Canadian provinces and territories declined by 5.5% during the 2022 calendar year, however the total number of 1,812 mobility applications is still considered high compared to pre-2020 totals.

Due to another year of increased application volumes, KPIs measuring application times from the point of all documents being received to the completion of assessments and the communication of a decision varied. For engineering applications during the 2022 calendar year, assessment timelines were virtually identical to those of the 2021 calendar year with internationally educated P.Eng. applicants averaging 100 days while Canadian educated P.Eng. applicants averaging 56 days. As mentioned in the November 25, 2022 CEO Report to Council, a backlog in applications for the P.Geo. designation was experienced during most of the 2022 calendar year due to a variety of factors that created application wait times in excess of 200 days. Steps were implemented to reduce assessment times and the average wait time for P.Geo. applications is down to 112 days as of January 2023.

7. LEC

Sorenson Summary

In a Consent Order dated December 31, 2022, Theodore (Ted) Sorensen admitted he demonstrated unprofessional conduct and incompetence in relation to the structural design of an 11-storey building's core and seismic elements. Mr. Sorensen's registration with Engineers and Geoscientists BC was cancelled. He agreed to pay a fine in the amount of \$25,000 (the maximum under the former *Engineers and Geoscientists Act*) and costs of \$25,000. Mr. Sorensen cannot reapply for registration with Engineers and Geoscientists BC for a period of 18 months. If he reapplies for reinstatement of his registration, in addition to complying with the requirements set out in the Bylaws and any requirements mandated by the Credentials Committee, he must complete several requirements, including continuing education in structural engineering. If Mr. Sorensen's registration is reinstated, his work relating to structural engineering will be subject to a peer review for a minimum period of 6 months.

Mr. Sorensen is the second person disciplined by Engineers and Geoscientists BC for his involvement in the original design of the building, originally marketed as Danbrook One at 2766 Claude Road, Langford (known today as RidgeView at 2770 Claude Road). On May 9, 2022, Brian McClure's registration was cancelled after he admitted to unprofessional conduct in relation to his role as Engineer of Record for the same building.

Recent Complaint, Investigation and Discipline Statistics

From July 1, 2022-December 31, 2022:

1. 74 new files were opened (including 41 complaint and 33 general concern files);
2. 48 files were closed:
 - a. 16 general concern files were closed as staff determined there was insufficient evidence to commence the complaint process;
 - b. 21 files were closed by the Investigation Committee;

- c. 2 files were closed by the Investigation Committee and referred to the Audit and Practice Review Committee;
- d. 8 files resolved by way of Consent Order;
- e. 1 file resolved following a discipline hearing.

8. **OSPG UPDATE: REPORTING TO THE OFFICE OF THE SUPERINTENDENT OF PROFESSIONAL GOVERNANCE**

Section 41 of the *Professional Governance Act* requires Regulatory Bodies to report to the Office of the Superintendent of Professional Governance (OSPG) annually, with any information required by the superintendent.

Following direction from the OSPG, the organization has contributed to the OSPG's Annual Report, which will be presented to the BC Government Legislature in May 2023, as well as being made available to the public. The OSPG Annual Report contains a summary of our key accomplishments during the calendar year, reflecting advancement of governance in the public interest. The report also contains data on registration, continuing education offerings, and the number of complaints received in 2022. We have also shared EGBC's 2021-2022 Annual Report.

In addition to the Annual Report, EGBC is also participating in an annual performance review, conducted by the OSPG. Building on the work of the familiarization review last year, the OSPG is proceeding with conducting annual performance reviews of regulatory bodies under the *PGA*. This performance review will determine how EGBC is handling its complaints and investigations caseload, excluding discipline, with a particular interest in timeliness and transparency, and how it is addressing aspects of governance of the registrants with respect to foreign credentialling.

EGBC will submit its return by February 15, 2023. There will be a period of follow-up questions and discussions, before the OSPG drafts the report, engages with Regulatory Bodies on the draft results, and publishes the finalised results in October 2023.

9. **BOARD CHAIR SELECTION – POLICY WORK**

At its November 25, 2022 meeting, Council approved moving to a system whereby the Board Chair is elected from amongst the elected registrant board members by the Board. Council also directed the Governance Sub-committee to consider further the nature of Chair and Vice Chair elections (e.g. timing, term length, automatic ascension) and bring forward for future consideration by Council. To support the Governance Sub-committee's work and to ensure this discussion is in front of Council in a timely manner, management has retained an experienced governance consultant (Bradley Chisholm, Principal and Founder, The Regulator's Practice) to support this policy work.

The project scope will consider:

- Does best practice encourage “automatic ascension” of the Vice Chair or are there alternatives to be considered?
- How does the current “run off” process, where the past chair steps off Council after serving their term align with the term lengths of Council members? How have other organizations dealt with modernizing this practice?
- What are the ideal term lengths and limits for the chair? Should terms be renewable?
- When in the calendar year does it make sense for the election of the chair and vice chair? What are the various options and pros/cons of each option?
- Is there a difference between the role of “president” and the role of “chair” and how might this impact the above noted questions?

A briefing note addressing the above scope will be presented to the Governance Sub-committee at their March meeting for feedback and consideration, with a broader discussion with Council scheduled for April.

10. CALL FOR BOARD NOMINATIONS

The call for board nominations is open now until March 13, 2023 at 5:00pm. The opportunity has been communicated to registrants through multiple channels to ensure broad visibility. The outreach has included communication with Statutory Committees, Branches, and Divisions as well as a number of equity deserving groups, to encourage a diverse slate of candidates to apply. Early response to the Call has been very positive. The Nomination Committee Chair will also be hosting “office hours” in mid-February for registrants to learn more about the process and any questions they have about service on the Board. Councillors are encouraged to [share this opportunity](#) with their networks and forward any referrals to Ros Seibert at rseibert@egbc.ca.

11. 2023 EGBC AWARDS PROMOTION

Nominations are now open for the 2023 Engineers and Geoscientists BC Awards. These awards recognize deserving registrants who embody excellence of the professions in 7 Award categories. We would love for Councilors to promote this opportunity through your networks using our [2023 Awards Social Media Kit](#) to share a post about these awards on your personal Twitter and LinkedIn accounts. Please see [Appendix A](#) for further information.

12. CONFERENCE PLANNING

We are pleased to announce our 2023 Annual conference will be held in person on October 26-28, 2023, at the Whistler Conference Centre in beautiful Whistler, BC. The conference will feature Continuing Education (CE) sessions, inspirational keynote speakers, valuable networking opportunities, an exhibitor tradeshow, a prestigious awards gala, and the Annual General Meeting.

The continuing education sessions will be in line with the four areas of learning that are part of the CE program requirements - ethical, regulatory, technical and communications and leadership. We are currently seeking presenter submissions for our conference that are due by March 3, 2023.

Sponsorship and exhibitor opportunities will also be available in the Spring. The conference program and registration will be launched officially in June 2023.

For more information, please visit: <https://www.egbc.ca/Continuing-Education/Annual-Conference/2023-Annual-Conference>



NOMINATE SOMEONE TODAY!

Engineers and Geoscientists BC Awards

Nominations are now open for all 2023 Engineers and Geoscientists BC Awards. Our organization wants to recognize deserving registrants who embody the excellence of the professions through our 2023 Awards. Award categories and deadlines are listed below. Visit our website for more information on award criteria, eligibility, and nomination process: egbc.ca/awards

INDIVIDUAL AWARDS

DEADLINE TO APPLY: APRIL 7, 2023

AWARD NAME	DESCRIPTION
McLachlan Award	Outstanding Achievement in Engineering
Westerman Award	Outstanding Achievement in Geoscience
Meritorious Achievement Award	Outstanding Achievement enhancing safety, public wellbeing, or interest of the public
Lambert Award	Recognizing registrants who have made substantial contributions volunteering with Engineers and Geoscientists BC
Young Professional Award	Recognizing registrants under 40 for their professional and technical achievements
Equity, Diversity, and Inclusion Award	Recognizing registrants who have made significant contributions to Equity, Diversity, and Inclusion (EDI)

PROJECT AWARD

DEADLINE TO APPLY: FEBRUARY 28, 2023 (INITIAL APPLICATION)

AWARD NAME	DESCRIPTION
Innovation in Sustainability Award	Recognizes a project that has demonstrated a commitment to the environment and climate change

RESOURCES

[Submit a Nomination](#) | [Learn more about Awards Procedures](#) | [View the 2022 Award Winners](#)

Questions? Email awards@egbc.ca

OPEN SESSION

ITEM 5.7.2

DATE	January 30, 2023
REPORT TO	Council for Information
FROM	Dan Rankin, Manager, Project Management Office
SUBJECT	Project Management Office Update
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To update Council on PMO activity and the progress of strategic projects.
Motion	No motion, for information only.

BACKGROUND

The organization's Project Management Office (PMO) was initiated in 2021 with the remit to support the successful execution of identified Strategic Initiatives.

The PMO supports the development and execution of organization strategic initiatives in the following ways:

- Providing support to the Executive Team for identification and definition of projects and priorities, while in parallel supporting the integration of strategic projects into forward planning
- Developing PMO processes, tools, and artifacts to assist the organization and project participants in their understanding and implementation of project management techniques and best practices.
- Providing coaching, support and mentorship for project leads throughout the project life-cycle
- Acting as secretary for Project Steering Group. The Project Steering Group consists of EGBC's Executive Team, and it provides the governance and oversight function of strategic projects.

DISCUSSION

Recent PMO activity can be categorized into three areas: PMO Development, Strategic Support, and Project Support.

PMO Development

Development of the PMO has shifted substantially since the last update to Council. The following bullet points provide highlights of PMO development areas

- Capacity Building
 - Manager, PMO – A new full-time role of Manager, Project Management Office was created and filled to provide dedicated focus and increased capacity to the PMO.
 - PMO has engaged a consultant to help guide and assist the development of PMO tools, methods, and processes.
 - Future recruiting – initial efforts are underway to define and recruit for roles that will help PMO provide the necessary level of support to the projects.
- Focus on the foundation
 - PMO continues to advance discussions on fundamental concepts related to the scope and mandate of PMO. Work is ongoing to clarify what is a PMO project, and the associated project classes and project phases, to better help our organization understand the role and extent of PMO.
 - PMO development of cornerstone project definition templates and other artifacts is continuing, with initial versions of such templates already being used by projects in execution and development to facilitate early lessons learned and to provide opportunities for improvement.

Strategic Support

PMO continues to support the executive team in its rationalization of the initiatives of the strategic plan into a comprehensive and sustainably resourced execution plan. This work includes assisting with the estimation of work and resources attached to planned projects, and project start date and schedule planning across the entire portfolio of strategic initiatives.

In parallel, PMO is working with the executive team to outline an annual corporate calendar to support strategic planning-related organizational activities that will facilitate future years planning and tracking of such work.

Project Support

Both PGA integration and the Aligning to Strategy projects commenced before the implementation of PMO and its project scoping templates. As such, until the project plans for both of these projects are more firmly defined an informal description of the project status will be used rather than the standard reporting dashboard.

Aligning to Strategy Summary

Aligning to Strategy work in this reporting period has been focused on planning for upcoming related tasks. In particular, work has focused on the “Aligning What We Do” preparations for the recommendations of the activity evaluation exercise. Within “Keeping Strategy Alive”, work has focused on the launch of new Strategic Plan Intranet site to ensure strategy remains prominent across the organization. The aforementioned development of an annual corporate planning calendar and development of an annual strategic renewal activity are ongoing.

PGA Integration Summary

Work is ongoing within the PGA Integration project to better characterize the scope and desired outcomes for each of the fourteen activities that comprise the project. This is done using a charter document, which will then form the basis for understanding the activity success criteria and final deliverables. This is required to facilitate regular progress reporting and executive sponsor completion signoff. PMO is directly supporting the development, review, and approval of the charter documents.

In parallel, work is ongoing within the PGA Integration project, particularly within the following activities:

- Implement audit program for individuals
- Implement Practice Review program for individuals
- Implement Practice Review program for firms

MOTION

No motion, for information only.

OPEN SESSION

ITEM 5.7.3

DATE	January 31, 2023
REPORT TO	Council for Information
FROM	Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer
SUBJECT	2022/2023 Workplan
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To provide Council with the current status of the actionable items listed on the Council Road Map for 2022/2023.
Motion	No motion required. For information only.

BACKGROUND

The attached document summarizes the expected agenda items that are planned to be brought forward to Council during the 2022/2023 Council Year. The items are aligned with the Strategic Plan and assist Council in seeing the progress on elements of the Strategic Plan. This road map is not exclusive and other additional items may be added throughout the year but will serve as a focus for this year's meetings.

Changes as of February 17, 2023

Please note that the item on the Work Plan noted below has been carried forward to a future meeting:

- *Council Agenda Renewal:* The item *Council Agenda Renewal* is delayed due to other strategic priorities. The Governance Sub-committee received an overview of the project along with issues to be resolved. The Sub-committee provided some preliminary comments for improving the meeting format. Management will incorporate this feedback as it brings forward recommendations to the Governance Sub-committee later this spring. This item is expected to come before Council in April or June.

APPENDIX A – Council Road Map (as of February 17, 2023)

2022/2023 Engineers and Geoscientists BC Council Workplan						
Date & Description		Strategic Plan	Fiduciary Responsibilities	Non-Fiduciary Responsibilities	Other Initiatives - Generative	
3-Nov-22	Inaugural Mtg		Volunteer appointments			
25-Nov-22	Council Mtg	Project Management Office update	Council policy approval & dev't Practice Guideline approvals Volunteer appointments Quarterly financial statements approval Bylaw approval Other (as directed by OSPG)	Awards	Regulated & Reserved Practice discussion	
16-Feb-23	Council Forum	TBD	TBD	TBD	TBD	
17-Feb-23	Council Mtg	Project Management Office update	Council policy approval & dev't Practice Guideline approvals Volunteer appointments Quarterly financial statements approval Budget & Budget Guideline approval Bylaw approval Risk Register approval Other (as directed by OSPG)	Awards Annual update from GC	Regulated & Reserved Practice discussion	
20-Apr-23	Council Forum	TBD	TBD	TBD	TBD	
21-Apr-23	Council Mtg	Project Management Office update	Council policy approval & dev't Practice Guideline approval Volunteer appointments Quarterly financial statements approval Budget & Budget Guideline approval Bylaw approval Risk Register approval Annual PGA Audit Update Approval of AGM Date & Format Other (as directed by OSPG)	Awards Annual update from VAA Annual update Audit & Practice Review Cmtee	Regulated & Reserved Practice discussion Council agenda renewal	
15-Jun-23	Council Forum	TBD	TBD	TBD	TBD	
16-Jun-23	Council Mtg	Project Management Office update KPI update	Council policy approval & dev't Practice Guideline approvals Volunteer appointments Bylaw approval Budget & Budget Guideline approval Other (as directed by OSPG)	Awards Annual Update from H.E.I. Annual update Nominating Cmtee	Regulated & Reserved Practice discussion Future of Council Sub-Committees	
14-Sep-23	Council Forum	Annual review of strat plan			Annual discussion to develop Council Workplan for coming year	
15-Sep-23	Council Mtg		Council policy approval & dev't Practice Guideline approvals Volunteer appointments Annual Financial statements approval Bylaw approval Risk Register approval AGM agenda approval Annual CEO Performance Review Other (as directed by OSPG)	Awards Annual update from EC Annual update Credentials Cmtee Annual update Investigation & Discipline Cmtees	Regulated & Reserved Practice discussion	

Strategic Plan includes: PMO project updates, KPIs and annual review of the strategic plan.

Fiduciary Responsibilities includes: Council policies, Practice Guideline approvals, volunteer appointments, Budget & Budget Guideline approval, approval of financial statements, Risk Register, Bylaw approval, PGA audit updates, CEO Annual Performance Review process, Other - as directed by OSPG, AGM agenda approval.

Non-Fiduciary - Routine Related includes: Awards, annual updates from External Boards, annual update from HEI's and annual updates from Statutory Committees.

Other Initiatives - Generative includes: Regulated and Reserve Practice discussion updates with ASTTBC & AIBC, annual Council workplan development discussion, future of Council sub-committees, Council agenda renewal.



OPEN SESSION

ITEM 6.1

DATE	February 7, 2023
REPORT TO	Council for Information
FROM	Jennifer Cho, CPA, CGA, Chief Financial and Administration Officer Alicia Tan, CPA, CMA, Director, Finance
SUBJECT	FY2023 Q2 Financial Results and Forecast Update
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	For Council to review the second quarter (Q2) financial results and forecast as at December 31, 2022.
Motion	1) That Council receives the Engineers and Geoscientists British Columbia financial results as at December 31, 2022. 2) That Council receives Engineers and Geoscientists British Columbia's latest financial forecast for fiscal year 2023.

BACKGROUND

As approved by Council at the September 12, 2014 meeting, quarterly financial reports are to be made to the Executive Sub-Committee for review. The same information package are to be provided to the Audit Sub-Committee for information. However, the timing of the Executive Sub-Committee, Audit Sub-Committee, and Council meetings did not match up to when December financial results were available for review, thus both Sub-committees have not had a chance to review December financial results.

YEAR-TO-DATE FINANCIAL RESULTS AS AT END OF DECEMBER 2022

This update includes a comparison of FY2023 year-to-date (YTD) actual results to first forecast as presented to Council in November, and to FY2023 budget, with a summary of major variances (in '000's).

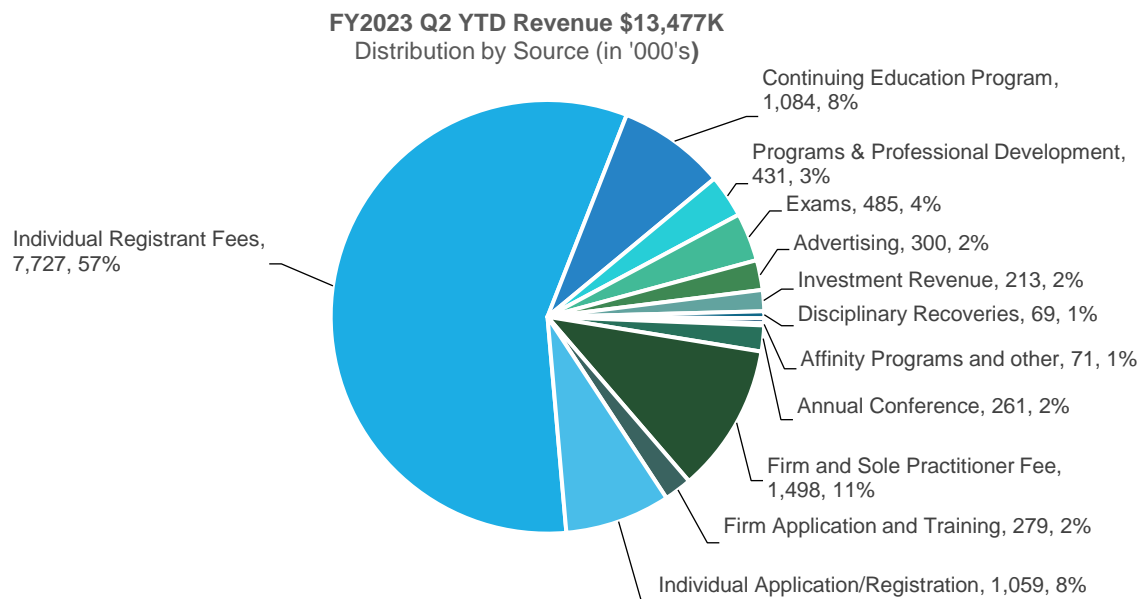
Table 1		A	B	C	D*	E*
		YTD Actual	YTD Budget	YTD Forecast 1	YTD Var-Act vs Budget	YTD Var-Act vs Fcst 1
Summary						
1	Revenue	13,477	13,759	13,510	718	(33)
2	Salaries and Benefits	6,982	7,720	7,228	738	246
3	Expenditures	3,783	4,511	4,277	727	494
4=(1-2-3)	Surplus (Deficit) Before Grants and External Projects	2,711	528	2,005	2,183	707
5	Surplus (Deficit) from Grants	(50)	159	94	(209)	(144)
6=(4+5)	Surplus (Deficit)	2,661	687	2,099	1,974	562

* Positive figures add to the surplus and negative figures reduce surplus.

The Q2 financial result as at end of December 31, 2022 ended with a year-to-date (YTD) surplus of \$2,661K (A6). This is \$562K (E6) higher than the forecasted YTD surplus of \$2,099K (C6). A more detailed variance report is outlined in [Appendix A](#).

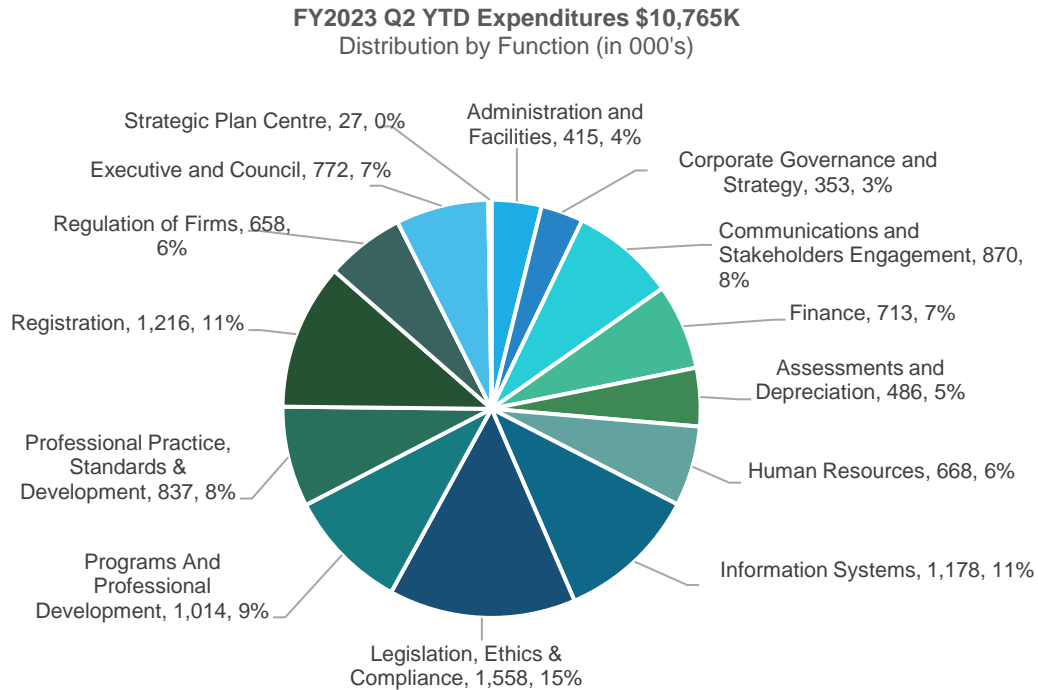
YTD REVENUES

YTD total revenue is \$13,477K (cell A1). Figure 1 below shows the distribution of this revenue by source.



YTD EXPENDITURES INCLUDING SALARIES

YTD total operating expenditure is \$10,765K (cell A2 and A3). Figure 2 below shows the distribution of this expenditure by function.



FY2023 Q2 YTD Actuals vs YTD Forecast 1

YTD revenue is \$33K (cell E1) lower than forecast 1 primarily due to:

- Lower annual conference revenue (\$57K) due to more than expected number of groups discount used
- Lower professional development revenue due to a shortage of staff to support professional development offerings (\$44K)
- Offset by higher late fee (\$114K) related to Continuing Education Program (CE) and Annual Reporting (AR)

YTD expenditure is \$740K (cell E2 and E3) lower than forecast 1 primarily due to:

- lower salaries and benefits expenses (\$246K) due to vacancies,
- lower legal expenses (\$102K) due to timing and rate of settlement on disciplinary files,
- lower overall contract services due to timing of project and expenses,
- lower expenses in meeting, events and travelling.

FY2023 Q2 YTD Actuals vs FY2023 YTD Budget

YTD revenue is \$718K (cell C1) higher than budget primarily due to:

- higher late fee (\$615K) related to Continuing Education Program (CE) and Annual Reporting (AR)
- higher investment revenue (\$149K) due to rising interest rates

YTD expenditure is \$1,466K (cell C2 and C3) lower than budget primarily due to:

- lower salaries and benefits expenses (\$738K) due to vacancies,
- lower legal expenses (\$224K) due to timing and rate of settlement on disciplinary files,
- lower overall contract services due to timing of project and expenses,
- lower expenses in meeting, events and travelling

FY2023 FINANCIAL FORECAST UPDATE

This update includes a comparison of latest FY2023 Forecast 2 to the last FY2023 Forecast 1, with a summary of major variances (in '000's).

Table 2		A	B	C*
		FY2023 Forecast 2	FY2023 Forecast 1	Forecast 2 vs Forecast 1
Summary				
1	Revenue	26,828	26,963	(135)
2	Salaries and Benefits	15,510	15,705	195
3	Expenditures	9,698	10,441	743
4=(1-2-3)	Surplus (Deficit) Before Grants and External Projects	1,620	817	803
5	Surplus (Deficit) from Grants	119	110	9
6=(4+5)	Surplus (Deficit)	1,739	927	812

* Positive figures add to the surplus and negative figures reduce surplus.

Engineers and Geoscientists BC is currently projecting a surplus in the range of \$1.8 to \$2 Million for FY2023. This is approximately \$1M higher than the previous forecast presented to Council in November. The contributing factors are summarized below.

Forecasted Revenue FY2023

Current forecast for total revenue is \$135K (cell C1) lower than prior forecast, primarily due to:

- lower individual registrant fee revenue due to higher cancellation related to CE and AIR
- lower professional development revenue due to a reduced team capacity as a result of internal movements and vacancies
- offset by higher annual and sole practitioner firm fee revenue due to higher number of firms registering in the 2nd year
- offset by higher investment revenue due to significantly higher interest rate

Forecasted Expenditures FY2023

Current forecast for total expenditure is \$938K (cell C2 and C3) lower than prior forecast primarily due to:

- lower salaries and benefits expenses by \$195K, this is a combination of
 - \$410K savings from vacancies on timing of hiring of new roles refill of existing ones, as well as internal movements of staff,
 - offset by addition of new roles (215K) to support strategic plan implementation and lower spending in professional development
- lower legal costs related to disciplinary and investigation files due to timing of files and settlement rate
- delays in individual audit programs and firm practice reviews
- offset by higher expense in
 - building seismic report
 - recruitment and compensation review
- lower expenses in meeting, events and travelling,
- lower expenses in building operations (parking, guard service and cleaning).

Therefore, there is a combination of internal and external factors that drive the financial results of the organization. As the organization completes recruitment and onboarding of vacant positions of new staff resources, staff departures, and internal staff movements, we will be in an improved position to align our resources to our mission.

A more detailed variance report is outlined in [Appendix B](#).

RECOMMENDATION AND MOTIONS

- 1) That Council receives the Engineers and Geoscientists British Columbia FY2023 Q2 financial results as at December 31, 2022.
- 2) That Council receives Engineers and Geoscientists British Columbia's latest financial forecast for fiscal year 2023.

6.1 - APPENDIX A

FY2023 YTD Q2 Statement of Revenue and Expenses Compared to Budget and Forecast 1 (in '000's)

		A	B	C	D* = A vs B	E	F* = A vs C	G
		YTD Actual	YTD Budget	YTD Forecast 1	Var - Actual vs Budget	Comment - Actual vs Budget	Var - Actual vs Fcst 1	Comment - Actual vs Fcst 1
REVENUE								
1	Annual Registrant Fees - Individual	7,727	7,474	7,743	254	Due to lower than budgeted volume of new applicants	(16)	Lower than expected interim fee revenue due to lower volume of new applicant
2	Annual Fees and Sole Practitioner Fee - Firm	1,498	1,883	1,454	(384)	Due to lower firms registering in the 2nd year	44	Higher number of permits to practice
3	Individual and Firm application, registration, and certification fees	1,308	1,126	1,345	182	Higher than expected registration/application volume	(37)	
4	Professional and academic examinations	489	475	511	14	Higher than expected academic exams taken	(22)	No essay exam starting in Jan 2023 where registrants have deferred exam to 2023
5	CE and AIR late fee revenue	1,158	546	1,025	613	Higher than expected late fee revenue related to CE and AR program	134	Higher than expected late fee revenue related to CE and AR program
6	Professional Development Revenue	432	448	476	(16)	Due to not full team capacity	(44)	Due to not full team capacity
7	Annual conference, recoveries, and other	651	745	735	(94)	Lower annual conference due to more use of group discounts and timing of legal recoveries	(84)	Lower annual conference due to more use of group discounts and timing of legal recoveries
8	Investment revenue	213	64	221	149	Higher investment revenue due to rising interest rates	(8)	
9	TOTAL REVENUE	13,477	12,759	13,510	718		(33)	

		A	B	C	D*	E	F*	G
		YTD Actual	YTD Budget	YTD Forecast 1	Var - Actual vs Budget	Comment - Actual vs Budget	Var - Actual vs Fcst 1	Comment - Actual vs Fcst 1
	SALARIES AND EXPENSES							
10	Salaries and Employee Benefits	6,982	7,720	7,228	738	Mainly due to vacancies	246	Mainly due to vacancies
11	Contract and consulting services	1,287	1,520	1,464	233	Due to timing of projects and spend across organization	176	Due to timing of projects and spend across organization
12	Office, general and miscellaneous	1,431	1,518	1,530	88	Due to timing of actual expense vs budget	99	Less overall office spending on in-house ergo furniture, postage, and stationeries
13	Legal	392	616	494	224	Due to timing and rate of settlement on disciplinary files	102	Due to timing and rate of settlement on disciplinary files
14	Premises and operating costs	199	237	248	37	Saving in building repairs and maintenance expenses	49	Saving on building repairs and maintenance expenses
15	Events, travel and other	474	619	542	145	Less meeting, events and travelling	68	Less meeting, events and travelling
16	Total salaries and Expenses before Grants	10,765	12,231	11,505	1,466		740	
17=(9-16)	Surplus Before Grants	2,711	528	2,005	2,183		707	

* Positive figures add to the surplus and negative figures reduce surplus.

FY2023 Financial Forecast 2 Compared to Forecast 1 (in '000's)

		A	B	C*	D
		FY2023 Forecast 2	FY2023 Forecast 1	Variance	Comments
REVENUE					
1	Annual Registrant Fees - Individual	15,550	15,800	(250)	More than expected cancellation related to CE and AIR
2	Annual fee and sole practitioner fee - Firm	3,008	2,857	151	Higher number of permits to practice
3	Application, registration and certification fees	2,091	2,104	(14)	Reduce from lower trainee to professional applications due to require of at least 4 years of experience
4	Professional and academic examinations	1,064	1,042	23	Higher due to forfeit chronic deferrers on continuing postpone exams
5	CE late fee revenue and Investment income	2,143	1,955	188	Higher late fees related to CE and AR program
6	Annual conference	261	317	(57)	More than expected use of group discount
7	Professional Development Revenue	1,048	1,228	(180)	Due to not full team capacity
8	Recoveries, affinity program, advertising and other	1,663	1,659	4	
9	TOTAL REVENUE	26,828	26,963	(135)	
SALARIES AND EXPENSES					
10	Salaries and Employee Benefits	15,510	15,705	195	Saving due to vacancies offset by allocation of new roles to the strategic plan
11	Contract and consulting services	3,274	3,753	479	Due to reallocation of strategic plan funding towards new roles, less PD activities, individual and firm practice review, and delay of various contract work, offset by more cost in building assessment and compensation review
12	Office general, and examination	3,542	3,544	3	
13	Legal	964	984	20	Due to timing and rate of settlement on disciplinary files
14	Printing, publication, distribution, and premise and operating costs	961	1,023	62	Saving in building expense (offsite parking, mobile guard service, carpet cleaning)
15	Events, travel and other	958	1,136	179	Less meeting, events and travelling
16	Total Salaries and Expenses before Grants	25,208	26,146	938	
17= (9-16)	Surplus before Grants and External Projects	1,620	817	803	
18	Surplus (Deficit) from Grants and External Projects	119	110	9	Timing of grant progress
19= (17+18)	Total Surplus (Deficit)	1,739	927	812	

* Positive figures add to the surplus and negative figures reduce surplus.

OPEN SESSION

ITEM 6.2

DATE	January 31, 2023
REPORT TO	Council for Decision
FROM	Executive Sub-Committee Jennifer Cho, CPA, CGA Chief Financial and Administration Officer
SUBJECT	Draft FY2024 Budget Guidelines
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To have Council review the draft FY2024 budget guidelines.
Motion	That Council approve the FY2024 budget guidelines, as presented.

BACKGROUND

Since 2013 Council has adopted a planning process that aligns the multi-year strategic plan with the multi-year budget. Some of the main reasons and benefits of a multi-year budget are as follows:

- Ensures that strategic initiatives that span fiscal years can be funded beyond fiscal year boundaries without disruption to the schedule that is associated with annual budget approvals.
- Contingencies associated with specific initiatives are reduced as there is greater certainty around future commitments.
- Greater predictability of budget and fee increases.
- Council passes a five-year strategic plan that is linked with an associated five-year budget. At the end of Year 1, 2, 3 and 4, the budget can be adjusted with corresponding updates to the plan providing flexibility while still staying focused.
- Overall, long term strategic planning is more achievable.

As the organization developed our new five-year strategic plan, the budget process for a five-year budget was completed in tandem. The budget is the primary instrument of fiscal control and, accordingly, contains all projected revenues and expenditures of the organization. The budget is expressed in terms of dollars, the funded programs and plans of the organization for the fiscal year and the estimated revenues necessary to finance these programs and plans.

Budget guidelines have been created in the past to act as a guiding post for the creation of a budget. Last year, the budget guidelines were revised and modernized to better serve the organization as we advanced into our PGA mandate and new strategic direction.

DISCUSSION

Outlined below is the draft of the FY2024 fiscal year budget guidelines for your review and approval. The FY2023 budget guidelines were used as a base as follows:

Principle: Engineers and Geoscientists BC is a not-for-profit organization and will be financially self-sustaining.

1. All initiatives/projects and expenditures are aligned to the Strategic Plan.
2. Revenue sources, including registrant fees, are reviewed and analyzed with a financial sustainability mindset, which includes the following elements:
 - i. Consider a fee increase to cover inflation
 - ii. Consider all revenue sources and expected growth for registrant and firm related fees
 - iii. Distinction between single year versus sustained revenue sources
 - iv. Consider any potential fluctuation or interruption of revenue sources
3. There is an annual review of economies, efficiencies and effectiveness of current staffing levels, expenditures, along with revenue strategies. Such a review would consider the following elements:
 - a. Salaries and Benefits
 - i. Review staffing levels against future needs.
 - ii. Compare in-house resources against contracted services for efficiencies and value evaluation.
 - iii. Review short term staffing needs versus long-term permanent staffing needs.
 - iv. Annual merit increases.

- b. Expenditures
 - i. Review departmental spend for efficiency and value of service.
 - ii. Distinction between short-term initiatives/projects versus recurring commitments.
 - iii. Consider potential savings and new requirements.
4. Review and assess any necessary funding to address Risk Register items and mitigation strategies.
5. Review and assess the requirements and appropriate level of funding for the General Operating Fund, Property, Equipment and Systems Replacement Fund and the Legal and Insurance Fund.
6. Final 2024 budget approval will be finalized at the Council meeting in April 2023.

Some of the notable improvements and changes that were introduced last year include:

- Principle added to emphasize that the organization is a not-for-profit and should be self-sustaining. This is a shift from the view that each individual program should be self-sustaining. Not all programs will be, e.g. Innovation Magazine, some regulatory PD seminars.
- Alignment of the budget to the Strategic Plan to ensure that the organization is focusing its efforts on the Strategic Plan.
- It is best practice to do an annual review of economies, efficiencies, & effectiveness of staffing levels, expenditures, and revenue strategies during the budgeting process, thus the inclusion of such a guideline. Outlined in more detail in the draft guidelines are specific considerations for such a review.
- It is important to ensure funding is in place to address Risk Register items.
- Review of funding levels for all reserves is a necessity annually to ensure that long term the organization is appropriately funded and ultimately financially sustainable.
- The Sustainable Financial Policy is being revamped and elements of the Sustainable Financial Policy that are still applicable have been incorporated into the draft budget guidelines.

MOTION

That Council approve the FY2024 budget guidelines, as presented.

OPEN SESSION

ITEM 6.3

DATE	January 31, 2023
REPORT TO	Council for Decision
FROM	Efrem Swartz, LLB, mMBA, Director, Legislation, Ethics & Compliance Amrita Virk, Legal Counsel, Policy Manager Klara Hillmann, Senior Policy Analyst
SUBJECT	Amendments to the Bylaws of Engineers and Geoscientists BC
LINKAGE TO STRATEGIC PLAN	PGA Implementation

Purpose	Council is requested to review and approve the proposed amendments to the Bylaws.
Motion	That Council approve the attached amended draft Bylaws and authorize staff to forward the amended Bylaws to the Office of the Superintendent of Professional Governance for filing with the Attorney General pursuant to section 37 of the <i>Professional Governance Act</i> .

BACKGROUND

Regulatory bodies are permitted to amend their Bylaws via Council motion, with final review and approval by the Office of the Superintendent of Professional Governance (the “OSPG”). This report provides an overview of proposed amendments to the Bylaws. There are three areas of substantive amendments and several housekeeping amendments.

The OSPG conducted a review of the proposed Bylaw amendments and indicated that they will be approved by the OSPG following approval by Council. If the proposed amendments are approved by Council, the amended Bylaws will be sent to the OSPG for filing with the Attorney General pursuant to the procedure set out in section 37 of the *Professional Governance Act* (the “PGA”).

DISCUSSION

Proposed Amendments

(1) Terminology Changes: “Council” to “Board” and associated terminology changes.

The OSPG has advised that in the Spring of 2023 the PGA will be changed to update the terminology from “Council” to “Board”, along with related terminology changes to certain titles. The latest list of the changes provided by the OSPG is as follows:

Current	New (effective Spring 2023)
Council	Board
Councillor	Board Member (Lay Board Member; Registrant Board Member)
Immediate Past President	Immediate Past Board Chair
President	Board Chair
Vice President	Board Vice Chair

The proposed bylaw amendments are to align the bylaws with the anticipated PGA terminology changes. The new terms are defined in the amended bylaws to match the current PGA definitions; however, further changes will likely be needed later this year when the expected amendments to the PGA come into force.

(2) Substantive Bylaw Amendment: Board to Elect Board Chair

At the November 2022 Council meeting, Council passed a motion to move to an election process in which the President (Board Chair) is elected from amongst the elected Registrant Councillors (Board Members) by the Council (Board). This election system is already in place for the position of Vice President (Board Vice Chair). Council directed staff to develop Bylaw amendments to reflect this change.

(3) Substantive Bylaw Amendment: Changes to Annual Reporting and Continuing Education Requirements

Bylaw amendments are proposed to soften certain requirements of the Continuing Education program and Annual Reporting:

a) Remove the requirement for life members or life limited licensees to complete annual reporting.

The category of registrants called “life members or life limited licensees” is largely honorary in nature. These are 1193 non-practising registrants. They are exempt from paying fees but maintain the ability to vote. Registrants in this category had previously no mandatory regular

communications with EGBC until Annual Reporting was implemented in 2021 which has led to significant confusion. This bylaw amendment removes their annual requirement to report. Instead, life members or life limited licensees will be required to provide current contact information and reaffirm their commitment to refrain from engaging in Reserved Practice upon request by EGBC staff.

b) Exempt non-practising registrants from the Continuing Education Program.

When Engineers and Geoscientists BC first developed the Continuing Education (“CE”) Program, the decision was to require non-practising registrants to complete some CE to ensure they remain competent in regulatory and ethical areas of learning. However, after a year of CE being in place and reviewing feedback from non-practising registrants and EGBC staff, we now believe that this requirement is overly onerous. The risk to the public and environment is negligible since these registrants do not have the right to engage in the Reserved Practice.

c) Remove the requirement for Professional Registrants to annually upload a continuing education plan.

Removing the requirement to upload the CE plan has negligible impact on public protection. Professional Registrants are still required to annually submit the continuing education program declaration confirming completion of a valid and updated continuing education plan, but they are no longer required to electronically submit their individual continuing education plans.

(4) Proposed Housekeeping Amendments: Update Terminology and Cross-references

Housekeeping amendments are proposed to update terminology, add a cross-reference, and other minor corrections. See [Appendix B](#) for a description of these minor changes.

RECOMMENDED MOTION

That Council approve the attached amended draft Bylaws and authorize staff to forward the amended Bylaws to the Office of the Superintendent of Professional Governance for filing with the Attorney General pursuant to section 37 of the *Professional Governance Act*.

[APPENDIX A – Final Draft Amended Bylaws with Redline Revisions \(link\)](#)

[APPENDIX B – Descriptions of Proposed Amendments to Bylaws \(link\)](#)

Pursuant to the *Professional
Governance Act*, S.B.C. 2018, c. 47

BYLAWS OF ENGINEERS AND GEOSCIENTISTS BC

In-Force-Effective ~~As Amended February 17, 2023~~ December 2, 2022



ENGINEERS &
GEOSCIENTISTS
BRITISH COLUMBIA

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1 Definitions and Communications

1.1 Definitions

(1) In these Bylaws the following definitions apply:

“Abuse of Process” means the complaint process is not being fairly or honestly used, or where multiple or successive complaints are made to cause vexation or oppression.

“Accounting Records” means true accounts of

- (a) the assets and liabilities of EGBC,
- (b) the sums of money received and expended by EGBC, and
- (c) the manner in respect of which such receipt and expenditure takes place.

“Alternative Complaint Resolution” means a process or processes for the full or partial resolution of one or more matters to be dealt with at a discipline hearing and includes

- (a) negotiation,
- (b) mediation, or
- (c) other processes the parties agree to.

“Applicant” means the same as set out in section 1(1) of the PGA [*Definitions and interpretation*].

“Audit and Practice Review Committee” means the audit and practice review committee established pursuant to section 63(1) of the PGA [*Audits and practice reviews*].

“Authenticate” means the act of a Professional Registrant Manually Authenticating or Digitally Authenticating a Document.

“Bad Faith” refers to a complaint that was made with untruthful, misleading, or unduly insensitive intent where the Complainant is motivated by malice or financial gain.

“Board” means the same as “council” as defined in section 1(1) of the PGA [*Definitions and interpretation*].

“Board Chair” means the same as president of the council referred to in the PGA.

“Board Member” means the same as “councillor” as defined in section 1(1) of the PGA [*Definitions and interpretation*].

“Board Vice Chair” means the same as vice president of the council referred to in the PGA.

“Branch” means a geographical group of Registrants.

“Branch Representatives’ Chair” means an individual who is appointed by the ~~Council Board~~ to chair meetings of representatives of each Branch and to act as a liaison between those representatives and the ~~Council Board~~.

“Bylaws” means the bylaws of EGBC under the PGA.

“Certificate Authority” means a third party approved by EGBC to issue Digital Certificates to Professional Registrants.

“Code of Conduct” means the document created or adopted by a Registrant Firm pursuant to section 7.7.3(1)(a) of the Bylaws [*Professional Practice Management Plan*].

“Code of Ethics” means the Code of Ethics of EGBC set out in Schedule A of the Bylaws.

“Committee” means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

“Communications and Leadership Learning” means Continuing Education Activities related to advancing an individual Registrant’s non-technical knowledge and skills, including communications and leadership skills.

“Complainant” means a person who files a complaint against a Registrant and includes a member of the public or another Registrant.

“Conduct of Concern” means the same as defined in section 76(1) of the PGA [*Conduct in another jurisdiction*].

“Conduct Unbecoming a Registrant” means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

“Continuing Education Activity” means an activity related to advancing an individual Registrant’s knowledge in the categories of Ethical Learning, Regulatory Learning, Communications and Leadership Learning, or Technical Learning.

“Continuing Education Hour” means one hour of a Continuing Education Activity that contributes to an individual Registrant’s maintenance of competency within the individual Registrant’s

~~(a) — current area(s) of practice, including any anticipated future area(s) of practice, if the individual Registrant is a Professional Registrant —~~

~~(b) — former area(s) of practice, if the individual Registrant is a non-practising Registrant or a life member or life limited licensee.~~

~~“Council” means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].~~



“Credentials Committee” means the credentials committee established pursuant to section 44(1) of the PGA [*Credentials committee*].

“Decision Maker” means

- (a) the Registrar in the case of a credentials hearing pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], and
- (b) the Discipline Hearing Panel in the case of a discipline hearing pursuant to section 10.7 of the Bylaws [*Discipline Hearings*].

“Delegated” means, in relation to Direct Supervision, a Subordinate being directed to undertake certain activities, work, or decisions related to the Regulated Practice on behalf of a Professional Registrant who takes professional responsibility for the work of the Subordinate.

“Deputy Registrar” means any individual appointed by the ~~Council~~ Board as deputy registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*].

“Different Governing Body” means the same as defined in section 76(1) of the PGA [*Conduct in another jurisdiction*].

“Digital Certificate” means a certificate issued to a Professional Registrant by a Certificate Authority that attests to the legitimacy of information through the use of encryption.

“Digitally Authenticating” means a Professional Registrant applying all of the following to a Document:

- (a) the Professional Registrant's Digital Seal;
- (b) a digital image of the Professional Registrant's signature;
- (c) a digital image of the date of authentication;
- (d) the Professional Registrant's Digital Certificate.

“Digital Seal” means a digital image of a Professional Registrant's Manual Seal, with no material variation in format or wording.

“Direct Supervision” means the responsibility for the control and conduct of the activities, work, or decisions related to the Regulated Practice that have been Delegated to a Subordinate.

“Disciplinary Order” means any of the following:

- (a) an order made pursuant to section 9.7.2 of the Bylaws [*Suspension or Cancellation on the Basis of an Indictable Offence*];
- (b) an order made pursuant to section 67(1) of the PGA [*Extraordinary action*];



- (c) a consent or undertaking given pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*];
- (d) a consent order made pursuant to section 73(2)(a) or (b) of the PGA [*Consent orders*];
- (e) any agreement reached through the Alternative Complaint Resolution process pursuant to section 74 of the PGA [*Alternative complaint resolution*];
- (f) a determination made pursuant to sections 75(5)(b), 75(6), or 75(7) of the PGA [*Discipline hearings*], as applicable;
- (g) an assessment of costs made pursuant to section 81(1) of the PGA [*Costs*].

“Discipline Committee” means the discipline committee established pursuant to section 75(1) of the PGA [*Discipline hearings*].

“Discipline Hearing Panel” means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee pursuant to section 77(1) of the PGA [*Discipline committee to conduct hearings*] for the purpose of conducting a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*], or for the purpose of taking action pursuant to section 76 of the PGA [*Conduct in another jurisdiction*].

“Discipline Resolution Panel” means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee for the purpose of attempting to resolve one or more matters set out in a citation by means other than a discipline hearing pursuant to sections 72 to 74 of the PGA.

“Document” includes any physical or electronic record, including but not limited to a report, certificate, memo, specification, drawing, map, or plan, that conveys a design, direction, estimate, calculation, opinion, interpretation, observation, model, or simulation that relates to the Regulated Practice.

“EGA” means the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116.

“EGBC” means the Association of Professional Engineers and Geoscientists of the Province of British Columbia, also operating as Engineers and Geoscientists BC.

“Electronic Means” includes videoconference, telephone conference, and webcasting.

“Ethical Learning”, means Continuing Education Activities related to advancing an individual Registrant’s knowledge of how to act ethically and meet the ethical obligations of Registrants pursuant to the PGA, regulations, Bylaws, and Code of Ethics.

“Executive Director” means the individual appointed by the ~~Council~~ Board as the chief executive officer of EGBC pursuant to section 32(1)(a) of the PGA [*Officers and committees*], who may also be the Registrar.

“Extraordinary Action Panel” means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair of the Discipline Committee for the purpose of considering action that may be taken pursuant to section 67 of the PGA [*Extraordinary action*].

“Firm” means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

“Frivolous” refers to a complaint that is obviously unsustainable in law or that displays no reasonable cause for complaint in law.

“Government Registrant” means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

“Immediate Past Board Chair” means the same as immediate past president of the council referred to in the PGA.

“Incompetent” means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

“Individual With Authority” means an individual that is:

- (a) in respect of a Firm that is a corporation, a director or senior officer;
- (b) in respect of a Firm that is a partnership, a partner;
- (c) in respect of a Firm that is a sole proprietorship, an owner; or
- (d) any other individual that is authorized by a Firm to act in a similar capacity as a director, senior officer, or partner and to make legally binding decisions and take binding action on behalf of the Firm.

“In Good Standing” means a Registrant meets all of the following criteria:

- (a) the Registrant’s registration is not suspended;
- (b) the Registrant has paid any annual fee owing to EGBC; and
- (c) if the Registrant is a Registrant Firm,
 - (i) the Registrant Firm’s registration and Permit to Practice are not suspended, and
 - (ii) there are no conditions on the Registrant Firm’s registration and Permit to Practice prohibiting it from engaging in the Regulated Practice.

“Investigation Committee” means the investigation committee established pursuant to section 64 of the PGA [*Investigation committee*].



“Investigation Subcommittee” means any number of members of the Investigation Committee authorized by the Investigation Committee to carry out an investigation or oversee and take responsibility for an investigation carried out by an Investigator, which members may be the same as those serving on a Resolution Subcommittee.

“Investigator” means the Registrar, the members of an Investigation Subcommittee, and any person appointed as an investigator pursuant to section 68 of the PGA [*Investigators*].

“Lay Committee Member” means the same as defined in section 21 of the PGA [*Definition*].

“Lay ~~Councillor~~Board Member” means the same as “lay councillor” as defined in section 1(1) of the PGA [*Definitions and interpretation*].

“Major Non-Conformance” means a situation in which, based on the evidence provided to the assessor,

- (a) there is systemic failure by a Registrant subject to a compliance audit to meet an applicable regulatory requirement(s), or
- (b) there are reasonable and probable grounds to believe that a Registrant subject to a compliance audit may be engaged in the Regulated Practice in a manner that may pose a risk of significant harm to the environment or to the health or safety of the public or a group of people.

“Manually Authenticating” means a Professional Registrant applying all of the following to a Document:

- (a) the Professional Registrant's Manual Seal;
- (b) the Professional Registrant's handwritten signature;
- (c) the date of authentication.

“Manual Seal” means the ink stamp or embossing machine issued to a Professional Registrant by EGBC that can create an impression on a Document.

“Minor Non-Conformance” means a situation in which, based on the evidence provided to the assessor,

- (a) there has been failure by a Registrant subject to a compliance audit to meet an applicable regulatory requirement(s), but such failure is not systemic, and
- (b) there are no reasonable and probable grounds to believe that the Registrant subject to a compliance audit may be engaged in the Regulated Practice in a manner that may pose a risk of significant harm to the environment or to the health or safety of the public or a group of people.

“Nomination Committee” means the nomination committee established pursuant to section 26(1) of the PGA [*Election of registrant councillors*].

“Non-Contentious Decision” means a decision which, pursuant to a policy approved by the Council Board, may be made by an officer in relation to an application for enrolment, admission, or reinstatement pursuant to the Bylaws.

“Panel” means one or more of the following:

- (a) Extraordinary Action Panel;
- (b) Discipline Resolution Panel;
- (c) Discipline Hearing Panel.

“Permit to Practice” means a certificate bearing a Permit to Practice Number that is issued to a Registrant Firm by EGBC and confirms that the Registrant Firm is entitled to engage in the Reserved Practice in British Columbia, subject to any suspensions, limitations, conditions, or restrictions on the Registrant Firm’s registration.

“Permit to Practice Number” means the unique number that is issued to a Registrant Firm by EGBC and appears on the Permit to Practice.

“PGA” means the *Professional Governance Act*, S.B.C. 2018, c. 47.

“Practice Advice Program” means a program offered by EGBC to assist Registrants in dealing with professional or ethical issues, as required by section 57(1)(d) of the PGA [*Standards of conduct and competence*].

“Practice Advisor” means an individual Registrant employed or retained by EGBC who receives and responds to professional or ethical inquiries of Registrants through the Practice Advice Program.

“Practice of Professional Engineering” means the same as defined in Schedule 1, section 5 of the PGA [*Definitions in respect of the Association of Professional Engineers and Geoscientists of the Province of British Columbia*] and prescribed by the *Engineers and Geoscientists Regulation*, B.C. Reg. 14/2021.

“Practice of Professional Geoscience” means the same as defined in Schedule 1, section 5 of the PGA [*Definitions in respect of the Association of Professional Engineers and Geoscientists of the Province of British Columbia*] and prescribed by the *Engineers and Geoscientists Regulation*, B.C. Reg. 14/2021.

“Private Sector Firm” means a Registrant Firm that is designated as a Private Sector Firm pursuant to section 5.12.2(2) of the Bylaws [*Private Sector Firm*].

“Proceeding” means a motion, application, pre-hearing conference or hearing.

“Professional Misconduct” means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].



“Professional of Record” means the Professional Registrant who is professionally responsible for activities, work, or Documents related to the Regulated Practice.

“Professional Practice Management Plan” means a document that is developed and maintained by a Registrant Firm and must meet the requirements set out in section 7.7.3 of the Bylaws [*Professional Practice Management Plan*].

“Professional Registrant” means a Registrant who is registered in one of the following categories of Registrants:

- (a) professional engineer;
- (b) professional geoscientist;
- (c) professional licensee engineering;
- (d) professional licensee geoscience;
- (e) life member prior to 1998;
- (f) honorary life member.

“Public Sector Firm” means a Registrant Firm that is designated as a Public Sector Firm pursuant to section 5.12.1(2) of the Bylaws [*Public Sector Firm*].

“Recent Historical Member” means the same as defined in section 1.4 of the *Professional Governance General Regulation*, B.C. Reg. 107/2019 [*Definitions*].

“Register” means the register on a publicly available website maintained by or on behalf of EGBC pursuant to section 31(3) of the PGA [*Registrar and register for regulatory body*].

“Registrant” means the same as defined in Schedule 1, section 5 of the PGA [*Definitions in respect of the Association of Professional Engineers and Geoscientists of the Province of British Columbia*].

“Registrant Board Member” means the same as “registrant councillor” as defined in section 1(1) of the PGA [*Definitions and interpretation*].

“Registrant Firm” means a Firm that is registered with EGBC as a Registrant.

“Registrar” means the individual appointed by the Council Board as registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*], who may also be the Executive Director.

“Regulated Practice” means the same as defined in Schedule 1 section 5 of the PGA [*Definitions in respect of the Association of Professional Engineers and Geoscientists of the Province of British Columbia*] and prescribed by the *Engineers and Geoscientists Regulation*, B.C. Reg. 14/2021.



“Regulation of Firms Training Program” means the training program designated by EGBC for providing training and information to Responsible Registrants of Registrant Firms.

“Regulatory Authority” means a licensing or certification body for regulating engineering or geoscience in Canada, or an institution in another country that is, in the opinion of the ~~Council~~Board, equivalent to EGBC.

“Regulatory Committee” means the Credentials Committee, the Audit and Practice Review Committee, the Investigation Committee, or the Discipline Committee.

“Regulatory Learning”, means Continuing Education Activities related to advancing an individual Registrant’s knowledge of the relevant regulatory requirements, including the PGA, regulations, Bylaws, Code of Ethics, codes, standards, policies, and requirements in relevant legislation.

“Reporting Year” means the period beginning on July 1 of a calendar year and ending on June 30 of the following calendar year.

“Reserved Practice” means the same as prescribed by the *Engineers and Geoscientists Regulation*, B.C. Reg. 14/2021.

“Resolution Subcommittee” means any number of members of the Investigation Committee authorized by the Investigation Committee to attempt to resolve or oversee an attempt to resolve one or more matters subject to investigation pursuant to sections 72 to 74 of the PGA, which members may be the same as those serving on an Investigation Subcommittee.

“Respondent” means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

“Responsible Officer” means an individual who has been designated by a Registrant Firm pursuant to section 5.12(13) of the Bylaws [*Registrant Firm*], must meet the requirements set out in sections 5.12(14), (15), (16) and (17) of the Bylaws [*Registrant Firm*], and has the responsibilities set out in section 5.12(18) of the Bylaws [*Registrant Firm*].

“Responsible Registrant” means a Professional Registrant who has been designated by a Registrant Firm pursuant to section 5.12(5) of the Bylaws [*Registrant Firm*], must meet the criteria set out in sections 5.12(7) and (8) of the Bylaws [*Registrant Firm*], and has the responsibilities set out in section 5.12(9) of the Bylaws [*Registrant Firm*].

“Robert’s Rules of Order” means the procedural rules set out in the guide published by the Robert’s Rules Association under the title “Robert’s Rules of Order Newly Revised”.

“Sole Practitioner” means a Professional Registrant who practises on their own, either in an incorporated or unincorporated manner.

“Structural Design” means a design of a Structure.

“Structure” means a series of connected, interrelated elements that form a system that provides adequate rigidity and can resist a series of external load effects applied to it, including

its own weight. Examples include temporary or permanent structures such as buildings, retaining walls, large signage, support towers, bridges, dams, and tunnels.

“Subordinate” means any individual who engages in the Regulated Practice under the Direct Supervision of a Professional Registrant.

“Technical Learning” means Continuing Education Activities related to advancing an individual Registrant’s technical and professional knowledge and skills within an individual Registrant’s area(s) of practice, including any anticipated future area(s) of practice.

“Three-Year Rolling Period” means a period of 3 consecutive Reporting Years, with a new period starting on the first day of each Reporting Year. For greater clarity, Reporting Years 1, 2 and 3 is one period, Reporting Years 2, 3 and 4 is one period, and Reporting Years 3, 4 and 5 is one period, with the pattern continuing.

“Trainee” means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

“Trivial” refers to a complaint that has no merit and does not warrant further investigation.

“Vexatious” refers to a complaint that has the intent of annoying, harassing, embarrassing, or abusing another party, or abusing the complaint process.

1.2 Written Notice to Registrants

- (1) In all instances where written notice is required to be provided to an individual Registrant pursuant to the PGA or the Bylaws, written notice to the individual Registrant may be provided by way of the individual Registrant’s personal and unique email address.
- (2) In all instances where written notice is required to be provided to a Registrant Firm pursuant to the PGA or the Bylaws, written notice to the Registrant Firm may be provided by way of the personal and unique email address of the Responsible Officer or any of the Responsible Registrants of the Registrant Firm.

2 Governance

2.1 Committees Established

- (1) The Nomination Committee is established pursuant to section 26(1) of the PGA [*Election of registrant councillors*].
- (2) The Credentials Committee is established pursuant to section 44(1) of the PGA [*Credentials committee*].
- (3) The Audit and Practice Review Committee is established pursuant to section 63(1) of the PGA [*Audits and practice reviews*].
- (4) The Investigation Committee is established pursuant to section 64 of the PGA [*Investigation committee*].
- (5) The Discipline Committee is established pursuant to section 75(1) of the PGA [*Discipline hearings*].

2.2 Chairs, Vice-Chairs, and Members of Committees

- (1) Pursuant to section 32(7)(c) of the PGA, the Council Board must appoint a chair of a Committee in accordance with the merit-based selection principles prescribed by the Lieutenant Governor in Council pursuant to section 25(1) of the PGA [*Selection principles and criteria*].
- (2) Except as otherwise prescribed by the Lieutenant Governor in Council or provided in the Bylaws, the Council Board may appoint a vice-chair of a Committee in accordance with the merit-based selection principles prescribed by the Lieutenant Governor in Council pursuant to section 25(1) of the PGA [*Selection principles and criteria*].
- (3) Any vice-chair appointed pursuant to subsection (2) may assume the role of chair in the following situations:
 - (a) whenever the chair is unavailable to act, but not for a term that is longer than the remainder of the term of the chair;
 - (b) whenever there is no chair appointed, until a chair is appointed by the Council Board or the term of the vice-chair expires.
- (4) At a meeting of a Committee, if neither the chair nor any vice-chair of the Committee attends the meeting in person or by Electronic Means at its appointed time, the Committee members may choose one of their number to chair the meeting.
- (5) The Council Board must appoint the members of each Committee.
- (6) For each Regulatory Committee, the Council Board must appoint Professional Registrants to constitute a majority of the Regulatory Committee members.

- (7) If the composition of a Regulatory Committee changes such that Professional Registrants no longer constitute a majority of Regulatory Committee members, the Regulatory Committee may continue to operate and carry out its business without a majority of Professional Registrants for up to one year.
- (8) A member, a vice-chair, or a chair of a Committee who is an individual Registrant and whose registration has been suspended or cancelled is terminated from the Committee effective the start date of the suspension or cancellation.
- (9) A Committee member serves on a Committee at the pleasure of the Council Board and may be removed by the Council Board from a Committee before the expiry of their term of office without prior notice to the Committee member.

2.3 Conduct of Committee Meetings

- (1) A Committee may meet or adjourn as it sees fit, including meeting by any combination of Committee members attending in person or by Electronic Means.
- (2) Questions arising at a meeting of a Committee must be decided by a majority of the Committee members attending in person or by Electronic Means, who may each cast one vote on a matter put to a vote.
- (3) Despite subsection (2), the chair of a meeting of a Committee may only vote on a matter put to a vote in the case of an equality of votes, in which case the chair will have a casting vote.
- (4) A resolution that is assented to and adopted by Committee members in writing, although not passed during a meeting of the Committee, is of the same force and effect as if it had been duly passed at a meeting of the Committee.

2.4 Conduct of Council Board Meetings

- (1) The Council Board may meet or adjourn as it sees fit, including meeting by any combination of ~~councillors~~ Board Members attending in person or by Electronic Means.
- (2) The Council Board may adopt or establish policies, procedures, or rules of order, consistent with the PGA, applicable regulations, and the Bylaws, for the purpose of regulating the conduct of a meeting of the Council Board.
- (3) The rules contained in Robert's Rules of Order must govern the conduct of Council Board meetings, as applicable, except where Robert's Rules of Order are inconsistent with the Bylaws or any policies, procedures, or rules of order adopted or established by Council the Board pursuant to subsection (2).
- (4) A meeting of the Council Board is open to the public.

- (5) Despite subsection (4), the Council Board is authorized to hold any meeting or a portion of any meeting in the absence of the public or any other person who is not a councillor Board Member pursuant to section 35(2) of the PGA [*Bylaws of council*].
- (6) The Executive Director must
 - (a) call a meeting of the Council Board at the request of the president Board Chair of the Council or any 3 councillors Board Members, and
 - (b) provide reasonable written notice to the Council Board of the date, hour, place, and purpose of a meeting of the Council Board.
- (7) At a meeting of the Council Board, if neither the president Board Chair of the Council nor the Board Vice president Chair of the Council attend the meeting in person or by Electronic Means at its appointed time, the Council Board may choose one of their number to chair the meeting, and ~~the chair so chosen may~~ exercise all of the functions and authority of the president Board Chair of the Council for the conduct of the meeting.
- (8) Questions arising at a meeting of the Board Council must be decided by a majority of the voting councillors Board Members attending in person or by Electronic Means, who may each cast one vote on a matter put to a vote.
- (9) Despite subsection (8), the chair of a meeting of the Board Council may only vote on a matter put to a vote in the case of an equality of votes, in which case the chair will have a casting vote.
- (10) A resolution that is assented to and adopted by the councillors Board Members in writing, although not passed at a meeting of the Board Council, is of the same force and effect as if it had been duly passed at a meeting of the Board Council.
- (11) The Executive Director must ensure that minutes are taken at each meeting of the Council Board.

2.5 Executive Director, Registrar, and Deputy Registrar(s)

- (1) The Council Board must appoint an Executive Director pursuant to section 32(1)(a) of the PGA [*Officers and committees*].
- (2) The Board Council authorizes the Executive Director to exercise the Council Board's power to terminate the appointment of the Registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*].
- (3) The Council Board authorizes the Executive Director to exercise the Council Board's powers to appoint any number of Deputy Registrars and terminate the appointment of a Deputy Registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*].

- (4) Pursuant to section 31(2) of the PGA [*Registrar and register for regulatory body*] the ~~Board Council~~ authorizes any Deputy Registrar(s) to exercise any of the powers and perform any of the duties of the Registrar set out in the Bylaws.

2.6 Accounting Records of EGBC

- (1) Accounting Records must be maintained by EGBC and must be available for inspection by the ~~Board Council~~.
- (2) No Registrant, other than a Registrant who is on the ~~Board Council~~, has any right to inspect any Accounting Records of EGBC, except as authorized by the ~~Board Council~~ or as required by law.
- (3) The ~~Board Council~~ may determine whether, to what extent, at what time(s) and place(s), and under what conditions or regulations Accounting Records may be open to the inspection of Registrants that are not on the ~~Board Council~~.

2.7 Financial Statements and Audit

- (1) Financial statements must be drawn up annually, and such financial statements, together with the books of EGBC, must be audited annually by a chartered professional accountant appointed by the ~~Board Council~~ as an auditor.
- (2) A report duly signed by the auditor appointed pursuant to subsection (1) must be presented to Registrants, and the ~~Board Council~~ must cause such report, together with the financial statements of EGBC, to be made available to all Registrants at least 15 days prior to the annual general meeting.
- (3) The auditor's report and the financial statements of EGBC required pursuant to subsection (2) must be accompanied by a report of the Executive Director as to the state of the affairs of EGBC, which must be published on a public website maintained by EGBC at least 15 days prior to the annual general meeting.

2.8 Seal of EGBC

- (1) EGBC must have a seal.
- (2) EGBC's seal must be affixed by the Executive Director or those persons designated by the Executive Director, to those instruments determined by the Executive Director.

2.9 Branches

- (1) Pursuant to section 35(1)(g) of the PGA [*Bylaws of council*], the ~~Board Council~~ may continue or establish Branches.

3 General Meetings

3.1 Conduct of General Meetings

- (1) A general meeting must be held in the manner provided in section 33 of the PGA [*General meetings of regulatory bodies*].
- (2) At the discretion of the ~~Board~~Council, a general meeting may be held with Registrants attending
 - (a) in person,
 - (b) by Electronic Means, or
 - (c) in any combination of Registrants attending in person or by Electronic Means.
- (3) The ~~Board~~ Council may adopt or establish policies, procedures, or rules of order, consistent with the PGA, applicable regulations, and the Bylaws, for the purpose of regulating the conduct of a general meeting.
- (4) The rules contained in Robert's Rules of Order must govern the conduct of general meetings, as applicable, except where Robert's Rules of Order are inconsistent with the Bylaws or any policies, procedures, or rules of order adopted or established by the Board Council pursuant to subsection (3).
- (5) Any policies, procedures, or rules of order adopted or established by the ~~Board~~ Council prior to the general meeting pursuant to subsection (3) must be published on a public website maintained by EGBC prior to the general meeting to which the policies, procedures, or rules of order are to apply.
- (6) The Executive Director must ensure that minutes are taken at each general meeting.

3.2 Request for General Meetings

- (1) A written request that the ~~Board~~ Council call a general meeting pursuant to section 33(4) of the PGA [*General meetings of regulatory bodies*] must be accompanied by a notice setting out specifically the business to be transacted at the general meeting.

3.3 Notice of General Meetings

- (1) Notice of the time and place of a general meeting must be
 - (a) published on a public website maintained by EGBC, and
 - (b) provided in writing to Registrants In Good Standing,
 at least 21 days prior to the general meeting.

- (2) If the ~~Board Council~~ has determined pursuant to section 3.1(2) of the Bylaws [*Conduct of General Meetings*] that a general meeting will be held by Electronic Means, or by any combination of Registrants attending in person or by Electronic Means, this determination must be included in the notice of the general meeting that is published pursuant to subsection (1).
- (3) Accidental omissions in the delivery of notice or non-receipt of a notice required pursuant to subsection (1) by any Registrant entitled to receive notice does not invalidate the proceedings at a general meeting.

3.4 Chair of General Meetings

- (1) The ~~president Board Chair of the Council~~ must act as chair of a general meeting.
- (2) Despite subsection (1), the ~~Board~~ ~~vice president Chair of the Council~~ must act as chair of a general meeting if the ~~president Board Chair of the Council~~
 - (a) does not attend in person or by Electronic Means at the time appointed for holding the general meeting, or
 - (b) is not willing to act as chair of the general meeting.
- (3) Despite subsections (1) and (2), the ~~Board Council~~ may choose one of their number to chair the general meeting if both the ~~president Board Chair of the Council~~ and the ~~Board~~ ~~vice president Chair of the Council~~
 - (a) do not attend the general meeting in person or by Electronic Means at its appointed time, or
 - (b) are not willing to act as chair of the general meeting.

3.5 Quorum for General Meetings

- (1) The quorum requirement for a general meeting is 50 individual Registrants In Good Standing, whether attending the general meeting
 - (a) in person, or
 - (b) by Electronic Means, if the ~~Board Council~~ has determined that Registrants may attend the general meeting by Electronic Means pursuant to section 3.1(2) of the Bylaws [*Conduct of General Meetings*].

3.6 Eligibility and Entitlement to Vote

- (1) A Registrant is eligible to vote in a resolution, a referendum, and an election of the ~~Board Council~~ if the Registrant, at the time the Registrant casts the Registrant's vote
 - (a) is In Good Standing, and

(b) belongs to one of the following categories of Registrants:

- (i) Trainee;
- (ii) professional engineer;
- (iii) professional geoscientist;
- (iv) professional licensee engineering;
- (v) professional licensee geoscience;
- (vi) life member prior to 1998;
- (vii) honorary life member;
- (viii) non-practising;
- (ix) life members or life limited licensees.

3.7 Resolutions Proposed by Registrants

- (1) A Registrant who has voting rights pursuant to section 3.6 of the Bylaws [*Eligibility and Entitlement to Vote*] may deliver a written notice to the Executive Director not fewer than 30 days before the date set for a general meeting requesting the consideration of a resolution at the general meeting.
- (2) A written notice delivered by a Registrant pursuant to subsection (1) must
 - (a) identify the Registrant as the mover of the resolution,
 - (b) identify another Registrant who has voting rights pursuant to section 3.6 of the Bylaws [*Eligibility and Entitlement to Vote*] as a seconder of the resolution, and
 - (c) contain the text of the resolution, which must not include a preamble.
- (3) A resolution delivered by a Registrant pursuant to subsections (1) and (2) must be reviewed by the Executive Director to ensure the resolution is eligible for consideration at a general meeting, in accordance with any policies, procedures, or rules of order adopted or applicable pursuant to sections 3.1(3) and (4) of the Bylaws [*Conduct of General Meetings*].
- (4) If a resolution is eligible for consideration at the general meeting pursuant to subsection (3) the Executive Director must do all of the following at least 14 days before the date of the general meeting:

- (a) deliver written notice of the resolution to Registrants who have voting rights pursuant to section 3.6 of the Bylaws [*Eligibility and Entitlement to Vote*];
 - (b) publish notice of the resolution, including the text of the resolution, on a public website maintained by EGBC.
- (5) The accidental omission to deliver written notice of a resolution to, or the non-receipt of written notice by, any Registrant entitled to receive notice does not invalidate the resolution.

3.8 Voting on Resolutions

- (1) A vote of a general meeting may be taken in the manner determined by the ~~Board~~Council, subject to the PGA, applicable regulations, and the Bylaws.
- (2) When a resolution is decided by a vote of a general meeting,
 - (a) the chair of the general meeting must declare that the resolution has been carried or lost, and
 - (b) minutes made that the resolution has been carried or lost are conclusive evidence of that fact, without proof of the number or proportion of the votes recorded in favour or against the resolution.
- (3) A Registrant must have one vote in a resolution put to a vote of the general meeting if the Registrant has voting rights pursuant to section 3.6 of the Bylaws [*Eligibility and Entitlement to Vote*] and is attending the general meeting
 - (a) in person, or
 - (b) by Electronic Means, if the ~~Board~~ Council has determined that Registrants may attend the general meeting by Electronic Means pursuant to section 3.1(2) of the Bylaws [*Conduct of General Meetings*].
- (4) Despite subsection (3), the chair of a general meeting may only vote on a resolution put to a vote in the case of an equality of votes, in which case the chair will have a casting vote.
- (5) Except as provided in section 34 of the PGA [*Implementing resolutions of general meetings*], a resolution approved at a general meeting does not bind the ~~Board~~Council, any Committee, or any officer, employee, or agent of EGBC in the exercise of its or their powers or in performance of its or their duties under the PGA or any other enactment.

3.9 Adjourning General Meetings

- (1) The chair of a general meeting may adjourn the general meeting from time to time and from place to place.

- (2) The only business that may be transacted at an adjourned general meeting is that business left unfinished at the meeting from which the adjournment took place.
- (3) When a general meeting is adjourned for less than 30 days, it is not necessary for EGBC to give notice of the adjourned general meeting, or of the business to be transacted at the adjourned general meeting.
- (4) When a general meeting is adjourned for 30 days or more, notice of the adjourned general meeting must be given by EGBC in the same manner as notice of the original meeting.

4 Nominations and Election of ~~Council~~ the Board

4.1 Nomination Committee Composition

- (1) The Nomination Committee must be composed of between 5 and 7 members appointed by the Board~~Council~~.
- (2) The members of the Nomination Committee appointed by the Board ~~Council~~ pursuant to subsection (1) must include
 - (a) the ~~i~~mmmediate ~~P~~past ~~president~~ Board Chair of EGBC, who will serve as chair of the Nomination Committee,
 - (b) at least one Lay Committee Member, and
 - (c) the Branch Representatives' Chair.
- (3) If the ~~i~~mmmediate ~~P~~past ~~president~~ Board Chair of EGBC cannot be appointed as or serve as chair of the Nomination Committee, the Board ~~Council~~ must appoint a Lay ~~Councillor~~ Board Member as the chair of the Nomination Committee.
- (4) If the Branch Representatives' Chair cannot be appointed to or serve on the Nomination Committee, the Board ~~Council~~ must appoint a delegate.
- (5) No ~~member of the Board Member Council~~ may be appointed to or serve on the Nomination Committee, except
 - (a) the ~~i~~mmmediate ~~p~~Past Board Chair~~president of EGBC~~, or
 - (b) a Lay ~~Councillor~~ Board Member, if the ~~i~~mmmediate ~~P~~past ~~president~~ Board Chair of EGBC is unable to serve as chair of the Nomination Committee.

4.2 Powers of the Nomination Committee

- (1) The Nomination Committee has the functions and duties assigned to it in the PGA.

4.3 Criteria for Nomination of Candidates

- (1) Pursuant to section 25(2)(a) of the PGA [*Selection principles and criteria*], a candidate nominated by the Nomination Committee for a position as Registrant ~~councillor~~ Board Member, ~~including the position of president of the Council~~, must be a Registrant In Good Standing.
- ~~(2) Pursuant to section 25(2)(a) of the PGA [*Selection principles and criteria*], a candidate nominated by the Nomination Committee for the position of president of the Council must meet at least one of the following experience requirements prior to the date of taking office, if such a candidate is available for nomination:~~

~~(a) —one year of experience as a councillor for EGBC;~~

~~(b) —equivalent experience as determined by the Nomination Committee.~~

~~(3) —A Registrant who is not In Good Standing must not be nominated by the Nomination Committee for a position as Registrant councillor, including the position of president of the Council.~~

4.4 List of Candidates

(1) The list of candidates nominated by the Nomination Committee must be

- (a) signed by the chair of the Nomination Committee,
- (b) accompanied by the written consent of all candidates,
- (c) provided to the Executive Director, and
- (d) published on a public website maintained by EGBC

at least 90 days prior to the annual general meeting.

4.5 Election Procedures

(1.1) An election is held each year to fill vacancies on the Board.

(1) The election of Registrant ~~councillors~~Board Members, ~~including the president of the Council,~~ must be by ~~paper ballot or~~ electronic ballot, ~~as determined by the Council.~~

(2) The Executive Director must prepare a ballot containing the names of all candidates nominated by the Nomination Committee.

(3) Voting must be closed at noon on the 15th day prior to the annual general meeting, and ballots received after that time must not be counted.

(4) Voting for ~~more than one president of the Council or~~ more than the number of Registrant ~~councillors~~Board Members to be elected will invalidate ~~render the applicable part of the ballot invalid.~~

(5) Voting for less than ~~one president of the Council or less than~~ the number of Registrant ~~councillors~~Board Members to be elected will not invalidate the ballot.

(6) Ballots cast in an election must be tabulated at least 10 days prior to the annual general meeting.

(7) ~~[Repealed 2023-MM-DD]. The candidate for the position of president of the Council who receives the most votes in the election is elected to that position.~~



- (8) The candidates ~~for positions as Registrant councillors~~ who receive the most votes in the election are elected as Registrant Board Members ~~to those positions.~~
(8)
- (9) ~~[Repealed 2023-MM-DD]. If there are any vacancies in the Council to be filled because of an election, the candidate or candidates receiving the next highest number of votes must be elected for the unexpired term or terms to be filled.~~
- (10) If there is a tie vote between 2 or more candidates, the Executive Director must hold a random draw to determine the successful candidate.
- (11) The Executive Director must inform each candidate in the election of the results of the election as soon as practicable, and the results of the election must be announced at the annual general meeting.
- (12) The successful candidates for positions as Registrant ~~councillors~~ Board Members, ~~including the position of president of the Council,~~ must take office at the close of the annual general meeting.
- (13) The Executive Director must not authorize ~~the destruction of any paper ballots or~~ the deletion of any electronic ballots cast in an election until 3 months after the date on which the annual general meeting was held.
(13)
- (14) At the beginning of the first meeting of the Board after an election of Registrant Board Members held pursuant to the Bylaws, the Board must elect by majority vote the Board Chair and Board Vice Chair from among the Registrant Board Members.

4.6 Term Lengths

- ~~At each election of Registrant councillors held pursuant to the Bylaws,~~
~~the president of the Council must be elected for a one~~,
~~section 24(3)(a) of the PGA [Term limits] and~~
- ~~(1) one third of the other Registrant councillors~~ Board Members must be elected for a 3-year term, pursuant to section 24(1) of the PGA [Term limits].
- (2) ~~After each election held pursuant to the Bylaws, the vice president of the Council must be selected by the Council from among the Registrant councillors. The Board Chair and Board Vice Chair must each be elected pursuant to section 4.5(14) of the Bylaws~~ [Election Procedures] for a one-year term pursuant to section 24(3)(b) of the PGA [Term limits].

5 Credentials and Registrants

5.1 Powers of the Credentials Committee

- (1) The Credentials Committee has the functions and duties assigned to it in the PGA and delegated to it by ~~Council~~the Board in subsections (2) and (3).
- (2) The ~~Board~~Council authorizes the Credentials Committee to exercise the ~~Council~~Board's powers pursuant to the following sections of the PGA, other than the ~~Council~~Board's bylaw-making authority:
 - (a) section 32(1)(b) [*Officers and committees*], in order to appoint officers for the purpose of carrying out the powers delegated pursuant to subsection (3)(b);
 - (b) section 66(2)(a)(ii) [*Investigations*] with respect to applications for registration as an individual Registrant.
- (3) The ~~Board~~Council authorizes the Credentials Committee to act pursuant to the following sections of the PGA:
 - (a) section 45 [*Application for enrolment, admission or reinstatement as registrant*] with respect to applications for registration as an individual Registrant;
 - (b) section 32(5)(b) [*Officers and committees*], to delegate the powers pursuant to section 45(1) of the PGA [*Application for enrolment, admission or reinstatement as registrant*] to one or more officers for the sole purpose of the officer(s) making a Non-Contentious Decision with respect to applications for registration as an individual Registrant.

5.2 Powers of the Audit and Practice Review Committee

- (1) The Audit and Practice Review Committee has the functions and duties assigned to it in the PGA and delegated to it by the ~~Board~~Council in this section of the Bylaws with respect to applications for registration as a Registrant Firm.
- (2) The ~~Board~~Council authorizes the Audit and Practice Review Committee to exercise the ~~Board~~Council's powers pursuant to the following sections of the PGA, other than the ~~Council~~Board's bylaw-making authority:
 - (a) section 32(1)(b) [*Officers and committees*], in order to appoint officers for the purpose of carrying out the powers delegated to the Audit and Practice Review Committee pursuant to subsection (3)(b);
 - (b) section 66(2)(a)(ii) [*Investigations*] with respect to applications for registration as a Registrant Firm.
- (3) The ~~Board~~Council authorizes the Audit and Practice Review Committee to act pursuant to the following sections of the PGA:

- (a) section 45 [*Application for enrolment, admission or reinstatement as registrant*], with respect to applications for registration as a Registrant Firm;
- (b) section 32(5)(b) [*Officers and committees*], to delegate to one or more officers the powers granted to the Audit and Practice Review Committee by the ~~Board Council~~ pursuant to this section of the Bylaws, with respect to applications for registration as a Registrant Firm.

5.3 Powers of the Registrar

- (1) The ~~Board Council~~ authorizes the Registrar to exercise the ~~Board Council~~'s powers pursuant to sections 48(1), 48(2), 48(3), and 48(4) of the PGA [*Review on the record*] for the purpose of conducting reviews on the record pursuant to section 5.22 of the Bylaws [*Review on the Record*].

5.4 Categories of Registrants

- (1) The following categories and subcategories of Registrants are set out in sections 5.5 to 5.16 of the Bylaws:

Category of Registrant	Subcategory of Registrant	Bylaw Section
Trainee		5.5
	Engineer-in-Training	5.5.1
	Geoscientist-in-Training	5.5.2
Professional Engineer		5.6
	Designated Structural Engineer	5.6.1
Professional Geoscientist		5.7
Professional Licensee Engineering		5.8
Professional Licensee Geoscience		5.9
Life Member Prior to 1998		5.10
Honorary Life Member		5.11
Registrant Firm		5.12
	Public Sector Firm	5.12.1
	Private Sector Firm	5.12.2
Non-Practising Individual Registrant		5.13
Non-Practising Registrant Firm		5.14
Life Member or Life Limited Licensee		5.15

Category of Registrant	Subcategory of Registrant	Bylaw Section
Honorary Member		5.16

5.5 Trainees

- (1) The category of Registrant called "Trainee" is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) A Trainee must not serve as a Registrant ~~councillor~~Board Member, or as a member of any Committee.

5.5.1 Engineer-in-Training

- (1) The subcategory of Registrant called "engineer-in-training" is established under the category of Trainee pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) Only a Registrant who is designated an engineer-in-training may hold themselves out to be an engineer-in-training and use the post-nominal "EIT".
- (3) An engineer-in-training may only use a title containing the word "engineer", or any form or abbreviation of the word "engineer", if the designation "engineer-in-training" or "EIT" is used in close proximity to the title and given the same or higher degree of prominence.
- (4) An engineer-in-training must not represent themselves as a Professional Registrant.
- (5) An engineer-in-training must not engage in any area of the Reserved Practice except under the Direct Supervision of an individual who is legally entitled to independently practise in that area of the Reserved Practice, and that area of the Reserved Practice is of the type that may be provided under supervision pursuant to section 54(2) of the PGA [*Prohibitions regarding reserved practice*].
- (6) Pursuant to section 46(1) of the PGA [*Enrolment of trainees*], an Applicant for enrolment as an engineer-in-training must provide the following to the Credentials Committee:
 - (a) a completed application for enrolment as an engineer-in-training;
 - (b) any applicable application, examination, interview, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];
 - (c) evidence satisfactory to the Credentials Committee of the following:
 - (i) the Applicant's identity and legal name;
 - (ii) that the Applicant is of good character and good repute;

- (iii) that the Applicant has
 - (A) graduated in applied science, engineering, or geoscience from an institute of learning approved by the Credentials Committee in a program approved by the Credentials Committee, or
 - (B) the equivalent of
 - (I) a university-level bachelor's degree in applied science or engineering, from an institution of learning not approved by the Credentials Committee, or in a program not approved by the Credentials Committee, but has passed
 - (1) examinations, assigned by the Credentials Committee from the syllabus published by the Credentials Committee, in the discipline of engineering of the Applicant's degree, that demonstrate that the Applicant's knowledge is equivalent to the knowledge of those who have graduated from an institute of learning approved by the Credentials Committee in a program in applied science or engineering approved by the Credentials Committee, or
 - (2) examinations, requiring special knowledge in branches of learning specified by the Credentials Committee, of an association or institute approved by the Credentials Committee, or
 - (II) 4 years of full-time post-secondary education in applied science, engineering, geoscience, science, or technology, and has demonstrated equivalency to graduation from an institute of learning approved by the Credentials Committee in a program in applied science, engineering, or geoscience approved by the Credentials Committee, by passing the Credentials Committee assigned
 - (1) examinations or coursework, applicable to the discipline or area of practice in which the Applicant wishes to be examined, to address deficiencies in syllabus or knowledge requirements coverage as determined by the Credentials Committee, or
 - (2) examinations, requiring special knowledge in branches of learning specified by the Credentials Committee, of an association or institute approved by the Credentials Committee.

5.5.2 Geoscientist-in-Training

- (1) The subcategory of Registrant called “geoscientist-in-training” is established under the category of Trainee pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) Only a Registrant who is designated a geoscientist-in-training may hold themselves out to be a geoscientist-in-training and use the post-nominal “GIT”.
- (3) A geoscientist-in-training may only use a title containing the word “geologist”, “geophysicist”, “geochemist”, or “geoscientist”, or any form or abbreviation thereof, if the designation “geoscientist-in-training” or “GIT” is used in close proximity to the title and given the same or higher degree of prominence.
- (4) A geoscientist-in-training must not represent themselves as a Professional Registrant.
- (5) A geoscientist-in-training must not engage in any area of the Reserved Practice except under the Direct Supervision of an individual who is legally entitled to independently practise in that area of the Reserved Practice, and that area of the Reserved Practice is of the type that may be provided under supervision pursuant to section 54(2) of the PGA [*Prohibitions regarding reserved practice*].
- (6) Pursuant to section 46(1) of the PGA [*Enrolment of trainees*], an Applicant for enrolment as a geoscientist-in training must provide the following to the Credentials Committee:
 - (a) a completed application for enrolment as a geoscientist-in-training;
 - (b) any applicable application, examination, interview or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];
 - (c) evidence satisfactory to the Credentials Committee of the following:
 - (i) the Applicant’s identity and legal name;
 - (ii) that the Applicant is of good character and good repute;
 - (iii) that the Applicant has
 - (A) graduated in applied science, geoscience, or science from an institute of learning approved by the Credentials Committee in a program approved by the Credentials Committee, or
 - (B) the equivalent of 4 years of full-time post-secondary education in applied science, engineering, geoscience, science, or technology, and has

demonstrated equivalency to graduation from an institute of learning approved by the Credentials Committee in a program in applied science, geoscience, or science approved by the Credentials Committee, by passing the Credentials Committee assigned

- (I) examinations or coursework, applicable to the discipline or area of practice in which the Applicant wishes to be examined, to address deficiencies in syllabus or knowledge requirements coverage as determined by the Credentials Committee, or
- (II) examinations, requiring special knowledge in branches of learning specified by the Credentials Committee, of an association or institute approved by the Credentials Committee.

5.6 Professional Engineer

- (1) The category of Registrant called “professional engineer” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) Only a Registrant who is designated a professional engineer may hold themselves out to be a professional engineer and use the post-nominal “P.Eng.”.
- (3) A professional engineer may engage in the Reserved Practice.
- (4) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional engineer must provide the following to the Credentials Committee:
 - (a) a completed application for registration as a professional engineer;
 - (b) any applicable application, examination, interview, course, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];
 - (c) evidence satisfactory to the Credentials Committee of the following:
 - (i) the Applicant’s identity and legal name;
 - (ii) that the Applicant is of good character and good repute;
 - (iii) that the Applicant has obtained the necessary level of competency in English to engage in the Regulated Practice in British Columbia;
 - (iv) that the Applicant has completed the academic requirements pursuant to section 5.5.1(6)(c)(iii) of the Bylaws [*Engineer-in-Training*];
 - (v) that the Applicant has engineering experience that

- (A) is sufficiently current to demonstrate competency with current practices,
- (B) is supported by the Applicant's academic subjects of study, continuing education, or examinations assigned by the Credentials Committee,
- (C) is broad-based and at the level of complexity and responsibility that demonstrates that the Applicant
 - (I) has applied engineering principles at an appropriate level,
 - (II) is ready to accept the full professional responsibility to engage in the Regulated Practice, and
 - (III) has reached the level of professional maturity needed to judge when the Applicant is out of the Applicant's area of professional competence,
- (D) is validated by
 - (I) a minimum of 4 Professional Registrants, or equivalent licensed engineering or geoscience practitioners from a Regulatory Authority, who
 - (1) practise in the same discipline of engineering as the Applicant or a related discipline, and
 - (2) have detailed knowledge of the work of the Applicant, or
 - (II) validators satisfactory to the Credentials Committee, where the Credentials Committee is satisfied that the Applicant cannot comply with the requirement in subsection (c)(v)(D)(I),
- (E) is in conformance with general and discipline-specific experience guidelines published by the Credentials Committee,
- (F) demonstrates that the Applicant has achieved the key competencies established by the ~~Board Council~~ at the required level of competence established by the ~~Board Council~~ in a minimum of 4 years, and
- (G) demonstrates that the Applicant is competent to practise in British Columbia through achievement of Canadian environment competencies established by the ~~Board Council~~ at the required level of competence established by the ~~Board Council~~, or by any alternative means established by the ~~Board Council~~;

- (vi) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics, and professional practice issues, demonstrated by successful completion of
 - (A) a course in law and ethics approved by the Board Council, and
 - (B) an examination in professional practice approved by the Board Council.
- (5) Despite subsection (4)(c), the Credentials Committee may accept the following qualifications without further examination:
 - (a) the qualifications required by subsections (4)(c)(iii) to (4)(c)(vi) if the Applicant
 - (i) holds registration or licensure as the equivalent of a professional engineer in good standing with a Regulatory Authority for engineering in another jurisdiction in Canada, and
 - (ii) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia;
 - (b) the qualifications required by subsections (4)(c)(iv) and (4)(c)(v) if the Applicant
 - (i) holds registration or licensure as the equivalent of a professional engineer in good standing with a Regulatory Authority in another country that is, in the opinion of the Board Council, equivalent to EGBC, and
 - (ii) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

5.6.1 Designated Structural Engineer

- (1) The subcategory of Registrant called “designated structural engineer” is established as a subcategory of professional engineer pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) Only a professional engineer who is a Professional Registrant and who is designated a designated structural engineer may hold themselves out to be a designated structural engineer and use the post-nominal “Struct.Eng.”.
- (3) Pursuant to section 42(2)(d) of the PGA [*Categories of registrants and bylaws for categories of registrants*], the Credentials Committee may designate a professional engineer as a designated structural engineer when the Credentials Committee is satisfied that the professional engineer demonstrates the requisite qualifications to be designated as a designated structural engineer.

- (4) Pursuant to section 42(2)(d) of the PGA [*Categories of registrants and bylaws for categories of registrants*], to be designated as a designated structural engineer, a professional engineer must provide the following:
 - (a) a completed application for designation as a designated structural engineer;
 - (b) any applicable application, examination, or other applicable fees specified in section 6.1(2) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];
 - (c) evidence satisfactory to the Credentials Committee that the professional engineer
 - (i) is of good character and good repute,
 - (ii) has at least 6 years of significant post-graduation structural engineering experience as specified by the Board Council, including 2 years in responsible charge of significant engineering work as specified by the Board Council, that includes seismic design of buildings or other Structures in significant seismic regions as specified by the Board Council,
 - (iii) has completed examination(s) in structural engineering knowledge, solutions, codes and practice, as specified by the Board Council, and
 - (iv) has demonstrated active practice and completion of continuing education, as specified by the Board Council.
- (5) To maintain accreditation as a designated structural engineer, a designated structural engineer must
 - (a) actively practise structural engineering for at least 2,250 hours over each Three-Year Rolling Period and provide confirmation of such to EGBC by 11:59 PM (Pacific Time) on the last day of each Reporting Year,
 - (b) comply with all applicable continuing education requirements set out in section 7.6 of the Bylaws [*Continuing Education Program*], and
 - (c) comply with any additional requirements to maintain accreditation as a designated structural engineer, as determined by the Board Council.

5.7 Professional Geoscientist

- (1) The category of Registrant called “professional geoscientist” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) Only a Registrant who is designated a professional geoscientist may hold themselves out as a professional geoscientist and use the post-nominal “P.Geo.”.
- (3) A professional geoscientist may engage in the Reserved Practice.

- (4) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional geoscientist must provide the following to the Credentials Committee:
- (a) a completed application for registration as a professional geoscientist;
 - (b) any applicable application, examination, interview, course, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];
 - (c) evidence satisfactory to the Credentials Committee of the following:
 - (i) of the Applicant's identity and legal name;
 - (ii) that the Applicant is of good character and good repute;
 - (iii) that the Applicant has obtained the necessary level of competency in English to engage in the Regulated Practice in British Columbia;
 - (iv) that the Applicant has completed the academic requirements pursuant to section 5.5.2 (6)(c)(iii) of the Bylaws [*Geoscientist-in-Training*];
 - (v) that the Applicant has geoscience experience that
 - (A) is sufficiently current to demonstrate competency with current practices,
 - (B) is supported by the Applicant's academic subjects of study, continuing education or examinations assigned by the Credentials Committee,
 - (C) is broad-based and at the level of complexity and responsibility that demonstrates that the Applicant
 - (I) has applied geoscience principles at an appropriate level,
 - (II) is ready to accept the full professional responsibility to engage in the Regulated Practice, and
 - (III) has reached the level of professional maturity needed to judge when the Applicant is out of the Applicant's area of professional competence,
 - (D) is validated by
 - (I) a minimum of 4 Professional Registrants, or equivalent licensed engineering or geoscience practitioners from a Regulatory Authority, who

- (1) practise in the same discipline of geoscience as the Applicant or a related discipline, and
 - (2) have detailed knowledge of the work of the Applicant, or
- (II) validators satisfactory to the Credentials Committee, where the Credentials Committee is satisfied that the Applicant cannot comply with the requirement in subsection (c)(v)(D)(I),
- (E) is in conformance with general and discipline-specific experience guidelines published by the Credentials Committee,
- (F) demonstrates that the Applicant has achieved the work experience competencies established by the ~~Board Council~~ in a minimum of 4 years, and
- (G) demonstrates that the Applicant is competent to practise in British Columbia through achievement of Canadian environment competencies established by the ~~Board Council~~ at the required level of competence established by the ~~Board Council~~, or by any alternative means established by the ~~Board Council~~;
- (vi) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics and professional practice issues, demonstrated by successful completion of
 - (1) a course in law and ethics approved by the ~~Board Council~~, and
 - (2) an examination in professional practice approved by the ~~Board Council~~.
- (5) Despite subsection (4)(c), the Credentials Committee may accept the following qualifications without further examination:
 - (a) the qualifications required by subsections (4)(c)(iii) to (4)(c)(vi) if the Applicant
 - (i) holds registration or licensure as the equivalent of a professional geoscientist in good standing with a Regulatory Authority for geoscience in another jurisdiction in Canada, and
 - (ii) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia;
 - (b) the qualifications required by subsections (4)(c)(iv) and (4)(c)(v) if the Applicant
 - (i) holds registration or licensure as the equivalent of a professional geoscientist in good standing with a Regulatory Authority in another country that is, in the opinion of the ~~Board Council~~, equivalent to EGBC, and

- (ii) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

5.8 Professional Licensee Engineering

- (1) The category of Registrant called “professional licensee engineering” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) On the coming into force of the PGA, individuals who held a limited licence to practise professional engineering pursuant to the EGA are continued as professional licensees engineering.
- (3) Only a Registrant who is designated as a professional licensee engineering may hold themselves out to be a professional licensee engineering and use the post-nominal “P.L.Eng.”.
- (3.1) A professional licensee engineering may only use a title containing the word “engineer”, or any form or abbreviation of the word “engineer”, if the designation “professional licensee engineering” or “P.L.Eng.” is used in close proximity to the title and given the same or higher degree of prominence.
- (4) A professional licensee engineering may only engage in the authorized area of the Reserved Practice that is specified on their licence.
- (5) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional licensee engineering must provide the following to the Credentials Committee:
 - (a) a completed application for registration as a professional licensee engineering;
 - (b) any applicable application, examination, interview, course, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];
 - (c) a proposed authorized area of practice;
 - (d) evidence satisfactory to the Credentials Committee of the following:
 - (i) the Applicant’s identity and legal name;
 - (ii) that the Applicant is of good character and good repute;
 - (iii) that the Applicant has obtained the necessary level of competency in English to engage in the Regulated Practice in British Columbia;

- (iv) that the Applicant understands the role and obligations of a professional licensee engineering;
- (v) that the Applicant undertakes to practise within the authorized area of practice approved by the Credentials Committee and in accordance with other requirements related to practice that may be specified by the Credentials Committee;
- (vi) that the Applicant has a science degree in a discipline and from a university program approved by the ~~Board~~Council, a degree or diploma in engineering technology from an institution approved by the ~~Board~~ Council in a program approved by the ~~Board~~Council, or other academic qualifications acceptable to the ~~Board~~Council;
- (vii) that the Applicant has completed any examinations assigned by the Credentials Committee;
- (viii) that the Applicant has a minimum of 8 years of experience in engineering that
 - (A) includes up to 4 of the years spent by the Applicant in obtaining the academic qualifications referred to in subsection (d)(vi),
 - (B) concludes with at least 2 years of experience within the proposed authorized area of practice to which the licence is to apply,
 - (C) is sufficiently current to demonstrate competency with current practices,
 - (D) is supported by the Applicant's academic subjects of study, continuing education or examinations assigned by the Credentials Committee,
 - (E) is at the level of complexity and responsibility that demonstrates that the Applicant
 - (I) has applied engineering principles at an appropriate level,
 - (II) is ready to accept the full professional responsibility to engage in the Applicant's proposed authorized area of practice, and
 - (III) has reached the level of professional maturity needed to judge when the Applicant is out of the Applicant's area of professional competence,
 - (F) is validated by
 - (I) a minimum of 4 Professional Registrants, or equivalent licensed engineering or geoscience practitioners from a Regulatory Authority, who

- (1) practise in the same discipline of engineering as the Applicant or a related discipline, and
- (2) have detailed knowledge of the work of the Applicant, or
- (II) validators satisfactory to the Credentials Committee, where the Credentials Committee is satisfied that the Applicant cannot comply with the requirement in subsection (d)(viii)(F)(I),
- (G) is in conformance with general and discipline-specific experience guidelines published by the Credentials Committee,
- (H) demonstrates that, within the proposed authorized area of practice, the Applicant has achieved the key competencies established by the ~~Board~~ Council at the required level of competence established by the ~~Board~~ Council in a minimum of 4 years, and
- (I) demonstrates that the Applicant is competent to practise in British Columbia within the proposed authorized area of practice through achievement of Canadian environment competencies established by the ~~Board~~ Council at the required level of competence established by the ~~Board~~ Council, or by any alternative means established by the ~~Board~~ Council;
- (ix) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics and professional practice issues, demonstrated by successful completion of
 - (A) a course in law and ethics approved by the ~~Board~~ Council, and
 - (B) an examination in professional practice approved by the ~~Board~~ Council.
- (6) Despite subsection (5)(d), the Credentials Committee may accept the qualifications required by subsections (5)(d)(vi) to (5)(d)(ix) without further examination if the Applicant
 - (a) holds registration or licensure as the equivalent of a professional licensee engineering in good standing with a Regulatory Authority for engineering in another jurisdiction in Canada, and
 - (b) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

5.9 Professional Licensee Geoscience

- (1) The category of Registrant called “professional licensee geoscience” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

- (2) On the coming into force of the PGA, individuals who held a limited licence to practise professional geoscience pursuant to the EGA are continued as professional licensees geoscience.
- (3) Only a Registrant who is designated as a professional licensee geoscience may hold themselves out to be a professional licensee geoscience and use the post-nominal "P.L.Geo.".
- (3.1) A professional licensee geoscience may only use a title containing the word "geologist", "geophysicist", "geochemist", or "geoscientist", or any form or abbreviation thereof, if the designation "professional licensee geoscience" or "P.L.Geo." is used in close proximity to the title and given the same or higher degree of prominence.
- (4) A professional licensee geoscience may only engage in the authorized area of the Reserved Practice that is specified on their licence.
- (5) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional licensee geoscience must provide the following to the Credentials Committee:
 - (a) a completed application for registration as a professional licensee geoscience;
 - (b) any applicable application, examination, interview, course, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];
 - (c) a proposed authorized area of practice;
 - (d) evidence satisfactory to the Credentials Committee of the following:
 - (i) the Applicant's identity and legal name;
 - (ii) that the Applicant is of good character and good repute;
 - (iii) that the Applicant has obtained the necessary level of competency in English to engage in the Regulated Practice in British Columbia;
 - (iv) that the Applicant understands the role and obligations of a professional licensee geoscience;
 - (v) that the Applicant undertakes to practise within the authorized area of practice approved by the Credentials Committee and in accordance with other requirements related to practice that may be specified by the Credentials Committee;
 - (vi) that the Applicant has a science degree in a discipline and from a university program approved by the ~~Board Council~~, a degree or diploma in geoscience technology from an institution approved by the ~~Board Council~~ in a program

approved by the Board Council, or other academic qualifications acceptable to the Board Council;

- (vii) that the Applicant has completed any examinations assigned by the Credentials Committee;
- (viii) that the Applicant has a minimum of 8 years of experience in geoscience that
 - (A) includes up to 4 of the years spent by the Applicant in obtaining the academic qualifications referred to in subsection (d)(vi),
 - (B) concludes with at least 2 years of experience within the proposed authorized area of practice to which the licence is to apply,
 - (C) is sufficiently current to demonstrate competency with current practices,
 - (D) is supported by the Applicant's academic subjects of study, continuing education or examinations assigned by the Credentials Committee,
 - (E) is at the level of complexity and responsibility that demonstrates that the Applicant
 - (I) has applied geoscience principles at an appropriate level,
 - (II) is ready to accept the full professional responsibility to engage in the proposed authorized area of practice, and
 - (III) has reached the level of professional maturity needed to judge when the Applicant is out of the Applicant's area of professional competence,
 - (F) is validated by
 - (I) a minimum of 4 Professional Registrants, or equivalent licensed engineering or geoscience practitioners from a Regulatory Authority, who
 - (1) practise in the same discipline of geoscience as the Applicant or a related discipline, and
 - (2) have detailed knowledge of the work of the Applicant, or
 - (II) validators satisfactory to the Credentials Committee, where the Credentials Committee is satisfied that the Applicant cannot comply with the requirement in subsection (d)(viii)(F)(I),
 - (G) is in conformance with general and discipline-specific experience guidelines published by the Credential Committee,

- (H) demonstrates that, within the proposed authorized area of practice, the Applicant has achieved the key competencies established by the ~~Board Council~~ at the required level of competence established by the ~~Board Council~~ in a minimum of 4 years, and
- (I) demonstrates that the Applicant is competent to practise in British Columbia within the proposed authorized area of practice through achievement of Canadian environment competencies established by the ~~Board Council~~ at the required level of competence established by the ~~Board Council~~, or by any alternative means established by the ~~Board Council~~;
- (ix) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics and professional practice issues, demonstrated by successful completion of
 - (A) a course in law and ethics approved by the ~~Board Council~~, and
 - (B) an examination in professional practice approved by the ~~Board Council~~.
- (6) Despite subsection (5)(d), the Credentials Committee may accept the qualifications required by subsections (5)(d)(vi) to (5)(d)(ix) without further examination if the Applicant
 - (a) holds registration or licensure as the equivalent of a professional licensee geoscience in good standing with a Regulatory Authority for geoscience in another jurisdiction in Canada, and
 - (b) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

5.10 Life Member Prior to 1998

- (1) The category of Registrant called “life member prior to 1998” is established only for life members whose status had vested pursuant to the prior EGBC bylaws before December 31, 1997 pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) No individuals other than those described in subsection (1) may be granted registration in the category of Registrant called “life member prior to 1998”.
- (3) A life member whose status had vested pursuant to the prior EGBC bylaws before December 31, 1997 retains the rights and privileges of the category of professional engineer established pursuant to section 5.6 of the Bylaws [*Professional Engineer*] without payment of the annual fee.

- (4) A life member whose status had vested pursuant to the prior EGBC bylaws before December 31, 1997 has the obligations of a Professional Registrant pursuant to the PGA and the Bylaws, including applicable continuing education requirements.

5.11 Honorary Life Member

- (1) The category of Registrant called “honorary life member” is established only for honorary life members whose status had vested pursuant to the prior EGBC bylaw 10(c.2) [*Honorary Life Membership or Licensure*] pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) No individuals other than those described in subsection (1) may be granted registration in the category of Registrant called “honorary life member”.
- (3) An honorary life member whose status had vested pursuant to the prior bylaw 10(c.2) [*Honorary Life Membership or Licensure*] retains the rights and privileges of the category of professional engineer established pursuant to section 5.6 of the Bylaws [*Professional Engineer*], or professional geoscientist established pursuant to section 5.7 of the Bylaws [*Professional Geoscientist*], as applicable, without payment of the annual fee.
- (4) An honorary life member whose status had vested pursuant to the prior bylaw 10(c.2) [*Honorary Life Membership or Licensure*] has the obligations of a Professional Registrant pursuant to the PGA and the Bylaws, including applicable continuing education requirements.

5.12 Registrant Firm

- (1) The category of Registrant called “Registrant Firm” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) A Registrant Firm may carry out the Reserved Practice and may have appropriately qualified individuals employed by or under contract with the Registrant Firm carry out the Reserved Practice on its behalf.
- (3) A Registrant Firm must not serve as a ~~member of Board Member Council~~ or as a member of any Committee.
- (4) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a Registrant Firm must provide the following to the Audit and Practice Review Committee:
 - (a) the names of
 - (i) the Applicant’s Responsible Officer,
 - (ii) the Applicant’s Responsible Registrant(s), and
 - (iii) all individual Registrants employed by or under contract with the Applicant;

- (b) the number of individuals employed by or under contract with the Registrant Firm who are registrants of each regulatory body under the PGA other than EGBC;
- (c) a completed declaration by each of the Applicant's Responsible Registrant(s), in the form set out in Schedule D;
- (d) a completed declaration by the Applicant's Responsible Officer, in the form set out in Schedule E;
- (e) all names, both registered and unregistered, under which the Applicant does or has done business over the past 10 years within Canada;
- (f) the Applicant's industry or industries of practice and area(s) of practice;
- (g) if the Applicant is a corporation:
 - (i) the Applicant's incorporation number;
 - (ii) the date of the Applicant's incorporation;
 - (iii) a copy of the Applicant's certificate of incorporation, certificate of amalgamation, certificate of continuation, or equivalent, from the home jurisdiction of the Applicant;
 - (iv) any certificate of name change or certificate of restoration, if applicable;
 - (v) a copy of the Applicant's shareholder register, unless the Applicant is a publicly traded corporation, in which case the Applicant is exempt from this subsection;
 - (vi) a copy of the Applicant's register of directors and officers;
- (h) if the Applicant is a partnership:
 - (i) the Applicant's registered business name, if applicable;
 - (ii) a copy of the register of partners;
- (i) if the Applicant is a sole proprietorship:
 - (i) the Applicant's registered business name, if applicable;
 - (ii) the name of the owner of the sole proprietorship;
- (j) a statement confirming whether EGBC or a Different Governing Body has ever cancelled, suspended, or restricted the ability to engage in the Regulated Practice of

the Applicant or another person with a direct or indirect ownership interest in the Applicant as the result of a disciplinary process;

- (k) the addresses of all of the Applicant's offices in British Columbia, or, if the Applicant does not have any offices in British Columbia, all of the business location(s) in British Columbia where Professional Registrants will be engaged in the Regulated Practice on behalf of the Applicant;
 - (l) any applicable application fees and annual fees specified in section 6.1(1) of the Bylaws [*Application Fees*], sections 6.4(2) and(5) of the Bylaws [*Annual Fees*], and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;
 - (m) any additional information or documentation
 - (i) regarding indirect ownership of the Applicant, or
 - (ii) that may otherwise be requested by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee.
- (5) A Registrant Firm must designate at least one individual as a Responsible Registrant for each area of practice engaged in by the Registrant Firm.
 - (6) A Responsible Registrant may be designated for more than one area of practice at a Registrant Firm.
 - (7) An individual designated as a Responsible Registrant of a Registrant Firm pursuant to subsection (5) must be a Professional Registrant who is employed by or under contract with the Registrant Firm and who has the ability to engage in the Reserved Practice.
 - (8) An individual designated as a Responsible Registrant of a Registrant Firm pursuant to subsection (5) must submit a completed declaration to EGBC in the form set out at Schedule D.
 - (9) A Responsible Registrant must ensure that, within the areas of practice to which the Responsible Registrant is designated pursuant to subsection (5), the Registrant Firm meets all of the requirements set out in the Bylaws, including ethical, quality management, and continuing education requirements.
 - (10) If all Responsible Registrants designated for an area of practice at a Registrant Firm cease to meet any of the criteria set out in subsections (7) and (8), the Registrant Firm must immediately designate at least one new Responsible Registrant for that area of practice.
 - (11) If a Registrant Firm fails to comply with subsections (5) or (10), the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee must place a condition on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such time as the Registrant Firm has complied with subsections (5) or (10).

- (12) An individual may act as a Responsible Registrant for more than one Registrant Firm.
- (13) A Registrant Firm must designate one individual as the Responsible Officer of the Registrant Firm, who may also be a Responsible Registrant.
- (14) An individual designated as the Responsible Officer of a Registrant Firm pursuant to subsection (13) must be an individual who is employed by or under contract with the Registrant Firm.
- (15) If an individual designated as the Responsible Officer by a Registrant Firm pursuant to subsection (13) is also a Registrant, the individual must be a Registrant In Good Standing who is employed by or under contract with the Registrant Firm.
- (16) An individual designated as the Responsible Officer of a Registrant Firm pursuant to subsection (13) must submit a completed declaration to EGBC in the form set out at Schedule E.
- (17) A Responsible Officer must be an Individual With Authority at the Registrant Firm.
- (18) A Responsible Officer must ensure that the Registrant Firm meets its obligations pursuant to the PGA and the Bylaws.
- (19) If the Responsible Officer of a Registrant Firm ceases to meet any of the criteria set out in subsections (14), (15), (16), or (17), the Registrant Firm must immediately designate a new Responsible Officer.
- (20) If a Registrant Firm fails to comply with subsections (13) or (19), the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee must place a condition on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such time as the Registrant Firm has complied with subsections (13) or (19).
- (21) Any oral submissions made on behalf of a Registrant Firm pursuant to the Bylaws may be made by an Individual With Authority at the Registrant Firm.

5.12.1 Public Sector Firm

- (1) The subcategory of Registrant called "Public Sector Firm" is established under the category of Registrant Firm pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) Pursuant to section 42(2)(d) of the PGA [*Categories of registrants and bylaws for categories of registrants*], the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may designate a Registrant Firm as a Public Sector Firm where the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee is satisfied that

- (a) the Registrant Firm is a Government Registrant, or
 - (b) the Registrant Firm is a local public body as defined in schedule 1 of the *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165.
- (3) If a decision is made pursuant to the PGA or the Bylaws to suspend or cancel the registration and Permit to Practice of a Public Sector Firm, or to put a condition on a Public Sector Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice, then
- (a) EGBC must notify the Superintendent of Professional Governance of the decision,
 - (b) any suspension, cancellation, or condition on a Public Sector Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice must take effect no earlier than 10 days after the notice pursuant to subsection (a) has been provided, and
 - (c) publication of the decision must be delayed until the earlier of
 - (i) 10 days after the notice pursuant to subsection (a) has been provided, or
 - (ii) the date on which a decision of the Lieutenant Governor in Council with respect to exercising the power at section 83 of the PGA [*If registration of firm as registrant suspended or cancelled*] becomes known to the public.
- (4) The Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may change the subcategory of a Registrant Firm from Public Sector Firm to Private Sector Firm if the Registrant Firm no longer meets the criteria set out in subsection (2).

5.12.2 Private Sector Firm

- (1) The subcategory of Registrant called "Private Sector Firm" is established under the category of Registrant Firm pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) Pursuant to section 42(2)(d) of the PGA [*Categories of registrants and bylaws for categories of registrants*], any Registrant Firm that the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee has not designated as Public Sector Firm must be designated as a Private Sector Firm.
- (3) The Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may change the subcategory of a Registrant Firm from Private Sector Firm to Public Sector Firm if the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee determines that the Registrant Firm meets the criteria set out in section 5.12.1(2) of the Bylaws [*Public Sector Firm*].

5.13 Non-Practising Individual Registrant

- (1) The category of Registrant called “non-practising individual Registrant” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) Any Professional Registrant In Good Standing may apply to the Registrar to change their category of registration to non-practising.
- (3) A non-practising individual Registrant must not engage in the Reserved Practice.
- (4) A non-practising individual Registrant must annually commit to the ~~Board Council~~ not to engage in the Reserved Practice until released from the commitment by the ~~Board Council~~ in writing.
- (5) A non-practising individual Registrant must only use the following professional designation(s), as applicable:

Engineers

- (a) Professional Engineer (Non-Practising);
- (b) P.Eng. (Non-Practising);
- (c) Professional Engineer (Retired);
- (d) P.Eng. (Retired);

Geoscientists

- (e) Professional Geoscientist (Non-Practising);
- (f) P.Geo. (Non-Practising);
- (g) Professional Geoscientist (Retired);
- (h) P.Geo. (Retired);

Licensees

- (i) Professional Licensee Engineering (Non-Practising);
- (j) P.L.Eng. (Non-Practising);
- (k) Professional Licensee Engineering (Retired);
- (l) P.L.Eng. (Retired);

- (m) Professional Licensee Geoscience (Non-Practising);
 - (n) P.L.Geo. (Non-Practising);
 - (o) Professional Licensee Geoscience (Retired);
 - (p) P.L.Geo. (Retired).
- (6) A non-practising individual Registrant who applies to reinstate status as a Professional Registrant must
- (a) pay the applicable fees as set out in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and
 - (b) demonstrate compliance with the requirements for reinstatement of status as a Professional Registrant set out in section 5.23 of the Bylaws [*Reinstatement of Status as a Practising Professional Registrant*].

5.14 Non-Practising Registrant Firm

- (1) The category of Registrant called “non-practising Registrant Firm” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) Any Registrant Firm In Good Standing may apply to the Audit and Practice Review Committee to change its category of registration to non-practising.
- (3) A non-practising Registrant Firm must not engage in the Reserved Practice and must not authorize any individual Registrant to engage in the Reserved Practice on behalf of the non-practising Registrant Firm.
- (4) A non-practising Registrant Firm must annually commit to the ~~Board Council~~ not to engage in the Reserved Practice until released from the commitment by the ~~Board Council~~ in writing.
- (5) A non-practising Registrant Firm must not advertise or hold itself out as providing any services related to or requiring the application of the Reserved Practice.
- (6) A non-practising Registrant Firm must
 - (a) clearly and visibly include the designation “non-practising” after the Registrant Firm’s name or Permit to Practice Number wherever it is used in any way related to the Regulated Practice, and
 - (b) expressly advise of the Registrant Firm’s non-practising status in any oral communications on behalf of the Registrant Firm that are in any way related to the Regulated Practice.

- (7) A non-practising Registrant Firm must continue to meet all requirements set out in the PGA, regulations, and the Bylaws, except where expressly exempted from such requirements, and nothing in this section postpones or defers the deadlines or requirements set out in the PGA, regulations, and Bylaws.
- (8) A non-practising Registrant Firm that applies for reinstatement of status as a Registrant Firm must demonstrate compliance with the requirements for reinstatement of status as a Registrant Firm set out in section 5.24 of the Bylaws [*Reinstatement of Status as a Practising Registrant Firm*].
- (9) If a non-practising Registrant Firm does not have its status as a Registrant Firm reinstated within 2 years of the date on which the Registrant Firm's status was changed to non-practising, the non-practising Registrant Firm's registration and Permit to Practice must be cancelled.

5.15 Life Member or Life Limited Licensee

- (1) The category of Registrant called "life member or life limited licensee" is established only for:
 - (a) life members or life limited licensees whose status had vested pursuant to the prior bylaw 10(c.1) [*Life Membership or Licensure*], pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*];
 - (b) Registrants previously in the registration categories of "life member prior to 1998" or "honorary life member" who elect to change their registration category to life member or life limited licensee.
- (2) No individuals other than those described in subsection (1) may be granted registration in the category of Registrant called "life member or life limited licensee".
- (3) A life member or life limited licensee retains voting privileges without payment of the annual fee but does not have the right to engage in the Reserved Practice.
- (4) A life member or life limited licensee must not engage in the Reserved Practice.
- (5) A life member or life limited licensee must, when contacted by EGBC using all available contact information on file, provide up-to-date contact information and reaffirm their commitment annually ~~commit to the Council not to engage in the Reserved Practice until released from the commitment by the Council in writing.~~
- (6) A life member or life limited licensee must only use the following professional designation(s), as applicable:

Engineers

- (a) Professional Engineer (Non-Practising);

- (b) P.Eng. (Non-Practising);
- (c) Professional Engineer (Retired);
- (d) P.Eng. (Retired);

Geoscientists

- (e) Professional Geoscientist (Non-Practising);
- (f) P.Geo. (Non-Practising);
- (g) Professional Geoscientist (Retired);
- (h) P.Geo. (Retired);

Licensees

- (i) Professional Licensee Engineering (Non-Practising);
- (j) P.L.Eng. (Non-Practising);
- (k) Professional Licensee Engineering (Retired);
- (l) P.L.Eng. (Retired);
- (m) Professional Licensee Geoscience (Non-Practising);
- (n) P.L.Geo. (Non-Practising);
- (o) Professional Licensee Geoscience (Retired);
- (p) P.L.Geo. (Retired).

(7) A Registrant whose life status vested pursuant to the prior EGBC bylaw 10(c.1) [*Life Membership or Licensure*] who applies to reinstate status as a Professional Registrant must

- (a) pay the applicable fees as set out in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and
- (b) demonstrate compliance with the requirements for reinstatement of status as a Professional Registrant set out in section 5.23 of the Bylaws [*Reinstatement of Status as a Practising Professional Registrant*].

5.16 Honorary Member

- (1) The category of Registrant called “honorary member” is established only for honorary members whose status had vested pursuant to the prior EGBC bylaw 10(d) [*Honorary Membership*], pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) No individuals other than those described in subsection (1) may be granted registration in the category of Registrant called “honorary member”.
- (3) An honorary member whose status had vested pursuant to the prior EGBC bylaw 10(d) [*Honorary Membership*] retains honorary status with EGBC without the payment of fees.
- (4) Honorary status is a ceremonial designation and does not on its own accord confer any rights or responsibilities under the PGA or the Bylaws.
- (5) An honorary member’s status continues at the pleasure of the Board Council and may be revoked at the Board Council’s discretion without prior notice to the honorary member.

5.17 Registration and Exemptions from Registration as a Registrant Firm

- (1) Subject to the PGA, associated regulations, and subsection (3), every Firm that engages in the Regulated Practice and is owned by or employs at least one Professional Registrant must register as a Registrant Firm and obtain a Permit to Practice from EGBC.
- (2) If the Audit and Practice Review Committee learns that a Firm is registered as a Registrant Firm, but does not, or at the time of registration did not, engage in the Regulated Practice or meet any one of the other requirements for registration pursuant to section 5.12 of the Bylaws [*Registrant Firm*], the Audit and Practice Review Committee must cause a condition to be placed on the Registrant Firm’s registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until the necessary requirements are met.
- (3) A Firm may apply in writing to the Audit and Practice Review Committee for an exemption from the requirement to register as a Registrant Firm and obtain a Permit to Practice from EGBC if any of the following apply:
 - (a) EGBC has an agreement in place with another regulatory body that exempts the Firm from registration with EGBC;
 - (b) the Firm is solely conducting research or providing education.
- (4) An application for an exemption submitted by a Firm pursuant to subsection (3) must include:
 - (a) a clear indication of how the Firm qualifies for an exemption;
 - (b) any evidence that supports the Firm’s application for an exemption; and

- (c) a declaration confirming that if the Firm no longer qualifies for the exemption, the Firm will submit an application for registration pursuant to the Bylaws.

5.18 Decisions Regarding Applications for Enrolment, Admission, and Reinstatement

- (1) On receiving an application for enrolment, admission, or reinstatement of status in any of the categories of individual Registrants pursuant to sections 5.5 to 5.11 of the Bylaws,
 - (a) the Credentials Committee may
 - (i) grant the application,
 - (ii) grant the application subject to conditions or limitations on the registration, or
 - (iii) reject the application, with written reasons,
 - (b) the Registrar, after a credentials hearing on good character and good repute held pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], may
 - (i) grant the application,
 - (ii) grant the application subject to conditions or limitations on the registration, or
 - (iii) reject the application, with written reasons, or
 - (c) an officer appointed by the Credentials Committee, in the case of a Non-Contentious Decision, may grant the application.
- (2) On receiving an application for admission or reinstatement of status as a Registrant Firm pursuant to sections 5.12 of the Bylaws [*Registrant Firm*] or 5.24 of the Bylaws [*Reinstatement of Status as a Practising Registrant Firm*], the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may
 - (a) grant the application,
 - (b) grant the application subject to conditions or limitations on the registration, or
 - (c) reject the application, with written reasons.

5.19 Credentials Hearing on Good Character and Good Repute of an Individual Applicant

- (1) The Credentials Committee may order a credentials hearing be conducted by the Registrar before the Registrar makes a decision pursuant to section 5.18(1)(b) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, and Reinstatement*] if the Credentials Committee determines that there is a serious concern that an individual Applicant does not meet the requirement to be of good character and good repute.

- (2) A credentials hearing must be conducted in accordance with the procedure set out in Schedule B of the Bylaws, unless otherwise directed by the Registrar.
- (3) If a decision is posted publicly following a credentials hearing held pursuant to subsection (2), the Registrar may anonymize or redact any identifying, personal or sensitive information of
 - (a) a person other than the Applicant/Respondent, if the Registrar determines the disclosure of such information is not necessary to satisfy the public interest, or
 - (b) the Applicant/Respondent if the Applicant/Respondent suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs the Applicant's/Respondent's ability to practise.

5.20 Rejection of Application on the Basis of an Indictable Offence

- (1) If the Credentials Committee is satisfied that an individual Applicant has been convicted of an indictable offence, the Credentials Committee may summarily reject the application pursuant to section 66(2)(a)(ii) of the PGA [*Investigations*].
- (2) If the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee is satisfied that an Applicant for registration as a Registrant Firm has been convicted of an indictable offence, the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may summarily reject the application pursuant to section 66(2)(a)(ii) of the PGA [*Investigations*].
- (3) Before proceeding pursuant to subsections (1) or (2), the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, must be satisfied that the nature of the indictable offence or the circumstances under which the offence was committed give rise to concerns that the Applicant has displayed
 - (a) Professional Misconduct,
 - (b) Conduct Unbecoming a Registrant, or
 - (c) Incompetent performance of duties undertaken while engaged in the Regulated Practice.
- (4) Before proceeding pursuant to subsections (1) or (2), the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, must provide written notice to the Applicant that
 - (a) action may be undertaken pursuant to section 66(2)(a)(ii) of the PGA [*Investigations*], and

- (b) the Applicant may, by a specified date, make written submissions to the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable.
- (5) The Credentials Committee may order a credentials hearing by the Registrar for an individual Applicant, in the place of or in addition to the written submissions referred to in subsection (4)(b).
- (6) If an Applicant is an Applicant for registration as a Registrant Firm, the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may order that oral submissions be made in place of or in addition to the written submissions referred to in subsection (4)(b), which are to be made in accordance with the procedures set out in Schedule B of the Bylaws unless otherwise directed by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee.
- (7) Despite subsections (4), (5), and (6), if the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, considers it necessary to protect the public interest, the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, may proceed pursuant to subsections (1) or (2) without
 - (a) providing notice to the Applicant,
 - (b) providing the Applicant with an opportunity to make written submissions to the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, or
 - (c) in the case of an individual Applicant, providing the Applicant with the opportunity to have a credentials hearing by the Registrar.
- (8) The Credentials Committee or the Audit and Practice Review Committee, as applicable, may approve policies and procedures for summarily rejecting the application of an Applicant pursuant to this section of the Bylaws.
- (9) Any policies and procedures for summarily rejecting the application of an Applicant that are approved by the Credentials Committee or the Audit and Practice Review Committee pursuant to subsection (8) must be published on a public website maintained by EGBC.

5.21 Reconsideration of a Decision of the Credentials Committee

- (1) Within 30 days of receipt of a decision of the Credentials Committee made pursuant to section 5.18(1)(a) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, and Reinstatement*], an individual Applicant may apply in writing to the Credentials Committee for a reconsideration.

- (2) An application for a reconsideration submitted by an individual Applicant pursuant to subsection (1) must include all of the following:
 - (a) a clear indication of the decision of the Credentials Committee;
 - (b) the position of the Applicant suggesting the decision of the Credentials Committee was flawed;
 - (c) any evidence that was not previously before the Credentials Committee that the Applicant wants to be considered; and
 - (d) the relief sought by the Applicant.
- (3) An application for a reconsideration submitted by an individual Applicant pursuant to subsection (1) must be accompanied by all applicable reconsideration fees as set out in section 6.3(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*].
- (4) After considering an application for a reconsideration, the Credentials Committee must, with written reasons,
 - (a) confirm the original decision of the Credentials Committee, or
 - (b) substitute the original decision of the Credentials Committee.
- (5) The Credentials Committee may approve policies and procedures for the conduct of reconsiderations pursuant to this section of the Bylaws.
- (6) Any policies and procedures for the conduct of reconsiderations that are approved by the Credentials Committee pursuant to subsection (5) must be published on a public website maintained by EGBC.
- (7) No Applicant for registration as a Registrant Firm may apply for a reconsideration pursuant to this section of the Bylaws.

5.22 Review on the Record

- (1) Within 30 days of receipt of a decision of the Credentials Committee made pursuant to section 5.18(1)(a) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, or Reinstatement*] or section 5.21(4) of the Bylaws [*Reconsideration of a Decision of the Credentials Committee*], or a decision of the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee made pursuant to section 5.18(2) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, or Reinstatement*], an Applicant may apply in writing to the Registrar for a review on the record.
- (2) An application for a review on the record submitted by an Applicant pursuant to subsection (1) must set out all of the following:

- (a) a clear indication of the decision(s) of the Credentials Committee, Audit and Practice Review Committee or officer appointed by the Audit and Practice Review Committee;
 - (b) the position of the Applicant suggesting the decision of the Credentials Committee, Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee was flawed; and
 - (c) the relief sought by the Applicant.
- (3) An application for a review on the record submitted by an Applicant pursuant to subsection (1) must be accompanied by all applicable review on the record fees as set out in section 6.3(2) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*].
- (4) A review on the record must be conducted in writing unless otherwise directed by the Registrar.
- (5) The Registrar may only consider evidence that was not previously before the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee if the Registrar determines that all of the following special circumstances exist which make it necessary to consider evidence that was not previously before the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee:
- (a) the evidence is such that the applicant, through the exercise of reasonable due diligence, could not have discovered and submitted it before the decision was made by the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee;
 - (b) the evidence is relevant in the sense that it bears upon a decisive or potentially decisive issue in the matter;
 - (c) the evidence is credible in the sense that it is reasonably capable of belief;
 - (d) the evidence is such that, if believed, it could reasonably, when taken with the other evidence that was before the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee, be expected to have affected the decision of the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee.
- (6) To request that the Registrar consider evidence that was not before the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee the Applicant must, in the application for a review on the record,
- (a) specify what evidence the Applicant wants to be considered, and

- (b) set out how the criteria set out in subsections (5)(a) to (d) are met.
- (7) Following a review on the record, the Registrar must, with written reasons,
 - (a) confirm the decision of the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee, or
 - (b) substitute the decision of the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee, including any conditions or limitations on the registration of the Applicant.
- (8) The ~~Board Council~~ may approve policies and procedures for the conduct of reviews on the record pursuant to this section of the Bylaws.
- (9) Any policies and procedures for the conduct of reviews on the record approved by the ~~Board Council~~ pursuant to subsection (8) must be published on a public website maintained by EGBC.

5.23 Reinstatement of Status as a Practising Professional Registrant

- (1) An Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee:
 - (a) an application for reinstatement of status as a practising Professional Registrant;
 - (b) any applicable application, examination, interview, course or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;
 - (c) evidence satisfactory to the Credentials Committee
 - (i) of Applicant's identity and legal name, if not previously submitted,
 - (ii) that the Applicant is of good character and good repute, including a declaration that the Applicant is of good character and repute, and
 - (iii) that the Applicant has provided the information required by section 5.29(1) of the Bylaws [*Information Collected Annually and Published on the Register*] and section 5.30(1) of the Bylaws [*Information Collected Annually and not Published on the Register*].
- (2) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide proof that the Applicant has complied with all applicable continuing education program requirements for practising Professional Registrants as set out in section 7.6 of the Bylaws [*Continuing Education Program*] if

- (a) the Applicant's registration as a Professional Registrant has lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for 6 months or less, or
 - (b) the Applicant is
 - (i) in good standing and has the right to practise with a Regulatory Authority, and
 - (ii) not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.
- (3) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee, if the Applicant's registration as a practising Professional Registrant has lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for between 6 months to 18 months:
- (a) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant;
 - (b) a declaration that the Applicant has read and is familiar with applicable standards, policies, plans, and practices established by the government or by EGBC, including applicable professional practice guidelines and advisories that are relevant to the intended practice of the Applicant;
 - (c) proof that the Applicant has complied with all applicable continuing education program requirements for Professional Registrants as set out in section 7.6 of the Bylaws [*Continuing Education Program*].
- (4) In addition to the requirements pursuant to subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee if the Applicant's registration as a Professional Registrant has lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for between 18 months to 3 years:
- (a) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant;
 - (b) a declaration that the Applicant has read and is familiar with applicable standards, policies, plans, and practices established by the government or by EGBC, including applicable professional practice guidelines and advisories that are relevant to the intended practice of the Applicant;
 - (c) a letter of explanation as to how the Applicant has maintained practice competency, including through the completion of continuing education;

- (d) professional references, in number satisfactory to the Credentials Committee and who are able to attest to the Applicant's good character, good reputation, and practice competency;
 - (e) a current professional record of the Applicant's work experience;
 - (f) evidence of completion of the Professional Engineering and Geoscience Practice in BC Online Seminar, or a seminar that is deemed equivalent by the Credentials Committee;
 - (g) at the discretion of the Credentials Committee, evidence of completion of continuing education on such terms as set by the Credentials Committee.
- (5) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee, if the Applicant's registration as a practising Professional Registrant has lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for more than 3 years:
- (a) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant;
 - (b) a declaration that the Applicant has read and is familiar with applicable standards, policies, plans, and practices established by the government or by EGBC, including applicable professional practice guidelines and advisories that are relevant to the intended practice of the Applicant;
 - (c) a letter of explanation as to how the Applicant has maintained practice competency, including through the completion of continuing education;
 - (d) professional references, in number satisfactory to the Credentials Committee and whose professional relationship with the Applicant covers the total number of years since the Applicant last had status as a practising Professional Registrant and who are able to attest to the Applicant's good character, good reputation, and practice competency;
 - (e) a current professional record of the Applicant's work experience;
 - (f) completion of the Professional Engineering and Geoscience Practice in BC Online Seminar, regardless of whether it or a seminar that is deemed equivalent by the ~~Board Council~~ has previously been completed by the Applicant;
 - (g) evidence of the successful completion of an examination in professional practice approved by the ~~Board Council~~;
 - (h) at the discretion of the Credentials Committee, evidence of completion of

- (i) assigned experience under the Direct Supervision of a Professional Registrant for a period of time and on such terms as set by the Credentials Committee, and provision of a reference from that Professional Registrant, and
- (ii) continuing education on such terms as set by the Credentials Committee.

5.24 Reinstatement of Status as a Practising Registrant Firm

- (1) A non-practising Registrant Firm applying for reinstatement of status as a practising Registrant Firm must provide the following to the Audit and Practice Review Committee:
 - (a) an application for reinstatement of status as a practising Registrant Firm;
 - (b) any applicable fees specified in section 6.2(3) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;
 - (c) the names of all individual Registrants employed by or under contract with the non-practising Registrant Firm;
 - (d) a completed declaration by each of the non-practising Registrant Firm's Responsible Registrant(s), as set out in Schedule D;
 - (e) a completed declaration by the non-practising Registrant Firm's Responsible Officer, as set out in Schedule E;
 - (f) if the non-practising Registrant Firm is a corporation:
 - (i) the non-practising Registrant Firm's incorporation number;
 - (ii) the date of the non-practising Registrant Firm's incorporation;
 - (iii) a copy of the non-practising Registrant Firm's certificate of incorporation, amalgamation, certificate of continuation, or equivalent from the home jurisdiction of the non-practising Registrant Firm;
 - (iv) any certificate of name change or certificate of restoration, if applicable;
 - (v) a copy of the non-practising Registrant Firm's shareholder register, unless the non-practising Registrant Firm is a publicly traded corporation, in which case it is exempt from this subsection; and
 - (vi) a copy of the non-practising Registrant Firm's register of directors and officers;
 - (g) if the non-practising Registrant Firm is a partnership:
 - (i) the non-practising Registrant Firm's registered business name, if applicable; and

- (ii) a copy of the register of partners; and,
- (h) if the non-practising Registrant Firm is a sole proprietorship:
 - (i) the non-practising Registrant Firm's registered business name, if applicable; and
 - (ii) the name of the owner of the sole proprietorship;
- (i) written notice of any changes to the information set out in section 5.28(3) of the Bylaws [*Register of Registrant Firms*], and updated information as applicable, to be published on the Register.
- (2) In granting a non-practising Registrant Firm's application for reinstatement of status as a practising Registrant Firm, the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may require
 - (a) the reinstated Registrant Firm to undergo a compliance audit pursuant to section 8.7 of the Bylaws [*Compliance Audit Program for Registrant Firms*], either
 - (i) immediately on being granted reinstatement of status as a practising Registrant Firm,
 - (ii) within 12 months of being granted reinstatement of status as a practising Registrant Firm,
 - (iii) at the time the reinstated Registrant Firm would have next undergone a compliance audit if it had not changed its category of registration to non-practising Registrant Firm, or
 - (iv) within any other timeframe as determined by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee, and
 - (b) any Responsible Registrant(s) of the reinstated Registrant Firm to undertake the Regulation of Firms Training Program pursuant to section 7.7.1 of the Bylaws [*Regulation of Firms Training Program*], either
 - (i) within 12 months of being granted reinstatement of status as a practising Registrant Firm,
 - (ii) at the time the Responsible Registrant(s) of the reinstated Registrant Firm would have next been required to undertake the Regulation of Firms Training Program if the reinstated Registrant Firm had not changed its category of registration to non-practising Registrant Firm, or

- (iii) within any other timeframe as determined by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee.
- (3) Upon being granted reinstatement of status as a practising Registrant Firm, a reinstated Registrant Firm must have an up-to-date Professional Practice Management Plan in place that meets the requirements set out in sections 7.7.3(1) and (2) of the Bylaws [*Professional Practice Management Plan*].

5.25 Reinstatement as a Trainee, a Non-Practising Registrant, or a Life Member or Life Limited Licensee

- (1) An individual whose enrolment as a Trainee has lapsed or been cancelled must provide the following to the Credentials Committee to apply for reinstatement as a Trainee:
 - (a) an application for reinstatement;
 - (b) any applicable application or other fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;
 - (c) evidence satisfactory to the Credentials Committee
 - (i) of the Applicant's identity and legal name, if not previously submitted, and
 - (ii) that the Applicant is of good character and good repute.
- (2) An Applicant whose registration as a non-practising Registrant or a life member or life limited licensee has lapsed or been cancelled must provide the following to the Credentials Committee to apply for reinstatement as a non-practising Registrant or a life member or life limited licensee, as applicable:
 - (a) an application for reinstatement;
 - (b) any applicable application or other fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];
 - (c) evidence satisfactory to the Credentials Committee
 - (i) of the Applicant's identity and legal name, if not previously submitted, and
 - (ii) that Applicant is of good character and good repute.

5.26 Ceasing Status as a Registrant

- (1) An individual Registrant seeking cancellation of the individual Registrant's enrolment or registration with EGBC must apply in writing to the Registrar for cancellation of enrolment or registration.

- (2) A Registrant Firm seeking cancellation of the Registrant Firm's registration and Permit to Practice with EGBC must apply in writing to the Audit and Practice Review Committee for cancellation of the Registrant Firm's registration and Permit to Practice, which must be signed by the Responsible Officer of the Registrant Firm.
- (3) A request made by a Registrant Firm pursuant to subsection (2) must state:
 - (a) the reason(s) that the Registrant Firm is seeking cancellation of the Registrant Firm's registration and Permit to Practice, and
 - (b) a list of all ongoing activities or work related to the Regulated Practice in which the Registrant Firm is involved.

5.27 Register of Individual Registrants

- (1) The Registrar must maintain a Register of all current and former individual Registrants and Recent Historical Members.
- (2) A former individual Registrant or Recent Historical Member must be listed on the Register for 10 calendar years after the calendar year in which the former individual Registrant or Recent Historical Member ceased to be registered with EGBC.
- (3) Despite subsection (1), the Register must not include former Trainees.
- (4) For a currently registered individual Registrant, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:
 - (a) the individual Registrant's professional designation;
 - (b) if an individual Registrant is a professional licensee engineering or a professional licensee geoscience, the authorized area of practice identified on the individual Registrant's licence;
 - (c) the original discipline of the individual Registrant's registration;
 - (d) for all Registrants with the right to engage in the Reserved Practice, the individual Registrant's self-declared industry or industries of practice and area(s) of practice;
 - (e) the municipality, province or state, and country in which the individual Registrant is based;
 - (f) if applicable, the name of the individual Registrant's employer;

- (g) for all Registrants with the right to engage in the Reserved Practice, as well as Trainees, business contact information for the individual Registrant, which may be provided by way of the individual Registrant's
 - (i) business email address,
 - (ii) business telephone number,
 - (iii) business mailing address, or
 - (iv) business website, if the business website contains any of the business contact information for the individual Registrant that is listed in subsections (g)(i) to (iii);
 - (h) the later of the date on which the individual Registrant was first granted
 - (i) enrolment as a Trainee, or
 - (ii) registration as a Registrant other than a Trainee;
 - (i) the start date of the individual Registrant's current registration as a Registrant or enrolment as a Trainee;
 - (j) the expiry date of the individual Registrant's current registration as a Registrant or enrolment as a Trainee;
 - (k) the date(s) of any:
 - (i) expiration(s) of the individual Registrant's registration;
 - (ii) cancellation(s) of the individual Registrant's registration; or,
 - (iii) suspension(s) of the individual Registrant's registration;
 - (l) any Disciplinary Order(s) respecting the individual Registrant.
- (5) For a former individual Registrant, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:
- (a) the former individual Registrant's former professional designation(s);
 - (b) if the former individual Registrant was a professional licensee engineering or a professional licensee geoscience, the authorized area of practice that was previously identified on the former individual Registrant's licence;
 - (c) the original discipline of the former individual Registrant's registration;

- (d) the municipality, province or state, and country in which the former individual Registrant was based;
 - (e) the date on which the former individual Registrant was first granted registration;
 - (f) the date(s) of any
 - (i) expiration(s) of the former individual Registrant's registration;
 - (ii) cancellation(s) of the former individual Registrant's registration; or,
 - (iii) suspension(s) of the former individual Registrant's registration;
 - (g) any Disciplinary Order(s) respecting the former individual Registrant.
- (6) For a Recent Historical Member, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:
- (a) the Recent Historical Member's former professional designation(s);
 - (b) if the Recent Historical Member held a limited licence to practise professional engineering or geoscience pursuant to the EGA, the authorized area of practice identified on the Recent Historical Member's former licence;
 - (c) the original discipline of the Recent Historical Member's registration;
 - (d) the date on which the Recent Historical Member was first granted registration with EGBC;
 - (e) the date(s) of any:
 - (i) expiration(s) of the registration or membership of the Recent Historical Member;
 - (ii) cancellation(s) of the registration or membership of the Recent Historical Member; or,
 - (iii) suspension(s) of the registration or membership of the Recent Historical Member;
 - (f) any Disciplinary Order(s) respecting the Recent Historical Member.
- (7) An individual Registrant may apply in writing to the Registrar to have the information listed in subsections (4)(e) to (g) omitted from the Register if the publication of such information would reasonably threaten the safety of the individual Registrant or another person.

- (8) The information listed in subsections (4)(k), (4)(l), (5)(e), (5)(f), (6)(e), and (6)(f) must appear on the Register for as long as a Registrant is listed on the Register pursuant to subsections (1) and (2).

5.28 Register of Registrant Firms

- (1) The Registrar must maintain a Register of all current and former Registrant Firms.
- (2) A former Registrant Firm must be listed on the Register for 10 years after ceasing to be a Registrant Firm.
- (3) For a currently registered Registrant Firm, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:
 - (a) the Registrant Firm's Permit to Practice Number;
 - (b) the Registrant Firm's self-declared industry or industries of practice and area(s) of practice;
 - (c) the municipality, province or state, and country in which the Registrant Firm's main office is located;
 - (d) the business location(s) in British Columbia where Professional Registrants will be engaged in the Regulated Practice on behalf of the Registrant Firm;
 - (e) the names of the Responsible Registrant(s) and the Responsible Officer of a Registrant Firm;
 - (f) the area(s) of practice to which each Responsible Registrant of the Registrant Firm is designated;
 - (g) the business contact information of the Responsible Registrant(s) and the Responsible Officer of the Registrant Firm, which may be provided by way of each Responsible Registrant's and the Responsible Officer's
 - (i) business email address,
 - (ii) business telephone number
 - (iii) business mailing address, or
 - (iv) business website, if the business website contains any of the business contact information listed in subsections (i) to (iii) for the Responsible Registrant(s) or Responsible Officer.

- (h) the date on which the Registrant Firm was first granted registration as a Registrant Firm;
 - (i) the start date of the Registrant Firm's current registration as a Registrant Firm;
 - (j) the expiry date of the Registrant Firm's current registration as a Registrant Firm;
 - (k) the date(s) of any:
 - (i) expiration(s) of the Registrant Firm's registration and Permit to Practice;
 - (ii) cancellation(s) of the Registrant Firm's registration and Permit to Practice;
 - (iii) suspension(s) of the Registrant Firm's registration and Permit to Practice;
 - (iv) condition(s) on the Registrant Firm's registration and Permit to Practice prohibiting the Registrant Firm from engaging in the Regulated Practice;
 - (l) any Disciplinary Order(s) respecting the Registrant Firm.
- (4) For a former Registrant Firm, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:
- (a) the former Registrant Firm's Permit to Practice Number;
 - (b) the municipality, province or state, and country in which the former Registrant Firm's main office was located;
 - (c) the names of the Responsible Registrant(s) and the Responsible Officer of the former Registrant Firm;
 - (d) the area(s) of practice to which each Responsible Registrant of the former Registrant Firm was designated;
 - (e) the date on which the former Registrant Firm was first granted registration as a Registrant Firm;
 - (f) the date(s) of any:
 - (i) expiration(s) of the Registrant Firm's registration and Permit to Practice;
 - (ii) cancellation(s) of the Registrant Firm's registration and Permit to Practice;
 - (iii) suspension(s) of the Registrant Firm's registration and Permit to Practice;

- (iv) condition(s) on the Registrant Firm's registration and Permit to Practice prohibiting the former Registrant Firm from engaging in the Regulated Practice;
- (g) any Disciplinary Order(s) respecting the former Registrant Firm.
- (5) The information listed in subsections (3)(k), (3)(l), (4)(f), and (4)(g) must appear on the Register for as long as a Registrant Firm is listed on the Register pursuant to subsections (1) and (2).

5.29 Information Collected Annually and Published on the Register

- (1) By 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, an individual Registrant must provide EGBC with the information that is required to be published on the Register pursuant to sections 5.27(4)(d), (e), (f), and (g) of the Bylaws [*Register of Individual Registrants*].
- (2) An individual Registrant must provide written notice to EGBC regarding any change to the information that is required pursuant to subsection (1) within 30 days of the change taking effect.

(2.1) Life Members and Life Limited Licensees are exempt from the requirements in subsections (1) and (2).

- (3) By 11:59 PM (Pacific Time) on May 31 of each year, a Registrant Firm must provide EGBC with the information that is required to be published on the Register pursuant to sections 5.28(3)(b), (c), (d), (e), (f), and (g) of the Bylaws [*Register of Registrant Firms*].
- (4) A Registrant Firm must provide written notice to EGBC regarding any change to the information that is required pursuant to subsection (3) within 30 days of the change taking effect.

5.30 Information Collected Annually and not Published on the Register

- (1) By 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, an individual Registrant must provide EGBC with
 - (a) the individual Registrant's personal and unique email address,
 - (b) a declaration confirming whether the Registrant has, within the previous 12-month period, been:
 - (i) convicted of an offence under a federal or provincial statute, or an equivalent offence in another jurisdiction,
 - (ii) the subject of an investigation, inquiry, review, or other disciplinary proceeding by a Different Governing Body, that could result in

- (A) the Registrant's entitlement to practise a profession being cancelled, suspended, restricted, or made subject to limits or conditions,
 - (B) if the Registrant is a Trainee, the Trainee's entrance to a profession being denied, or
 - (C) if the Registrant is a Registrant Firm, the Registrant Firm's permit, license, or authorization to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions, or
- (iii) the subject of a disciplinary action taken by a Different Governing Body, including an agreement resulting in the resolution of an investigation or disciplinary process,

which is not to be published on the Register.

(1.1) Life Members and Life Limited Licensees are exempt from the requirement in subsection (1).

- (2) An individual Registrant must provide written notice to EGBC regarding any change to the individual Registrant's personal and unique email address within 30 days of the change taking effect.
- (3) By 11:59 PM (Pacific Time) on May 31 of each year, a Registrant Firm must provide EGBC with
 - (a) the personal and unique email addresses of each Responsible Registrant and the Responsible Officer of the Registrant Firm,
 - (b) the names of all individual Registrants employed by or under contract with the Registrant Firm,
 - (c) the number of individuals employed by or under contract with the Registrant Firm who are registrants of each regulatory body under the PGA other than EGBC, and
 - (d) Aa declaration confirming whether the Registrant Firm has, within the previous 12-month period, been:
 - (i) convicted of an offence under a federal or provincial statute, or an equivalent offence in another jurisdiction,
 - (ii) the subject of an investigation, inquiry, review, or other disciplinary proceeding by a Different Governing Body, that could result in the Registrant Firm's permit, license, or authorization to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions, or

- (iii) the subject of a disciplinary action taken by a Different Governing Body, including an agreement resulting in the resolution of an investigation or disciplinary process,

which is not to be published on the Register except as required pursuant to section 5.28 of the Bylaws [*Register of Registrant Firms*].

- (5) A Registrant Firm must provide written notice to EGBC regarding any change to the information that is required pursuant to subsections (3)(a) or (b) within 30 days of the change taking effect.

5.31 Failure to Provide Required Information

- (1) An individual Registrant who fails to provide EGBC with any of the information required pursuant to section 5.29(1) of the Bylaws [*Information Collected Annually and Published on the Register*] or section 5.30(1) of the Bylaws [*Information Collected Annually and not Published on the Register*] must, by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year,
 - (a) provide EGBC with the required information, and
 - (b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws.
- (2) A Registrant Firm who fails to provide EGBC with any information required pursuant to section 5.29(3) of the Bylaws [*Information Collected Annually and Published on the Register*] or section 5.30(3) of the Bylaws [*Information Collected Annually and not Published on the Register*] must, by 11:59 PM (Pacific Time) on June 30 of the same year,
 - (a) provide EGBC with the required information, and
 - (b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws.
- (3) If a Registrant fails to comply with the requirements set out in subsections (1) or (2), as applicable, the Registrant's registration must be suspended, and, if the Registrant is a Registrant Firm, a condition must be placed on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such requirements are complete.
- (4) If an individual Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31 of the same year,
 - (a) the Registrant's registration is cancelled, or
 - (b) if the Registrant is a Trainee, the Trainee's enrolment is cancelled.
- (5) If a Registrant Firm fails to comply with the requirements set out in subsection (2) by 11:59 PM (Pacific Time) on August 31 of the same year, the Registrant Firm's registration and Permit to Practice are cancelled.

5.32 Information Collected Immediately and not Published on the Register

- (1) A Registrant who is convicted of an offence under a federal or provincial statute, or an equivalent offence in another jurisdiction, must immediately on becoming aware of the conviction provide written notice to EGBC specifying the particulars of the conviction.
- (2) A Registrant who becomes the subject of an investigation, inquiry, review, or other disciplinary proceeding by a Different Governing Body, that could result in
 - (a) the Registrant's entitlement to practise a profession being cancelled, suspended, restricted, or made subject to limits or conditions,
 - (b) if the Registrant is a Trainee, the Trainee's entrance to a profession being denied, or
 - (c) if the Registrant is a Registrant Firm, the Registrant Firm's permit, license, or authorization to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions,

must immediately on becoming aware of the investigation, inquiry, review, or proceeding provide written notice to EGBC and provide particulars of the issue.

- (3) A Registrant who becomes the subject of a disciplinary action taken by a Different Governing Body, including an agreement resulting in the resolution of an investigation or disciplinary process, must immediately upon reaching the agreement or becoming aware of the disciplinary action, provide written notice to EGBC specifying the particulars of the agreement or disciplinary action.
- (4) A Registrant Firm must provide written notice to EGBC within 15 days of the occurrence of any of the following situations:
 - (a) there is a merger, amalgamation, acquisition, closure, or dissolution involving the Registrant Firm;
 - (b) the Registrant Firm
 - (i) becomes the subject of an application for a bankruptcy order,
 - (ii) makes an assignment for the general benefit of creditors, or
 - (iii) makes or becomes the subject of a Division I or Division II proposal,

as set out in the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3.

5.33 Issuance of Certificate or Permit to Practice

- (1) The Registrar must issue to an individual Registrant a certificate of registration and, on payment of the annual fee, confirmation that the Registrant is In Good Standing.

- (2) The Registrar must issue to a Registrant Firm a Permit to Practice and, on payment of the annual fee, confirmation that the Registrant Firm is In Good Standing.

6 Fees

6.1 Application Fees

- (1) An Applicant for enrolment, admission, or reinstatement of status as a Registrant pursuant to sections 5.5 to 5.16, 5.23, 5.24, or 5.25 of the Bylaws must send to EGBC the full amount of all applicable application, examination, interview, or course fees specified in Schedule C of the Bylaws.
- (2) In addition to any fees applicable pursuant to subsection (1), a professional engineer who applies for designation as a designated structural engineer pursuant to section 5.6.1 of the Bylaws [*Designated Structural Engineer*] must send to EGBC the full amount of all applicable application and examination fees specified in Schedule C of the Bylaws.

6.2 Registration Fees

- (1) Within 30 days of being granted registration as an individual Registrant other than a Trainee, an individual Registrant must send to EGBC the full amount of the applicable registration fee specified in Schedule C of the Bylaws.
- (2) Within 30 days of being designated as a designated structural engineer, a designated structural engineer must send to EGBC the full amount of the applicable designation fee specified in Schedule C of the Bylaws.

6.3 Reconsideration and Review on the Record Fees

- (1) An individual Applicant who applies for a reconsideration must send to EGBC the full amount of all applicable reconsideration fees specified in Schedule C of the Bylaws.
- (2) An Applicant who applies for a review on the record must send to EGBC the full amount of all applicable review on the record fees specified in Schedule C of the Bylaws.

6.4 Annual Fees

- (1) An individual Registrant must send to EGBC the full amount of the applicable annual fee specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on December 31 of each year.
- (2) Subject to subsection (4), a Registrant Firm must send to EGBC the full amount of the applicable annual fee specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on May 31 of each year.
- (3) A non-practising Registrant Firm that has held non-practising status for 2 years or less is exempt from paying the applicable annual fee.
- (4) In addition to the annual fee set out in subsection (2), a Registrant Firm that was engaged in the Regulated Practice on or after July 1, 2021 but is not immediately registered pursuant to these Bylaws must pay the annual fee specified in Schedule C of the Bylaws

for each year or portion of a year, up to a maximum of 3 years, that the Registrant Firm would have been required to pay the annual fee to EGBC if the Registrant Firm had been granted registration on July 1, 2021.

- (5) A Registrant that is granted enrolment, admission, or reinstatement of status at some time other than the beginning of the annual fee cycle must pay a prorated annual fee specified in Schedule C of the Bylaws within 30 days of being granted enrolment, admission, or reinstatement.

6.5 Special Assessments

- (1) An individual Registrant must send to EGBC the full amount of an applicable special assessment specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on December 31 of each year.
- (2) A Registrant Firm must send to EGBC the full amount of an applicable special assessment specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on May 31 of each year.

6.6 Additional Manual Seal(s) or Certificate(s)

- (1) A Registrant who requires additional Manual Seal(s) or certificate(s) of registration from EGBC must send to EGBC the full amount of all applicable fees specified in Schedule C of the Bylaws at the time that the Registrant requests the additional Manual Seal(s) or certificate(s) of registration.

6.7 Exemption, Reduction, Deferral, or Refund of Fees

- (1) On receiving a written application by an individual Applicant or Registrant, the Registrar may exempt, reduce, defer, or refund all or part of a fee or special assessment specified in Schedule C of the Bylaws if the Registrar is satisfied that the imposition of the fee or special assessment would cause undue financial hardship for the individual Applicant or Registrant, or if there are extenuating circumstances that warrant the exemption, reduction, deferral, or refund.
- (2) On receiving a written application by a Registrant Firm, the Registrar may waive payment of all or part of a fee for the Registrant Firm specified in section 6.1(1) of the Bylaws [*Application Fees*], sections 6.4(2) or (4) of the Bylaws [*Annual Fees*], section 6.5(2) of the Bylaws [*Special Assessments*], or Schedule C of the Bylaws [*Fees*], pursuant to section 50(1)(h) of the PGA [*Fees and special assessments*], if the Registrar is satisfied that
 - (a) the Registrant Firm was a member of EGBC's Organizational Quality Management Program as of June 30, 2021, and
 - (b) the Registrant Firm had paid all outstanding fees and any amounts owing pursuant to its membership in the Organizational Quality Management program as of June 30, 2021.

- (3) A Registrant Firm is not eligible to apply for the reduction, deferral, or refund of fees or special assessments, except in accordance with subsection (2).

6.8 Failure to Pay Fees

- (1) An individual Registrant who fails to pay the full amount of an applicable annual fee or special assessment pursuant to section 6.4(1) of the Bylaws [*Annual Fees*] or section 6.5(1) of the Bylaws [*Special Assessments*] must send to EGBC the full amount of the applicable annual fee or special assessment and the applicable late fee specified in Schedule C of the Bylaws, by 11:59 PM (Pacific Time) on January 31 of the following year.
- (2) If a Registrant fails to pay a required
- (a) registration fee pursuant to section 6.2(1) of the Bylaws [*Registrant Fees*],
 - (b) designation fee pursuant to section 6.2(2) of the Bylaws [*Registrant Fees*],
 - (c) for an individual Registrant, a prorated annual fee pursuant to section 6.4(5) of the Bylaws [*Annual Fees*], or
 - (d) annual fee, special assessment, or late fee pursuant to section 6.8(1) of the Bylaws [*Failure to Pay Fees*],

the Registrar must cancel the Registrant's registration, or if the Registrant is a Trainee, the Trainee's enrolment, or if the Registrant is a Registrant Firm, the Registrant Firm's registration and Permit to Practice.

- (3) A Registrant Firm or a non-practising Registrant Firm that fails to pay the full amount of an applicable annual fee or special assessment pursuant to sections 6.4(2) or(4) of the Bylaws [*Annual Fees*], or section 6.5(2) of the Bylaws [*Special Assessments*] must send to EGBC the full amount of the applicable annual fee or special assessment and late fee specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on June 30 of the same year.
- (4) If a Registrant Firm or non-practising Registrant Firm fails to comply with the requirements set out in subsection (3), the Registrar must place a condition on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until all fees outstanding pursuant to subsection (3) have been paid.
- (5) If a Registrant Firm or non-practising Registrant Firm that is subject to a condition prohibiting it from engaging in the Regulated Practice pursuant to subsection (4) fails to pay the full amount of all applicable outstanding fees by 11:59 PM (Pacific Time) on August 31 of the same year, the Registrar must cancel the Registrant Firm or non-practising Registrant Firm's registration and Permit to Practice.

7 Standards of Conduct and Competence

7.1 Definitions

- (1) For the purpose of this Part, “Registrant” includes a former Registrant where applicable, pursuant to section 56(1) of the PGA [*Definition and Application*].

7.2 Code of Ethics

- (1) A Registrant must adhere to the Code of Ethics as set out in Schedule A of the Bylaws.

7.3 Standards of Competence – Quality Management Requirements

- (1) The standards of competence - quality management requirements set out in sections 7.3.1 to 7.3.8 of the Bylaws are established pursuant to section 57(1)(b) of the PGA [*Standards of Conduct and Competence*].
- (2) A Registrant must comply with the standards of competence set out in sections 7.3.1 to 7.3.8 of the Bylaws at all times while engaged in the Regulated Practice.
- (3) A non-practising Registrant Firm is exempt from the requirements set out in sections 7.3.1, 7.3.3, 7.3.4(4)(a), 7.3.4(4)(b), 7.3.4(4)(c), 7.3.5, 7.3.6, and 7.3.8 of the Bylaws while maintaining its non-practising status and not engaged in the Regulated Practice.

7.3.1 Standard for Use of Professional Practice Guidelines

- (1) EGBC shall publish professional practice guidelines approved by the ~~Board Council~~ on a public website maintained by EGBC and shall update professional practice guidelines as necessary.
- (2) A Professional Registrant must have regard for applicable standards, policies, plans, and practices established by the government or by EGBC, including professional practice guidelines published pursuant to subsection (1), by establishing, maintaining, and following documented procedures in order to do all of the following:
 - (a) stay informed of, knowledgeable about, and meet the intent of all applicable standards, policies, plans, and practices established by the government or by EGBC, including professional practice guidelines published pursuant to subsection (1), that are relevant to the Professional Registrant’s Regulated Practice;
 - (b) document in writing the reason(s) for a departure from any relevant portion of a professional practice guideline published pursuant to subsection (1).
- (3) A Registrant Firm must do all of the following:
 - (a) establish, maintain, and follow documented policies and procedures in order to

- (i) obtain information and details in a timely manner regarding professional practice guidelines published pursuant to subsection (1) that are relevant to the Regulated Practice carried out by the Registrant Firm and Professional Registrants employed by or under contract with the Registrant Firm, and
- (ii) inform the Professional Registrants employed by or under contract with the Registrant Firm in a timely and effective manner of professional practice guidelines published pursuant to subsection (1) that are relevant to the Regulated Practice carried out by the Registrant Firm and Professional Registrants employed by or under contract with the Registrant Firm;
- (b) take reasonable steps to facilitate all Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsection (2).

7.3.2 Standard for Retention and Preservation of Complete Project Documentation

- (1) A Professional Registrant must establish, maintain, and follow documented procedures for the retention and preservation of complete project documentation related to the Regulated Practice engaged in by the Professional Registrant, including copies of physical or electronic versions of
 - (a) correspondence,
 - (b) investigations,
 - (c) surveys,
 - (d) reports,
 - (e) data,
 - (f) background information,
 - (g) assessments,
 - (h) designs,
 - (i) specifications,
 - (j) documentation related to reviews, including independent reviews and field reviews,
 - (k) testing information,
 - (l) models,
 - (m) simulations,

- (n) quality assurance documentation,
 - (o) drawings,
 - (p) calculations, and
 - (q) copies of all Authenticated Documents.
- (2) A Registrant Firm must establish, maintain, and follow documented policies and procedures for the retention and preservation of complete project documentation related to the Regulated Practice engaged in by the Registrant Firm, including copies of physical or electronic versions of
- (a) correspondence,
 - (b) investigations,
 - (c) surveys,
 - (d) reports,
 - (e) data,
 - (f) background information,
 - (g) assessments,
 - (h) designs,
 - (i) specifications,
 - (j) documentation related to reviews, including independent reviews and field reviews,
 - (k) testing information,
 - (l) models,
 - (m) simulations,
 - (n) quality assurance documentation,
 - (o) drawings,
 - (p) calculations, and
 - (q) copies of all Authenticated Documents.

- (3) Complete project documentation must be retained and preserved for at least 10 years after the later of the completion of the project or when the documentation is no longer used.
- (4) A Registrant Firm must do all of the following:
 - (a) establish and maintain documented policies, plans, and procedures
 - (i) in order to ensure that, if any of the situations set out in section 5.32(4) of the Bylaws [*Information Collected Immediately and not Published on the Register*] occur with respect to a Registrant Firm, complete project documentation is preserved in accordance with subsection (3) and such documentation is accessible in the event of a request pursuant to the PGA or Bylaws, and
 - (ii) for all individuals employed by or under contract with the Registrant Firm to follow in relation to the retention and preservation of complete project documentation and the obligations of Professional Registrants and Registrant Firms pursuant to this section of the Bylaws;
 - (b) ensure that all individuals employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to subsection (a);
 - (c) take reasonable steps to facilitate the Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1) and (3).
- (5) A Professional Registrant who is employed by or under contract with a Registrant Firm may satisfy their obligations pursuant to this section of the Bylaws with respect to any project documentation produced during the course of their employment or contract with the Registrant Firm by
 - (a) taking reasonable steps to confirm that
 - (i) the Registrant Firm has in place documented policies and procedures for the retention and preservation of all project documentation produced by the Professional Registrant during the course of or related to their employment or contract with the Registrant Firm, and
 - (ii) that the documented policies and procedures referred to in subsection (a)(i) are in accordance with the requirements set out in subsections (2), (3), and (4), and
 - (b) consistently adhering to the documented policies and procedures of the Registrant Firm with respect to retention and preservation of project documentation established pursuant to subsection (4)(a) during the course of the Professional Registrant's employment or contract with the Registrant Firm.

- (6) A Professional Registrant who ceases to be employed by or under contract with a Registrant Firm may continue to satisfy their obligation to retain and preserve complete project documentation pursuant to subsection (3) by ensuring that
 - (a) an agreement is in place with the Registrant Firm regarding the retention and preservation of all project documentation produced by the Professional Registrant during the course of their employment or contract with the Registrant Firm, and
 - (b) the agreement referenced in subsection (a) requires either the Professional Registrant or the Registrant Firm, or both, to retain and preserve all project documentation in accordance with the requirements of this section of the Bylaws.

7.3.3 Standard for Field Reviews

- (1) Field reviews must be completed during the construction, manufacturing, fabrication, implementation, testing, or commissioning of work related to the Regulated Practice by a Professional Registrant, or a Subordinate under the Professional Registrant's Direct Supervision, in a manner that is appropriate to the level of risk that has been assessed through a documented risk assessment.
- (2) If applicable pursuant to subsection (1), a Professional Registrant must establish, maintain, and follow documented procedures for documented field reviews of work related to the Regulated Practice in British Columbia.
- (3) Through a field review, a Professional Registrant, or a Subordinate under the Professional Registrant's Direct Supervision, must determine whether the construction, manufacturing, fabrication, implementation, testing, or commissioning of work related to the Regulated Practice substantially complies with the concepts or intent reflected in the Documents prepared for the work related to the Regulated Practice.
- (4) If applicable pursuant to subsection (1), a Registrant Firm must do all of the following:
 - (a) establish and maintain documented policies and procedures for Professional Registrants employed by or under contract with the Registrant Firm to follow in relation to field reviews and the obligations of Professional Registrants pursuant to this section of the Bylaws, which may include:
 - (i) process flowcharts,
 - (ii) checklists, or
 - (iii) forms;
 - (b) ensure that the Professional Registrants employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to subsection (a);

- (c) take reasonable steps to facilitate the Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1), (2), and (3).

7.3.4 Standard for Checks

- (1) A Professional Registrant must establish, maintain, and follow documented procedures for regular, documented checks of the Professional Registrant's work related to the Regulated Practice using a written quality control process appropriate to the level of risk that has been assessed through a documented risk assessment.
- (2) The procedures established pursuant to subsection (1) must include:
 - (a) how risk will be assessed;
 - (b) the minimum frequency for checks to be conducted, dependent on the degree of risk assessed pursuant to (a);
 - (c) the required qualifications of the checker;
 - (d) how the check will be documented, including:
 - (i) who conducted the check;
 - (ii) the date that the check was completed;
 - (iii) what was checked;
 - (iv) issues identified by the checker, if any; and
 - (v) correction(s) and corrective action(s), if any, in response to issues identified by the checker.
 - (e) what must be checked, including but not limited to:
 - (i) input requirements;
 - (ii) input data;
 - (iii) calculations;
 - (iv) drawings;
 - (v) assessments;
 - (vi) designs;

- (vii) software outputs;
 - (viii) communications that include directives, recommendations, or opinions related to the Regulated Practice;
 - (ix) reports;
 - (x) recommendations; and,
 - (xi) other activities or work related to the Regulated Practice, including activities or work related to manufacturing, high technology, computer software development, operations, and maintenance activities.
- (3) A Professional Registrant must ensure that a documented check has been conducted in accordance with the procedures established pursuant to subsection (1) on all activities or work related to the Regulated Practice that will be issued or delivered to any other party.
- (4) A Registrant Firm must do all of the following:
- (a) establish and maintain documented policies and procedures for Professional Registrants employed by or under contract with the Registrant Firm to follow in relation to documented checks and the obligations of Professional Registrants pursuant to this section of the Bylaws, which may include
 - (i) process flowcharts,
 - (ii) checklists, or
 - (iii) forms;
 - (b) ensure that the Professional Registrants employed by or under contract with the Registrant Firm adhere to the documented policies and procedures established pursuant to subsection (a);
 - (c) take reasonable steps to facilitate the Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1), (2), and (3);
 - (d) retain complete documentation related to checks conducted by any Professional Registrant employed by or under contract with the Registrant Firm, in accordance with section 7.3.2 of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

7.3.5 Standard for Independent Review(s) of Structural Designs

- (1) All Structural Designs require documented independent review(s) prior to Documents being issued for construction or implementation.
- (2) Despite subsection (1), EGBC may identify classes of Structures that do not require documented independent review(s) of Structural Designs.
- (3) A Professional of Record must do all of the following:
 - (a) complete a documented risk assessment after conceptual design and before detailed design of a Structural Design to determine the following:
 - (i) the appropriate frequency for the required documented independent review(s) of the Structural Design;
 - (ii) whether the required documented independent review(s) of the Structural Design must be conducted by
 - (A) an appropriately qualified and experienced Professional Registrant who has not been previously involved in the Structural Design and is employed by the same Firm employing the Professional of Record, or
 - (B) an appropriately qualified and experienced Professional Registrant who has not been previously involved in the Structural Design and is employed by a Firm other than the Firm employing the Professional of Record;
 - (b) record their rationale for the determinations made pursuant to subsections (a)(i) and (ii);
 - (c) document actions taken or not taken, along with the rationale for that decision, as a result of the independent review(s), including any actions taken or not taken as a result of information received pursuant to subsection (7)(d);
 - (d) communicate the actions and rationale documented pursuant to subsection (c) to the Professional Registrant tasked with completing the documented independent review in an appropriately timely manner;
 - (e) obtain a copy of the documented record of the independent review from the Professional Registrant tasked with completing the independent review;
 - (f) provide a copy of the documented record of the independent review to the authority having jurisdiction, if requested;
 - (g) retain and preserve the documentation related to the independent review for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

- (4) Despite subsection (3)(b), EGBC may identify classes of Structures for which required documented independent reviews must be conducted by an appropriately experienced Professional Registrant who has not been previously involved in the Structural Design and is employed by a Firm other than the Firm employing the Professional of Record.
- (5) Documented independent review(s) of Structural Designs must not replace the regular, documented checks required pursuant to section 7.3.4 of the Bylaws [*Standards for Checks*].
- (6) If applicable pursuant to subsection (1) and not exempted pursuant to subsection (2), a Professional Registrant must establish, maintain, and follow documented procedures for documented independent review(s) of Structural Designs.
- (7) A Professional Registrant tasked with completing a documented independent review of a Structural Design must
 - (a) have appropriate experience in the type and scale of the Structural Design subject to the documented independent review,
 - (b) determine the extent of the documented independent review based on the progressive findings of the documented independent review and record the rationale for this determination,
 - (c) evaluate any related Documents to determine if they are complete, consistent, and in general compliance with applicable codes, standards, and other requirements,
 - (d) communicate any issues found during the independent review(s) to the Professional of Record in an appropriately timely manner,
 - (e) complete a documented record of the documented independent review that meets the intent of the documented independent review sign off form issued by EGBC, and
 - (i) provide this documented record to
 - (A) the Professional of Record, and
 - (B) the authority having jurisdiction, if requested, and
 - (ii) retain and preserve this documented record for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for the Retention and Preservation of Complete Project Documentation*],
 - (f) examine representative samples of the structural assumptions, continuity of gravity and lateral load paths, stability, and detailing, and

- (g) perform numerical calculations on a sample of gravity and lateral force resisting elements necessary to satisfy any concerns of the Professional Registrant tasked with completing the documented independent review, as appropriate.
- (8) While a documented risk assessment and a documented independent review of each instance of repetitive designs of individual structural components is not required,
- (a) the maintenance of design quality must be confirmed through
 - (i) an initial documented initial risk assessment and documented independent review, and
 - (ii) documented risk assessments and documented independent reviews at intervals,
 - (b) a documented process must be in place that identifies the criteria used to determine what types of designs are considered repetitive and the interval frequency for maintaining the design quality, and
 - (c) the documented record produced through
 - (i) the initial documented risk assessment and documented independent review, and
 - (ii) documented risk assessments and documented independent reviews at intervals
- must be retained and preserved for a minimum of 10 years after the last use of the repetitive design and made available to any person using the Structural Design, in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].
- (9) If applicable pursuant to subsection (1), and not exempted pursuant to subsection (2), a Registrant Firm must do all of the following:
- (a) establish and maintain documented policies and procedures for Professional Registrants employed by or under contract with the Registrant Firm to follow in relation to independent review of structural designs and the obligations of Professional Registrants pursuant to this section of the Bylaws, which may include
 - (i) checklists, or
 - (ii) signoff forms;
 - (b) take reasonable steps to ensure that a Professional Registrant conducting a documented independent review pursuant to this section of the Bylaws has sufficient and acceptable knowledge, training, and experience to conduct the documented independent review;

- (c) ensure that the Professional Registrants employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to subsection (a);
- (d) take reasonable steps to facilitate the Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1) to (8);
- (e) establish and maintain documented policies and procedures for the Registrant Firm to follow in order to
 - (i) obtain copies of documented records of independent review from the Professional Registrant tasked with completing the independent review,
 - (ii) provide the documented record of the independent review to the authority having jurisdiction, if requested, and
 - (iii) retain and preserve the documentation related to the independent review for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

7.3.6 Standard for Independent Review(s) of High-Risk Professional Activities or Work

- (1) A professional activity or work that has been identified by a Professional of Record as high-risk through a documented risk assessment requires documented independent review(s) before the professional activity or work is submitted to those who will be relying on it.
- (2) Despite subsection (1), EGBC may establish criteria for professional activities or work, or identify specific professional activities or work, that
 - (a) do not require documented independent review(s), or
 - (b) require documented independent review(s), even if the professional activities or work are not identified by a Professional of Record as high-risk through a documented risk assessment.
- (3) A Professional of Record must do all of the following:
 - (a) complete a documented risk assessment prior to the initiation of a professional activity or work to determine the following:
 - (i) whether a professional activity or work is high-risk;
 - (ii) if documented independent review(s) of the professional activity or work is required, the appropriate frequency for the required documented independent review(s);

- (iii) if documented independent review(s) of the professional activity or work is required, whether the required documented independent review(s) must be conducted by
 - (A) an appropriately qualified and experienced Professional Registrant who has not been previously involved in the professional activity or work and is employed by the same Firm employing the Professional of Record, or
 - (B) an appropriately qualified and experienced Professional Registrant who has not been previously involved in the professional activity or work and is employed by a Firm other than the Firm employing the Professional of Record;
- (b) record their rationale for the determinations made pursuant to subsections (a)(i), (ii), and (iii);
- (c) document actions taken or not taken, along with the rationale for that decision, as a result of the independent review(s), including any actions taken or not taken as a result of information received pursuant to subsection (7)(d);
- (d) communicate the actions and rationale documented pursuant to subsection (c) to the Professional Registrant tasked with completing the documented independent review in an appropriately timely manner;
- (e) obtain a copy of the documented record of the independent review from the Professional Registrant tasked with completing the independent review;
- (f) provide a copy of the documented record of the independent review to the authority having jurisdiction, if requested;
- (g) retain and preserve the documentation related to the independent review for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].
- (4) Despite subsection (3)(a)(iii), EGBC may identify specific professional activities or work for which required documented independent reviews must be conducted by an appropriately experienced Professional Registrant who has not been previously involved in the professional activity or work and is employed by a Firm other than the Firm employing the Professional of Record.
- (5) Documented independent review(s) of a professional activity or work must not replace the regular, documented checks required pursuant to section 7.3.4 of the Bylaws [*Standard for Checks*].
- (6) If applicable pursuant to subsection (1) or (2)(b) and not exempted pursuant to subsection (2)(a), a Professional Registrant must establish, maintain, and follow documented procedures for documented independent review(s) of a professional activity or work.

- (7) A Professional Registrant tasked with completing a documented independent review of a professional activity or work must
- (a) have appropriate experience in the type and scale of the professional activity or work subject to the documented independent review,
 - (b) determine the extent of the documented independent review based on the progressive findings of the documented independent review and record the rationale for this determination,
 - (c) evaluate any Documents related to the professional activity or work to determine if they are complete, consistent, and in general compliance with applicable codes, standards, and other requirements, and
 - (d) communicate any issues found during the independent review(s) to the Professional of Record in an appropriately timely manner
 - (e) complete a documented record of the documented independent review that meets the intent of the documented independent review sign off form issued by EGBC and
 - (i) provide this documented record to
 - (A) the Professional of Record, and
 - (B) the authority having jurisdiction, if requested, and
 - (ii) retain and preserve this documented record for a period of 10 years, in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].
- (8) While a documented risk assessment and a documented independent review of each instance of repetitive professional activities or work is not required,
- (a) the maintenance of activity or work quality must be confirmed through
 - (i) an initial documented risk assessment and documented independent review, and
 - (ii) documented risk assessments and documented independent reviews at intervals,
 - (b) a documented process must be in place that identifies the criteria used to determine what types of professional activities or work are considered repetitive and the interval frequency for maintaining the activity or work quality, and
 - (c) the documented record produced through

- (i) the initial documented risk assessment and documented independent review, and
- (ii) documented risk assessments and documented independent reviews at intervals

must be retained and preserved for a minimum of 10 years after the last use of the repetitive professional activity or work and made available to any person undertaking the professional activity or work, in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

(9) A Registrant Firm must do all of the following:

- (a) establish and maintain documented policies and procedures for Professional Registrants employed by or under contract with the Registrant Firm to follow in relation to independent review of high-risk professional activities or work and the obligations of Professional Registrants pursuant to this section of the Bylaws, which may include
 - (i) checklists, or
 - (ii) signoff forms;
- (b) take reasonable steps to ensure that a Professional Registrant conducting a documented independent review pursuant to this section of the Bylaws has sufficient and acceptable knowledge, training, and experience to conduct the review;
- (c) ensure that Professional Registrants employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to subsection (a);
- (d) take reasonable steps to facilitate Professional Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants pursuant to subsections (1) to (8);
- (e) establish and maintain documented policies and procedures for the Registrant Firm to follow in order to
 - (i) obtain copies of documented records of independent review from the Professional Registrant tasked with completing the independent review,
 - (ii) provide the documented record of the independent review to the authority having jurisdiction, if requested, and
 - (iii) retain and preserve the documentation related to the independent review for a period of 10 years in accordance with section 7.3.2(3) of the Bylaws [*Standard for Retention and Preservation of Complete Project Documentation*].

7.3.7 Standard for Issuance of Manual Seal, Authenticating Documents, and Use of Permit to Practice Number

- (1) EGBC may provide a Professional Registrant In Good Standing with a Manual Seal bearing the following information:
 - (a) the Professional Registrant's first initial(s), middle initial(s), and last name(s);
 - (b) the words "professional engineer", "professional geoscientist", "professional licensee engineering", or "professional licensee geoscience", as applicable.
- (2) EGBC retains ownership of a Manual Seal issued by EGBC.
- (3) A Professional Registrant must establish, maintain, and follow documented procedures related to a Professional Registrant's Manual Seal, a Professional Registrant's Digital Seal, and Authenticating Documents, in accordance with the requirements set out in this section of the Bylaws.
- (4) Only a Professional Registrant may Authenticate a Document.
- (5) A Professional Registrant must Authenticate
 - (a) a Document that
 - (i) the Professional Registrant has prepared in their professional capacity or has been prepared under their Direct Supervision,
 - (ii) contains content related to the Regulated Practice, and
 - (iii) will be relied on by others, or
 - (b) a Document that is otherwise required to be Authenticated by applicable legislation, associated regulations, the Bylaws, or standards approved by the Board Council.
- (6) Despite subsection (5), a Professional Registrant who is a professional licensee engineering or a professional licensee geoscience must not Authenticate Documents outside the authorized area of practice identified on their licence.
- (7) If a deliverable is provided in a format that cannot be reasonably read by an individual, a Professional Registrant must adhere to an authentication process that has been prescribed by standards or guidelines approved by the Board Council.
- (8) A Professional Registrant must not charge a fee for only Authenticating a Document.
- (9) With respect to Manually Authenticating, a Professional Registrant must not allow another person to apply any of the following:

- (a) the Professional Registrant's Manual Seal, or a likeness or digital image of the Professional Registrant's Manual Seal, except under the Professional Registrant's express and written authorization, which authorization must be specific to each application and not an ongoing authorization;
 - (b) the Professional Registrant's handwritten signature, or a likeness of the Professional Registrant's handwritten signature, under any circumstances;
 - (c) the date of Authentication, except under the Professional Registrant's express and written authorization, which authorization must be specific to each application and not an ongoing authorization.
- (10) With respect to Digitally Authenticating, a Professional Registrant must not allow another person to do any of the following:
- (a) apply the Professional Registrant's Digital Certificate under any circumstances;
 - (b) gain access to the Professional Registrant's Digital Certificate or to any password, PIN, or other factor used to secure access to or control over the Professional Registrant's Digital Certificate, under any circumstances.
- (11) In the event of suspension or cancellation of a Professional Registrant's registration,
- (a) the Professional Registrant must return their Manual Seal to EGBC upon request,
 - (b) EGBC will disable any Digital Certificate issued to the Professional Registrant for the period of the suspension or cancellation, and
 - (c) the Professional Registrant must not Authenticate any Document for the period of the suspension or cancellation.
- (12) A Registrant must ensure that any Manual Seal and any Digital Certificate issued to them remains secure and under their sole control at all times.
- (13) A Registrant Firm must do all of the following:
- (a) establish and maintain documented policies and procedures for all individuals employed by or under contract with the Registrant Firm to follow in relation to the use of a Manual Seal, the use of a Digital Seal, the Authentication of Documents, and the obligations of Professional Registrants pursuant to subsections (1) to (12);
 - (b) ensure that all individuals employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to subsection (a);
 - (c) take reasonable steps to facilitate the individual Registrants employed by or under contract with the Registrant Firm in adhering to the obligations of individual Registrants pursuant to subsections (1) to (12).

- (14) If a Professional Registrant employed by or under contract with a Registrant Firm Authenticates a Document on behalf of the Registrant Firm, the Registrant Firm's Permit to Practice Number must be applied visibly to the Document.
- (15) Only the following individuals may apply a Registrant Firm's Permit to Practice Number to a Document:
 - (a) a Responsible Registrant of the Registrant Firm;
 - (b) an individual employed by or under contract with the Registrant Firm who is authorized to apply the Registrant Firm's Permit to Practice Number in accordance with the Registrant Firm's Professional Practice Management Plan.
- (16) A Registrant Firm must not allow any person to apply the Registrant Firm's Permit to Practice Number to a Document other than the individuals set out in subsection (15).
- (17) If a Registrant Firm has reasonable and probable grounds to believe that any person has applied the Registrant Firm's Permit to Practice Number to a Document other than the individuals set out in subsection (15), the Registrant Firm must report the person to EGBC and provide EGBC with any information requested by EGBC regarding the circumstances of the application of the Permit to Practice Number.
- (18) In the event that a Registrant Firm's registration and Permit to Practice are cancelled, suspended, or subject to a condition prohibiting the Registrant Firm from engaging in the Regulated Practice,
 - (a) the Registrant Firm must not allow any person to apply the Registrant Firm's Permit to Practice Number to a Document,
 - (b) the Registrant Firm must not allow or cause the Registrant Firm's Permit to Practice Number to appear on any communication, website, document, or in any other manner that could suggest that the Registrant Firm's registration and Permit to Practice Number are not cancelled, suspended, or subject to a condition prohibiting the Registrant Firm from engaging in the Regulated Practice and
 - (c) a Professional Registrant must not
 - (i) apply the Registrant Firm's Permit to Practice Number to a Document, or
 - (ii) authorize another Professional Registrant to apply the Registrant Firm's Permit to Practice Number to a Document.

7.3.8 Standard for Delegation and Direct Supervision

- (1) A Professional Registrant who will Delegate work or decisions related to the Regulated Practice to a Subordinate must establish, maintain, and follow documented procedures for

Delegation and Direct Supervision in accordance with the requirements set out in this section of the Bylaws.

- (2) A Professional Registrant must ensure that work or decisions related to the Regulated Practice that are Delegated to a Subordinate are carried out under the Direct Supervision of the Professional Registrant.
- (3) A professional licensee engineering or professional licensee geoscience may only provide Direct Supervision of work or decisions related to the Regulated Practice that are within the authorized area of practice on their licence.
- (4) If any Professional Registrants employed by or under contract with a Registrant Firm will Delegate work or decisions related to the Regulated Practice to a Subordinate, or if the Registrant Firm employs any individuals who will act as a Subordinate, the Registrant Firm must do all of the following:
 - (a) establish and maintain documented policies and procedures for Professional Registrants and Subordinates employed by or under contract with the Registrant Firm to follow in relation to Delegation, Direct Supervision, and the obligations of Professional Registrants pursuant to subsections (1), (2), and (3);
 - (b) ensure that the Professional Registrants and Subordinates employed by or under contract with the Registrant Firm adhere to the documented policies and procedures of the Registrant Firm established pursuant to subsection (a);
 - (c) take reasonable steps to facilitate Professional Registrants and Subordinates employed by or under contract with the Registrant Firm in adhering to the obligations of Professional Registrants and Subordinates pursuant to subsections (1), (2), and (3).

7.4 Practice Advice Program

- (1) The Practice Advice Program consists of the following components:
 - (a) Practice Advisors will receive and respond to professional or ethical inquiries of Registrants through email, telephone, or in person, with responses being
 - (i) provided either immediately or after consultation with appropriate parties, and
 - (ii) to the best of their knowledge, in compliance with current legislative requirements, regulatory requirements, and standards and guidelines issued by EGBC;
 - (b) documentation dealing with professional or ethical issues must be made available to Registrants on a public website maintained by EGBC, including professional practice guidelines, ethical guidelines, practice advisories, frequently asked questions, or magazine publications, on a basis determined by EGBC;

- (c) training sessions dealing with professional or ethical issues must be made available to Registrants through webinars or in person workshops, on a basis determined by EGBC.
- (2) The Practice Advice Program excludes the following subjects:
 - (a) legal advice, including legal advice on commercial law, employment law, or criminal law issues;
 - (b) endorsement or checking of activities or work related to the Regulated Practice;
 - (c) employment terms or conditions;
 - (d) mediation or resolution of disputes between Registrants and others, including clients, owners, and employers.
- (3) Any information exchanged in a professional or ethical inquiry received pursuant to subsection (1)(a) may be retained by EGBC.

7.5 Professional Liability Insurance and Secondary Professional Liability Insurance

- (1) Before entering into an agreement to provide services related to the Regulated Practice to the public, a Professional Registrant or a Registrant Firm must provide written notice to a client regarding whether
 - (a) the Professional Registrant or the Registrant Firm holds professional liability insurance, and
 - (b) if the Professional Registrant or the Registrant Firm does hold professional liability insurance, whether the professional liability insurance is applicable to the services related to the Regulated Practice that are in question.
- (2) The written notice provided by a Professional Registrant or a Registrant Firm pursuant to subsection (1) must include a provision for an acknowledgement of the written notice to be signed by the client.
- (3) There is established a category of professional liability insurance, separate from the professional liability insurance mentioned in subsection (1), referred to as secondary professional liability insurance, that all Registrants, except Registrant Firms, must carry and maintain.
- (4) The ~~Board~~ Council may
 - (a) establish the terms, conditions, policies and procedures applicable to the secondary professional liability insurance program,

- (b) require that the secondary professional liability insurance program, subject to the terms and conditions of the policy, provide coverage to Registrants who would otherwise have no professional liability insurance coverage for claims against them, and
- (c) establish the fees to be paid by Registrants, for the secondary professional liability insurance program.

7.6 Continuing Education Program

7.6.1 Commencement of the Continuing Education Program

- (1) The first Reporting Year and Three-Year Rolling Period commence on July 1, 2021.

7.6.2 ~~Categories of Registrants Exempt from the~~ Continuing Education Program for Professional Registrants

- ~~(1) The following categories of individual Registrants are not required to complete any of the continuing education program requirements set out in this section of the Bylaws:~~

~~(a) Trainees;~~

~~life members or life limited licensees.~~

- ~~(1) All Professional Registrants must complete the continuing education program set out at section 7.6.3 of the Bylaws [Mandatory Continuing Education Hours and Activities for Professional Registrants], section 7.6.4 of the Bylaws [Mandatory Continuing Education Plan for Professional Registrants], and section 7.6.7 of the Bylaws [Continuing Education Program Declaration].~~

7.6.3 Mandatory Continuing Education Hours and Activities for Professional Registrants

- (1) In each Three-Year Rolling Period, a Professional Registrant must complete at least 60 Continuing Education Hours.
- (2) In each Reporting Year, a Professional Registrant must complete at least one Continuing Education Hour of Ethical Learning.
- (3) In each Reporting Year, a Professional Registrant must complete at least one Regulatory Learning module referred to in section 7.6.14(1) of the Bylaws [Mandatory Regulatory Learning Modules].
- (4) The mandatory Continuing Education Hours required pursuant to subsection (1) may include Continuing Education Hours related to Technical Learning or Communications and Leadership Learning.
- (5) In order for the Continuing Education Hours required pursuant to subsection (1) to be considered complete, ~~an individual~~ Professional Registrant must record in EGBC's

electronic system the following information about the Continuing Education Activities associated with the Continuing Education Hours:

- (a) the date(s) of each Continuing Education Activity;
- (b) the provider or source of each Continuing Education Activity;
- (c) the number of Continuing Education Hours earned from each Continuing Education Activity; and
- (d) whether each Continuing Education Activity involved Ethical Learning, Regulatory Learning, Communications and Leadership Learning, or Technical Learning.

7.6.4 Mandatory Continuing Education Plan for Professional Registrants

- (1) Before the end of each Reporting Year, a Professional Registrant must complete an up-to-date continuing education plan which sets out all of the following information:
 - (a) the Professional Registrant's area(s) of practice, including any anticipated changes;
 - (b) a declaration that the Professional Registrant has assessed the risks of the Professional Registrant's Regulated Practice to the public and the environment;
 - (c) a description as to how the Professional Registrant has assessed the risks identified in subsection (b);
 - (d) the Professional Registrant's learning goals and priorities; and
 - (e) the Continuing Education Activities that the Professional Registrant plans to undertake in order to advance the learning goals and priorities identified in subsection (d).
- (2) A Professional Registrant must date and keep the continuing education plan required pursuant to subsection (1) in their records for 10 years and electronically submit the continuing education plan required pursuant to subsection (1) to EGBC by 11:59 PM (Pacific Time) on the last day of each Reporting Year upon request.

7.6.5 Mandatory Continuing Education Hours and Activities for Designated Structural Engineers

- (1) In addition to the continuing education program requirements for Professional Registrants set out in section 7.6.3 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Professional Registrants*] and section 7.6.4 of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*], a Professional Registrant who is a designated structural engineer must complete 60 Continuing Education Hours of Technical Learning related to their structural engineering area(s) of practice in each Three-Year Rolling Period.

7.6.6 ~~Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants~~ [Repealed 2023-MM-DD]

- ~~(1) In each Three-Year Rolling Period, a non-practising individual Registrant must complete, at a minimum,~~
- ~~(a) one Continuing Education Hour of Ethical Learning, and~~
 - ~~(b) one Regulatory Learning module referred to in section 7.6.14(1) of the Bylaws [Mandatory Regulatory Learning Modules].~~

7.6.7 Continuing Education Program Declaration

- (1) All individual Professional Registrants ~~who are not exempted from the Continuing Education Program pursuant to section 7.6.2(1) of the Bylaws [Categories of Registrants Exempt from the Continuing Education Program]~~ must electronically submit a continuing education program declaration to EGBC by 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, which must confirm
- (a) the number of completed Continuing Education Hours the individual Professional Registrant is reporting for that Reporting Year,
 - (b) that the individual Professional Registrant has recorded the details of the Continuing Education Activities associated with the declared Continuing Education Hours pursuant to section 7.6.3(5) of the Bylaws ~~[Mandatory Continuing Education Hours and Activities for Professional Registrants]~~,
 - (c) that the individual Professional Registrant has ~~uploaded completed~~ a valid and up-to-date ~~C~~continuing Education Plan pursuant to section 7.6.4(2) of the Bylaws ~~[Mandatory Continuing Education Plan for Professional Registrants]~~, and
 - (d) that the information provided by the individual Professional Registrant pursuant to this section is true and correct to the best of the individual Professional Registrant's knowledge.
- (2) All individual Professional Registrants must retain all documentation that supports their continuing education program declaration for a minimum of 105 years after the continuing education program declaration was made.

7.6.8 Applications for Exemptions from the Continuing Education Program

- (1) An individual Professional Registrant may be granted an exemption, on an annual basis, from any or all of the continuing education program requirements set out in sections ~~7.6.3 of the Bylaws [Mandatory Continuing Education Hours and Activities for Professional Registrants], section 7.6.4 of the Bylaws [Mandatory Continuing Education Plan for Professional Registrants], section 7.6.5 of the Bylaws [Mandatory Continuing Education Hours and Activities for Designated Structural Engineers], 7.6.6, or section 7.6.7 of the Bylaws [Continuing Education Program Declaration]~~ for a specified Reporting Year by

- (a) an officer appointed by the Audit and Practice Review Committee, if the ~~individual~~ Professional Registrant was on parental leave, medical leave, or compassionate care leave for at least 6 months during the Reporting Year, or
- (b) the Audit and Practice Review Committee, if the ~~individual~~ Professional Registrant
 - (i) was on parental leave, medical leave, or compassionate care leave for less than 6 months during the Reporting Year, or
 - (ii) has other extenuating circumstances.
- (2) An application by an ~~an individual~~ Professional Registrant to be granted an exemption pursuant to subsection (1) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on April 30 of the applicable Reporting Year.
- (3) If an exemption granted pursuant to subsection (1) reduces the number of Continuing Education Hours that an ~~an individual~~ Professional Registrant is required to complete for a Reporting Year, there must be a corresponding reduction in the number of Continuing Education Hours that the ~~individual~~ Professional Registrant is required to complete for the applicable Three-Year Rolling Period.

7.6.9 Failure to Submit a Continuing Education Program Declaration

- (1) An ~~an individual~~ Professional Registrant who fails to submit a continuing education program declaration pursuant to section 7.6.7(1) of the Bylaws [*Continuing Education Program Declaration*] by 11:59 PM (Pacific Time) on the last day of the Reporting Year, but has otherwise completed all applicable requirements of the continuing education program, must
 - (a) submit the continuing education program declaration, and
 - (b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws,
 by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.
- (2) If an ~~an individual~~ Professional Registrant fails to comply with the requirements set out in subsection (1), the ~~individual~~ Professional Registrant's registration must be suspended until such requirements are complete.
- (3) If an ~~an individual~~ Professional Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31, the ~~individual~~ Professional Registrant's registration must be cancelled.

7.6.10 Late Exemption from Continuing Education Plan, Hours, or Activities

- (1) An ~~an individual~~ Professional Registrant who fails to comply with the obligations pursuant to sections 7.6.3 of the Bylaws [*Mandatory Continuing Education Hours and Activities for*

Professional Registrants], section 7.6.4 of the Bylaws [Mandatory Continuing Education Plan for Professional Registrants], or section 7.6.5, or 7.6.6 of the Bylaws [Mandatory Continuing Education Hours and Activities for Designated Structural Engineers], as applicable, by 11:59 PM (Pacific Time) on the last day of the Reporting Year may be granted a late exemption from any or all of these requirement(s) on an annual basis by the Audit and Practice Review Committee, if the individual Professional Registrant

- (a) was on parental leave, medical leave, or compassionate care leave during the Reporting Year, or
 - (b) has other extenuating circumstances.
- (2) An application by an individual Professional Registrant to be granted an exemption pursuant to subsection (1) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on July 31 in the following Reporting Year.
- (3) If a late exemption granted pursuant to subsection (1) reduces the number of Continuing Education Hours that an individual Professional Registrant is required to complete for a Reporting Year, there must be a corresponding reduction in the number of Continuing Education Hours that the individual Professional Registrant is required to complete for the applicable Three-Year Rolling Period.
- (4) An individual Professional Registrant who is granted an exemption pursuant to subsection (1) must send to EGBC the late exemption fee specified in Schedule C of the Bylaws, but is not required to pay to EGBC the late reporting fee specified in Schedule C or the late completion fee specified in Schedule C.
- (5) The Audit and Practice Review Committee may, in its discretion, refund the late exemption fee required pursuant to subsection (4) if an individual Professional Registrant
- (a) failed to apply for an exemption by the deadline specified in section 7.6.8(2) of the Bylaws [*Applications for Exemptions from the Continuing Education Program*] due to extenuating circumstances,
 - (b) submitted an application to be granted an exemption in writing to EGBC by 11:59 PM (Pacific Time) on the last day of the Reporting Year, and
 - (c) was granted an exemption by the Audit and Practice Review Committee pursuant to subsection (1).

7.6.11 Failure to Complete Continuing Education Plan, Hours, or Activities

- (1) ~~An individual Professional~~ Registrant who fails to comply with the obligations pursuant to section 7.6.3 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Professional Registrants*] ~~, or~~ section 7.6.4 of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*] ~~or section 7.6.6 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants*]~~, as applicable, by 11:59 PM (Pacific Time) on the last day of the Reporting Year and is not granted a late exemption pursuant to section 7.6.10 of the Bylaws [*Late Exemption from Continuing Education Plan, Hours, or Activities*] must

~~(a) complete and submit a continuing education plan, [Repealed 2023-MM-DD]~~

- (b) complete the required Continuing Education Hours, Ethical Learning activities, or Regulatory Learning activities,
- (c) submit a continuing education program declaration,
- (d) send to EGBC the late completion fee specified in Schedule C of the Bylaws, and
- (e) send to EGBC the late reporting fee specified in Schedule C of the Bylaws,

by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.

- (2) If ~~an individual Professional~~ Registrant fails to comply with the requirements set out in subsection (1), the ~~individual Professional~~ Registrant's registration must be suspended until such requirements are complete and such completion is certified by the Audit and Practice Review Committee.

- (3) If ~~an individual Professional~~ Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31, the ~~individual Professional~~ Registrant's registration must be cancelled.

- (4) A designated structural engineer who fails to complete required Technical Learning activities pursuant to section 7.6.5(1) of the Bylaws [*Mandatory Continuing Education Hours and Activities for Designated Structural Engineers*] by 11:59 PM (Pacific Time) on the last day of the Reporting Year and is not granted a late exemption pursuant to section 7.6.10(1) of the Bylaws [*Late Exemption from Continuing Education Plan, Hours, or Activities*] must

- (a) complete the required Technical Learning activities,
- (b) submit a continuing education program declaration,
- (c) send to EGBC the late completion fee specified in Schedule C of the Bylaws, and
- (d) send to EGBC the late reporting fee specified in Schedule C of the Bylaws,

by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.

- (5) If a designated structural engineer fails to comply with the requirements set out in subsection (4), the designated structural engineer's designation as a designated structural engineer must be suspended until such requirements are complete and such completion is certified by the Audit and Practice Review Committee.
- (6) If a designated structural engineer fails to comply with the requirements set out in subsection (4) by 11:59 PM (Pacific Time) on December 31, the designated structural engineer's designation as a designated structural engineer is cancelled.
- (7) If an ~~individual~~ Professional Registrant is required to complete a continuing education plan, Continuing Education Hours, Ethical Learning activities, Regulatory Learning activities, or Technical Learning activities to fulfill a requirement for the previous Reporting Year, these cannot be applied to fulfill a requirement for the Reporting Year in which they are completed.

7.6.12 Avoiding or Delaying a Suspension

- (1) If an ~~individual~~ Professional Registrant fails to comply with the requirements in section 7.6.9(1) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], section 7.6.11(1) or (4) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*] due to extenuating circumstances, including being on parental leave, medical leave, or compassionate care leave, the Audit and Practice Review Committee may order that
 - (a) the ~~individual~~ Professional Registrant's registration not be suspended pursuant to section 7.6.9(2) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], section 7.6.11(2) or (5) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*], or
 - (b) the ~~individual~~ Professional Registrant's suspension pursuant to section 7.6.9(2) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], 7.6.11(2) or (5) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*] be delayed for a specified period of time.
- (2) At least 60 days before a suspension pursuant to section 7.6.9(2) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], section 7.6.11(2) or (5) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*] can take effect, the Audit and Practice Review Committee must deliver to the ~~individual~~ Professional Registrant written notice of
 - (a) the date on which the suspension will take effect,
 - (b) the reasons for the suspension, and



- (c) the deadline by which the ~~individual~~Professional Registrant may submit a written application to the Audit and Practice Review Committee for an order pursuant to subsection (1).

7.6.13 Continuing Education for Newly Registered Individual Professional Registrants

- (1) For an individual Registrant who is first granted registration with EGBC between July 1 and December 31 in a Reporting Year, the first Reporting Year and the first Three-Year Rolling Period are deemed to begin on July 1 of the same Reporting Year in which the individual Registrant is first granted registration with EGBC.
- (2) For an individual Registrant who is first granted registration with EGBC between January 1 and April 30 in a Reporting Year,
 - (a) the first Reporting Year is deemed to begin on July 1 of the same Reporting Year in which the individual Registrant is first granted registration with EGBC, and
 - (b) the first Three-Year Rolling Period is deemed to begin on July 1 of the next Reporting Year.
- (3) For an individual Registrant who is first granted registration with EGBC between May 1 and June 30 in a Reporting Year,
 - (a) the first Reporting Year is deemed to begin on July 1 of the next Reporting Year, and
 - (b) the first Three-Year Rolling Period is deemed to begin on July 1 of the next Reporting Year.
- (4) [Repealed 2022-04-22]

7.6.14 Mandatory Regulatory Learning Modules

- (1) EGBC will facilitate the development, maintenance, and updating of a series of mandatory Regulatory Learning modules to enable
 - a Professional Registrant to meet the requirement set out in section 7.6.3(3) of the Bylaws [*Mandatory Continuing Education Hours, and Activities for Professional Registrants*], ~~and~~
 - ~~(b) a non-practising Registrant or a life member or life limited licensee to meet the requirement set out in section 7.6.6(1)(b) of the Bylaws [*Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants*].~~
- (2) The series of mandatory Regulatory Learning modules referred to in subsection (1) must be designed to ensure that there is at least one Regulatory Learning module in each Three-Year Rolling Period that focuses on Indigenous history, Indigenous engagement, and reconciliation as it relates to the Regulated Practice in British Columbia.

7.6.15 Optional Continuing Education Opportunities

- (1) EGBC will facilitate the offering of other continuing education opportunities related to Ethical Learning, Regulatory Learning, Communications and Leadership Learning, and Technical Learning.
- (2) The continuing education opportunities offered pursuant to subsection (1) will include education opportunities related to knowledge and guidance on Indigenous history, Indigenous engagement, and reconciliation as it relates to the Regulated Practice in British Columbia.

7.6.16 Continuing Education Program by Registrant Firms

- (1) A Registrant Firm must develop, maintain, and follow documented procedures to support individual Registrants employed by or under contract with the Registrant Firm in
 - (a) meeting the ~~individual Professional~~ Registrants' continuing education program requirements pursuant to sections ~~7.6.3 of the Bylaws [Mandatory Continuing Education Hours and Activities for Professional Registrants]~~, ~~section 7.6.4 of the Bylaws [Mandatory Continuing Education Plan for Professional Registrants]~~, ~~section 7.6.5 of the Bylaws [Mandatory Continuing Education Hours and Activities for Designated Structural Engineers]~~, ~~7.6.6,~~ and ~~section 7.6.7 of the Bylaws [Continuing Education Program Declaration]~~, as applicable, and
 - (b) maintaining the individual Registrants' competency with respect to the role(s) of the individual Registrants and the activities or work engaged in by the individual Registrants on behalf of the Registrant Firm.
- (2) Each year, a Registrant Firm that has more than one Professional Registrant employed or under contract with the Registrant Firm must conduct a documented review with each Professional Registrant employed by or under contract with the Registrant Firm, in order to confirm that the Professional Registrant is maintaining the Professional Registrant's competency with respect to the Regulated Practice.
- (3) A Registrant Firm must retain all documentation that supports a documented review of a Professional Registrant conducted pursuant to subsection (2) for a minimum of 5 years after the documented review was completed.
- (4) A non-practising Registrant Firm is exempt from the requirements in this section of the Bylaws while maintaining its non-practising status.

7.7 Permit to Practice Requirements

7.7.1 Regulation of Firms Training Program

- (1) Each Responsible Registrant designated by a Registrant Firm upon the initial registration of the Registrant Firm who has not completed the Regulation of Firms Training Program within the last 5 years must complete the Regulation of Firms Training Program within
 - (a) 12 months of the date that the Permit to Practice is issued to the Registrant Firm, and
 - (b) every 5 years thereafter.
- (2) Each Responsible Registrant designated by a Registrant Firm after the initial registration of the Registrant Firm who has not completed the Regulation of Firms Training Program within the last 5 years must complete the Regulation of Firms Training Program within
 - (a) 3 months of the date that the Responsible Registrant's declaration is submitted to EGBC, and
 - (b) every 5 years thereafter.
- (3) An individual who is a Responsible Registrant for more than one Registrant Firm may complete the Regulation of Firms Training Program for more than one Registrant Firm at the same time.
- (4) A non-practising Registrant Firm and any individuals designated as a Responsible Registrant of the non-practising Registrant Firm are exempt from the requirements set out in this section of the Bylaws while the non-practising Registrant Firm maintains its non-practising status.

7.7.2 Failure to Complete Regulation of Firms Training Program

- (1) If any Responsible Registrant of a Registrant Firm fails to complete the Regulation of Firms Training Program pursuant to sections 7.7.1(1) or 7.7.1(2) of the Bylaws [*Regulation of Firms Training Program*],
 - (a) the Responsible Registrant identified in subsection (1) must complete the Regulation of Firms Training Program, and
 - (b) the Registrant Firm must send to EGBC the late completion fee specified in Schedule C of the Bylaws

by 11:59 PM (Pacific Time) on the date that is 2 months after the deadline specified in section 7.7.1(1) or 7.7.1(2) of the Bylaws [*Regulation of Firms Training Program*], as applicable.

- (2) If a Registrant Firm fails to comply with the requirements set out in subsection (1), a condition must be placed on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such requirements are complete.
- (3) If a Registrant Firm fails to comply with the requirements set out in subsection (1) within 2 months of having the condition placed on the Registrant Firm's registration and Permit to Practice pursuant to subsection (2), the Registrant Firm's registration and Permit to Practice must be cancelled.

7.7.3 Professional Practice Management Plan

- (1) A Registrant Firm must develop and maintain a Professional Practice Management Plan that contains, at a minimum, the following elements:
 - (a) a Code of Conduct that explains how the Registrant Firm will ensure compliance with ethical standards by the Registrant Firm and by all individuals employed by or under contract with the Registrant Firm, including compliance with
 - (i) the Code of Ethics of EGBC set out in Schedule A of the Bylaws,
 - (ii) any guidelines on human rights, equity, diversity, or inclusion that have been approved by the Board~~Council~~, and
 - (iii) ethical business practices addressing corruption, conflict of interest, and contractual matters;
 - (b) a plan for how the Registrant Firm will ensure compliance with the standards of competence and quality management requirements pursuant to section 7.3 of the Bylaws [*Standards of Competence – Quality Management Requirements*];
 - (c) a plan for how the Registrant Firm will ensure compliance with the continuing education requirements pursuant to section 7.6 of the Bylaws [*Continuing Education Program*]; and
 - (d) a section setting out
 - (i) the organizational structure of the Registrant Firm,
 - (ii) the names of the Registrant Firm's Responsible Officer and Responsible Registrant(s),
 - (iii) the Registrant Firm's area(s) of practice, and
 - (iv) the Responsible Registrant(s) designated to each area of practice at the Registrant Firm.

- (e) a policy regarding the use of the Permit to Practice Number by individuals employed by or under contract with the Registrant Firm.
- (2) A Registrant Firm's Professional Practice Management Plan must have documented approval by the Responsible Officer and each Responsible Registrant of the Registrant Firm.
- (3) A Registrant Firm's Professional Practice Management Plan must be in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm.
- (4) A Registrant Firm must adhere to the Registrant Firm's Professional Practice Management Plan.
- (5) A Registrant Firm must ensure that individuals employed by or under contract with the Registrant Firm are provided access to, understand the content of, and adhere to the Registrant Firm's Professional Practice Management Plan.
- (6) Despite subsections (4) and (5), a Registrant Firm or an individual Registrant may depart from the quality management requirements included in the Registrant Firm's Professional Practice Management Plan pursuant to subsection (1)(b) if it is appropriate to do so for an identified reason, which must be
 - (a) documented by the Registrant Firm or the individual Registrant, and
 - (b) supported by a written rationale that is consistent with the Registrant Firm's or the individual Registrant's obligations pursuant to the PGA, applicable regulations, and the Bylaws.
- (7) A Registrant Firm must
 - (a) annually review and, if necessary, revise the Registrant Firm's Professional Practice Management Plan to ensure its suitability and effectiveness,
 - (b) document the annual review conducted pursuant to subsection (a), and the approval of the review by the Responsible Officer and each Responsible Registrant at the Registrant Firm, and
 - (c) when requested by EGBC, submit the Registrant Firm's Professional Practice Management Plan to EGBC within 5 business days.
- (8) A Registrant Firm must retain all approved versions of the Registrant Firm's Professional Practice Management Plan for a minimum of 10 years after the Professional Practice Management Plan is no longer in use by the Registrant Firm.
- (9) A non-practising Registrant Firm is exempt from the requirements set out in subsections 7(a) and (b) of the Bylaws while maintaining its non-practising status.

7.7.4 Suspension or Cancellation of a Registrant Firm's Registration and Permit to Practice

- (1) If a Registrant Firm's registration is suspended or under any limitation, condition, or restriction for any period pursuant to the PGA or the Bylaws, the Registrant Firm's Permit to Practice is also suspended or under the same limitation, condition, or restriction for that same period.
- (2) If a Registrant Firm's registration is cancelled pursuant to the PGA or the Bylaws, the Registrant Firm's Permit to Practice is also cancelled.

7.8 Prohibited Contracts

- (1) A Registrant must not enter into or agree to enter into any contract that would result in or require the breach of any duty under the PGA, associated regulations, or the Bylaws, including any of the duties pursuant to this Part, except as required or authorized by law.

8 Audit and Practice Review

8.1 Definitions

- (1) For the purpose of this Part, “Registrant” includes a former Registrant where applicable pursuant to section 56(1) of the PGA [*Definition and application*].

8.2 Powers of the Audit and Practice Review Committee

- (1) In addition to functions and powers assigned to it under the PGA and set out elsewhere in the Bylaws, the Audit and Practice Review Committee has the functions and duties delegated to it by the ~~Board Council~~ in subsections (2) and (3).
- (2) The ~~Board Council~~ authorizes the Audit and Practice Review Committee to exercise the ~~Council Board~~’s powers pursuant to the following sections of the PGA:
 - (a) section 32(1) of the PGA [*Officers and committees*], in order to appoint officers for the purpose of
 - (i) carrying out the powers delegated in subsection (3)(a)(ii), and
 - (ii) granting exemptions and deferrals pursuant to section 7.6.8(1)(a) of the Bylaws [*Applications or Exemptions from the Continuing Education Program*], section 8.6(5)(a) of the Bylaws [*Compliance Audit Program for Individual Registrants*], and section 8.7(6) of the Bylaws [*Compliance Audit Program for Registrant Firms*];
 - (b) section 63(3) of the PGA [*Audits and practice reviews*] to authorize compliance audits as set out in section 8.6 of the Bylaws [*Compliance Audit Program for Individual Registrants*] and section 8.7 of the Bylaws [*Compliance Audit Program for Registrant Firms*];
 - (c) sections 63(4) and (5) of the PGA [*Audits and practice reviews*].
- (3) The ~~Board Council~~ authorizes the Audit and Practice Review Committee to act pursuant to the following sections of the PGA:
 - (a) section 32(5)(b) of the PGA [*Officers and committees*], to delegate the powers granted by the ~~Board Council~~ to the Audit and Practice Review Committee pursuant to section 63(2)(b) of the PGA [*Audits and practice reviews*] to
 - (i) the Registrar, so that the Registrar may appoint assessors for the purpose of conducting an area of practice audit, and
 - (ii) one or more other officers, so that the officer(s) may appoint assessors for the purposes of conducting a compliance audit or a practice review;
 - (b) section 63(2) of the PGA [*Audits and practice reviews*].

- (4) The Audit and Practice Review Committee, an assessor appointed by the Audit and Practice Review Committee, or a person acting on behalf of the Audit and Practice Review Committee may only disclose or provide the following to any other person, including another Committee of EGBC, if the conditions set out in section 110(3)(a) or (b) of the PGA [*Confidentiality – committee matters*] are satisfied:
 - (a) records or information provided to the Audit and Practice Review Committee, an assessor appointed by the Audit and Practice Review Committee, or a person acting on behalf of the Audit and Practice Review Committee;
 - (b) a self assessment prepared by a Registrant for a practice review.
- (5) The Audit and Practice Review Committee, an assessor appointed by the Audit and Practice Review Committee, or a person acting on behalf of the Audit and Practice Review Committee must notify the Investigation Committee if the conditions set out in section 110(4) of the PGA [*Confidentiality – committee matters*] are satisfied.

8.3 Powers of the Registrar

- (1) The ~~Board Council~~ authorizes the Registrar to exercise the ~~Board Council~~'s powers pursuant to section 63(3) of the PGA [*Audits and practice reviews*], to authorize an area of practice audit as set out in section 8.8 of the Bylaws [*Audit Program for an Area of Practice*].

8.4 Appointment of Assessors

- (1) An officer may appoint one or more employees of EGBC, contractors retained by EGBC, or subject matter experts as assessors to conduct a compliance audit or a practice review.
- (2) A subject matter expert cannot be appointed as an assessor to conduct a compliance audit or a practice review pursuant to subsection (1) if the subject matter expert has or had a relationship with a Registrant subject to a compliance audit or a Registrant subject to practice review that would reasonably compromise that subject matter expert's objectivity as an assessor.
- (3) The Registrar may appoint one or more employees of EGBC, contractors retained by EGBC, or subject matter experts as assessors to conduct an area of practice audit.

8.5 Commencement of Audit and Practice Review Programs

- (1) The following programs will commence on a date to be determined by the Audit and Practice Review Committee:
 - (a) The compliance audit program for individual Registrants, as set out in section 8.6 of the Bylaws [*Compliance Audit Program for Individual Registrants*];

- (b) The compliance audit program for Registrant Firms, as set out in section 8.7 of the Bylaws [*Compliance Audit Program for Registrant Firms*];
- (c) The practice review program for Registrant Firms, as set out in section 8.10 of the Bylaws [*Practice Review of Registrant Firms*].
- (2) [Repealed 2021-12-03].
- (3) [Repealed 2021-12-03].
- (4) [Repealed 2021-12-03].
- (5) [Repealed 2021-12-03].

8.6 Compliance Audit Program for Individual Registrants

- (1) The ~~Board Council~~ must annually determine the percentage of individual Registrants who will be selected for a compliance audit through a random selection process.
- (2) The Audit and Practice Review Committee must annually determine risk-based criteria to inform the random selection of individual Registrants for a compliance audit.
- (3) The following individual Registrants are exempt from a compliance audit:
 - (a) Trainees;
 - (b) individual Registrants who are Sole Practitioners;
 - (c) individual Registrants who have undergone a compliance audit in the previous 5 years;
 - (d) individual Registrants who are employed by a Registrant Firm that has undergone an audit in the previous 12 months and the Registrant Firm has been found to be in compliance;
 - (e) life members or life limited licensees.
- (4) An individual Registrant selected for a compliance audit must be provided with written notice of the compliance audit.
- (5) An individual Registrant selected for a compliance audit may be granted an exemption from a compliance audit by
 - (a) an officer appointed by the Audit and Practice Review Committee, if the individual Registrant is unemployed, on parental leave, medical leave, or compassionate care leave, or

- (b) the Audit and Practice Review Committee, if the individual Registrant has other extenuating circumstances.
- (6) An individual Registrant subject to a compliance audit must co-operate with the compliance audit process, including
- (a) answering questions posed to the individual Registrant,
 - (b) providing all requested information, files, or records in the individual Registrant's possession or control, including information, files, or records related to the individual Registrant's continuing education, and
 - (c) undergoing an interview with an assessor, either in person or by Electronic Means, if the assessor determines that such an interview is desirable or necessary.
- (7) Through a review of the evidence provided by the individual Registrant subject to a compliance audit in subsection (6), including answers, information, files, or records, the assessor must assess whether the individual Registrant is in compliance with all applicable regulatory requirements, which may include
- (a) applicable requirements of the continuing education program,
 - (b) applicable quality management standards and professional practice guidelines, and
 - (c) appropriately declaring the individual Registrant's industry of practice and area(s) of practice, if applicable.
- (8) Based on the assessor's assessment pursuant to subsection (7), the assessor must do one of the following:
- (a) in the case of full compliance, close the compliance audit file, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit;
 - (b) in the case of a Minor Non-Conformance, prescribe corrective action that the individual Registrant must satisfactorily complete within a specified time period;
 - (c) in the case of a Major Non-Conformance, refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit.
- (9) If the individual Registrant subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (8)(b) within the specified time period,
- (a) the assessor must close the compliance audit file, and

- (b) the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit.
- (10) If the individual Registrant subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (8)(b) within the specified time period, the assessor must do one of the following:
- (a) extend the time period in which the individual Registrant must satisfactorily complete the corrective action prescribed pursuant to subsection (8)(b);
 - (b) refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit, including particulars of the failure to satisfactorily complete the corrective action within the specified time period.
- (11) Before an assessor refers a compliance audit file to the Audit and Practice Review Committee pursuant to subsection (8)(c) or (10)(b), the individual Registrant subject to a compliance audit must be provided with
- (a) the assessor's report of the compliance audit, and
 - (b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the compliance audit within a specified time period.
- (12) After reviewing the assessor's report of the compliance audit, any written response from the individual Registrant subject to a compliance audit, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must
- (a) prescribe corrective action that the individual Registrant must satisfactorily complete within a specified time period, which is not limited to the corrective action originally prescribed by the assessor and which may be followed by a subsequent compliance audit or compliance audits of the individual Registrant,
 - (b) authorize a practice review of the individual Registrant pursuant to section 63(4) of the PGA [*Audits and practice reviews*],
 - (c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable, or
 - (d) close the compliance audit file,
- and provide written notice to the individual Registrant.

- (13) If the individual Registrant subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (12)(a) within the specified time period, the Audit and Practice Review Committee must close the compliance audit file and provide written notice to the individual Registrant.
- (14) If the individual Registrant subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (12)(a) within the specified time period, the Audit and Practice Review Committee must
 - (a) extend the time period in which the individual Registrant must satisfactorily complete the corrective action prescribed pursuant to subsection (12)(a),
 - (b) authorize a practice review pursuant to section 63(4) of the PGA [*Audits and practice reviews*], or
 - (c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable,and provide written notice to the individual Registrant.
- (15) In addition to any action taken by the assessor under this section of the Bylaws, the assessor may make a recommendation to the Audit and Practice Review Committee that a practice review of a Registrant be commenced on the basis of any information obtained or any assessments made in the course of the compliance audit.

8.7 Compliance Audit Program for Registrant Firms

- (1) All Registrant Firms will become eligible for an initial mandatory compliance audit to commence on or after a date to be determined by the Audit and Practice Review Committee.
- (2) Following the completion of the initial mandatory compliance audit pursuant to subsection (1), a Registrant Firm will become eligible for routine compliance audits.
- (3) The Audit and Practice Review Committee must set criteria to inform the selection of routine compliance audits for Registrant Firms and may take risk-based criteria into account in this determination.
- (4) A non-practising Registrant Firm is exempt from undergoing a compliance audit pursuant to this section of the Bylaws while maintaining its non-practising status.
- (5) A Registrant Firm selected for a compliance audit must be provided with written notice of the compliance audit.
- (6) A Registrant Firm selected for a compliance audit may be granted deferral of the compliance audit by the Audit and Practice Review Committee, upon submission of

- (a) a written request for the deferral setting out the reasons for which the deferral is being requested and the anticipated length of the deferral, and
 - (b) any documents, information, records, declarations, or other information that supports the Registrant Firm's request or that may be requested by the Audit and Practice Review Committee in assessing the Registrant Firm's request for a deferral.
- (7) A deferral of a compliance audit granted to a Registrant Firm pursuant to subsection (6) has a maximum duration of one year from the date that the deferral is granted, upon which the deferral will expire and the compliance audit may proceed, unless a further deferral is granted pursuant to subsection (6).
- (8) A Registrant Firm that has been granted a deferral of a compliance audit pursuant to subsection (6) may apply for a further deferral by the Audit and Practice Review Committee, upon submission of a further request for a deferral in accordance with the requirements set out in subsection (6).
- (9) A Registrant Firm, the Responsible Officer, and the Responsible Registrant(s) of the Registrant Firm must co-operate with the compliance audit process, including
- (a) if the Registrant Firm has more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate
 - (i) the Registrant Firm's co-operation with the compliance audit and
 - (ii) communications on behalf of the Registrant Firm,
 - (b) answering all questions posed to the Registrant Firm,
 - (c) providing all requested information, files, or records in the Registrant Firm's possession or control, including information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, and Code of Conduct,
 - (d) facilitating site visits by the assessor, or any person designated by the assessor, to any requested work locations, including taking reasonable steps to arrange for and provide site access, any necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit, and
 - (e) ensuring compliance with any requests by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm.
- (10) A Responsible Registrant designated pursuant to subsection (9)(a) must have sufficient knowledge of the subject matter of the audit, the ability and sufficient authority to facilitate the audit as required, and the authority to make binding decisions on behalf of the Registrant Firm with respect to the audit.

- (11) If an assessor determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (9)(a) does not meet the requirements set out in subsection (10), then the assessor may direct the Responsible Officer, an Individual With Authority, or any other individual employed by or under contract with the Registrant Firm to be designated for the purpose of coordinating the audit pursuant to subsection (9).
- (12) Through a review of the evidence provided by the Registrant Firm pursuant to subsection (9), including answers, information, files, or records, the assessor must assess whether the Registrant Firm is in compliance with all applicable regulatory requirements, including the Bylaws, guidelines, practice advisories, and policies of EGBC, as well as the quality management, continuing education, and ethics standards.
- (13) Based on the assessor's assessment pursuant to subsection (12), the assessor must do one of the following:
 - (a) in the case of full compliance, close the compliance audit file, in which case the Audit and Practice Review Committee and the Registrant Firm must be provided the with assessor's report of the compliance audit;
 - (b) in the case of a Minor Non-Conformance, prescribe corrective action that the Registrant Firm must satisfactorily complete within a specified time period; or,
 - (c) in the case of a Major Non-Conformance, refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the Registrant Firm must be provided with the assessor's report of the compliance audit.
- (14) If the Registrant Firm subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (13)(b) within the specified time period,
 - (a) the assessor must close the compliance audit file, and
 - (b) the Audit and Practice Review Committee and the Registrant Firm must be provided with the assessor's report of the compliance audit.
- (15) If the Registrant Firm subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (13)(b) within the specified time period, the assessor must do one of the following:
 - (a) extend the time period in which the Registrant Firm must satisfactorily complete the corrective action prescribed pursuant to subsection (13)(b); or,
 - (b) refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the Registrant Firm must be provided the assessor's report of the compliance audit, including particulars of the failure to satisfactorily complete the corrective action within the specified time period.

- (16) Before an assessor refers a compliance audit file to the Audit and Practice Review Committee pursuant to subsections (13)(c) or (15)(b), the Registrant Firm subject to a compliance audit must be provided with
- (a) the assessor's report of the compliance audit, and
 - (b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the compliance audit within a specified time period.
- (17) After reviewing the assessor's report of the compliance audit, any written response from the Registrant Firm subject to a compliance audit, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must do one of the following:
- (a) prescribe corrective action that the Registrant Firm must satisfactorily complete within a specified time period, which is not limited to the corrective action originally prescribed by the assessor and which may be followed by a subsequent compliance audit or audits of the Registrant Firm,
 - (b) authorize a practice review of the Registrant Firm pursuant to section 63(4) of the PGA [*Audits and practice reviews*],
 - (c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable, or
 - (d) close the compliance audit file,
- and provide written notice to the Registrant Firm.
- (18) If the Registrant Firm subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (17)(a) within the specified time period, the Audit and Practice Review Committee must close the compliance audit file and provide written notice to the Registrant Firm.
- (19) If the Registrant Firm subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (17)(a) within the specified time period, the Audit and Practice Review Committee must do one of the following:
- (a) extend the time period in which the Registrant Firm must satisfactorily complete the corrective action prescribed pursuant to subsection (17)(a);
 - (b) authorize a practice review pursuant to section 63(4) of the PGA [*Audits and practice reviews*]; or
 - (c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality –*

committee matters] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable;

and provide written notice to the Registrant Firm.

- (20) In addition to any action taken by the assessor pursuant to this section of the Bylaws, the assessor may make a recommendation to the Audit and Practice Review Committee that a practice review of a Registrant be commenced on the basis of any information obtained or any assessments made in the course of the compliance audit.

8.8 Audit Program for an Area of Practice

- (1) The Registrar may authorize an area of practice audit of an identified area of practice to be completed by an assessor appointed by the Registrar for that purpose pursuant to section 8.4(3) of the Bylaws [*Appointment of Assessors*].
- (2) If the Registrar authorizes an area of practice audit pursuant to subsection (1), the Registrar must
 - (a) set out the purpose of the area of practice audit, and
 - (b) determine the percentage of Registrants practising in that area of practice who will be selected for the area of practice audit through a random selection process.
- (3) A Registrant selected for an area of practice audit must be provided with written notice of the area of practice audit.
- (4) A Registrant selected for an area of practice audit may be granted an exemption from the area of practice audit by the Registrar.
- (5) A non-practising Registrant Firm is exempt from undergoing an area of practice audit pursuant to this section of the Bylaws while maintaining its non-practising status.
- (6) A Registrant subject to an area of practice audit must co-operate with the area of practice audit process, including
 - (a) if the Registrant is a Registrant Firm with more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate
 - (i) the Registrant Firm's co-operation with the area of practice audit, and
 - (ii) communications on behalf of the Registrant Firm,
 - (b) answering questions posed to the Registrant,
 - (c) providing all requested information, files, or records in the Registrant's possession or control, and

- (d) undergoing an interview with the assessor, either in person or by Electronic Means, if the assessor determines that such an interview is desirable or necessary.
- (7) The evidence provided by all Registrants subject to an area of practice audit pursuant to subsection (6), including answers, information, files, or records, must be compiled to produce a report on the findings of the area of practice audit and subsequent recommendations.
- (8) The report on the findings of the area of practice audit and subsequent recommendations produced pursuant to subsection (7) must be provided to the Registrar, and the Registrar may determine what action to take based on the findings of the area of practice audit and subsequent recommendations.

8.9 Practice Review of Individual Registrants

- (1) The following categories of individual Registrants are exempt from practice reviews:
 - (a) Trainees;
 - (b) life members or life limited licensees.
- (2) A practice review of an individual Registrant, other than a Registrant exempted pursuant to subsection (1), may be authorized by the Audit and Practice Review Committee pursuant to section 63(4) of the PGA [*Audits and practice reviews*], or by the Registrar or the Investigation Committee pursuant to section 65(4) of the PGA [*Complaints*], if
 - (a) the individual Registrant consents, or
 - (b) information obtained through an audit, a complaint, a practice review, or an investigation indicates that the individual Registrant might have
 - (i) contravened the PGA, the regulations or the Bylaws,
 - (ii) failed to comply with a standard, limit or condition imposed under the PGA,
 - (iii) acted in a manner that constitutes Professional Misconduct or Conduct Unbecoming a Registrant, or
 - (iv) acted in a manner that constitutes Incompetent performance of duties undertaken while engaged in the Regulated Practice.
- (3) An individual Registrant subject to practice review must be provided with written notice of the practice review.
- (4) Pursuant to section 63(5)(a) of the PGA [*Audits and practice reviews*], an individual Registrant subject to practice review must co-operate with the practice review process, including

- (a) answering questions posed to the individual Registrant,
 - (b) providing access to all requested information, files, or records in the individual Registrant's possession or control, and
 - (c) undergoing an interview with an assessor, either in person or by Electronic Means.
- (5) Before an assessor provides the assessor's report of the practice review to the Audit and Practice Review Committee, the individual Registrant subject to practice review must be provided with
- (a) the assessor's report of the practice review, and
 - (b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the practice review within a specified time period.
- (6) After reviewing the assessor's report of the practice review, any written response from the individual Registrant subject to practice review, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must
- (a) close the practice review file,
 - (b) pursuant to section 63(5)(c) of the PGA [*Audits and practice reviews*], impose limits or conditions on the practice of the Regulated Practice by the individual Registrant, including
 - (i) restricting the practice that may be engaged in by the individual Registrant,
 - (ii) requiring that the individual Registrant be overseen by another Registrant when engaged in the Regulated Practice, and
 - (iii) requiring that the individual Registrant undertake additional training, or
 - (c) disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable,
- and provide written notice to the individual Registrant.
- (7) The Audit and Practice Review Committee may remove any limits or conditions imposed on an individual Registrant subject to practice review pursuant to subsection (6)(b) if the individual Registrant
- (a) applies in writing to the Audit and Practice Review Committee to have the limits or conditions removed, and

- (b) provides evidence acceptable to the Audit and Practice Review Committee that the limits or conditions are no longer necessary or have been fulfilled, as applicable.
- (8) After the removal of all limits or conditions imposed on an individual Registrant subject to practice review pursuant to subsection (6)(b), the Audit and Practice Review Committee must close the practice review file and provide written notice to the individual Registrant.
- (9) If the individual Registrant subject to practice review fails to abide by any limits or conditions imposed on the individual Registrant pursuant to subsection (6)(b), the Audit and Practice Review Committee must disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable.

8.10 Practice Review of Registrant Firms

- (1) A practice review of a Registrant Firm may be authorized by the Audit and Practice Review Committee pursuant to section 63(4) of the PGA [*Audits and practice reviews*], or by the Registrar or the Investigation Committee pursuant to section 65(4) of the PGA [*Complaints*], if
 - (a) the Registrant Firm consents, or
 - (b) information obtained through an audit, a complaint, a practice review, or an investigation indicates that the Registrant Firm might have
 - (i) contravened the PGA, the regulations or the Bylaws,
 - (ii) failed to comply with a standard, limit, or condition imposed under the PGA,
 - (iii) acted in a manner that constitutes Professional Misconduct or Conduct Unbecoming a Registrant, or
 - (iv) acted in a manner that constitutes Incompetent performance of duties undertaken while engaged in the Regulated Practice.
- (2) A Registrant Firm subject to practice review must be provided with written notice of the practice review.
- (3) Pursuant to section 63(5)(a) of the PGA [*Audits and practice reviews*], a Registrant Firm, the Responsible Officer, and the Responsible Registrant(s) of the Registrant Firm must co-operate with the practice review process, including
 - (a) if the Registrant Firm has more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate
 - (i) the Registrant Firm's co-operation with the practice review, and

- (ii) communications on behalf of the Registrant Firm,
 - (b) answering questions posed to the Registrant Firm,
 - (c) providing all requested information, files, or records in the Registrant Firm's possession or control, including information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, and Code of Conduct,
 - (d) facilitating site visits by the assessor, or anyone designated by the assessor, to any requested work locations, including arranging for and providing site access, all necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit, and
 - (e) ensuring compliance with any requests by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm, including facilitating interviews with both Registrants and non-Registrants, either in person or by Electronic Means, if the assessor determines that such interviews are desirable or necessary.
- (4) A Responsible Registrant designated pursuant to subsection (3)(a) must have sufficient knowledge of the subject matter of the practice review, the ability and sufficient authority to facilitate the practice review as required, and the authority to make binding decisions on behalf of the Registrant Firm.
- (5) If an assessor determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (3)(a) does not meet the requirements set out in subsection (4), then the assessor may direct the Responsible Officer, an Individual With Authority, or any other individual employed by or under contract with the Registrant Firm, to be designated for the purpose of coordinating the practice review pursuant to subsection (3).
- (6) Before an assessor provides the assessor's report of the practice review to the Audit and Practice Review Committee, the Registrant Firm subject to practice review must be provided with:
- (a) the assessor's report of the practice review, and
 - (b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the practice review within a specified time period.
- (7) After reviewing the assessor's report of the practice review, any written response from the Registrant Firm subject to practice review, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must do one of the following:
- (a) close the practice review file,

- (b) pursuant to section 63(5)(c) of the PGA [*Audits and practice reviews*], impose limits or conditions on the practice of the Regulated Practice by the Registrant Firm, including:
 - (i) restricting the practice that may be engaged in by the Registrant Firm and on behalf of the Registrant Firm by any individuals employed by or under contract with the Registrant Firm,
 - (ii) requiring that the work of the Registrant Firm and any individuals employed by or under contract with the Registrant Firm be overseen by another Registrant when engaged in the Regulated Practice, and
 - (iii) requiring that any individuals employed by or under contract with the Registrant Firm undertake additional training, or
 - (c) disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable,
- and provide written notice to the Registrant Firm.
- (8) The Audit and Practice Review Committee may remove any limits or conditions imposed on a Registrant Firm subject to practice review pursuant to subsection (7)(b) if the Registrant Firm
 - (a) applies in writing to the Audit and Practice Review Committee to have the limits or conditions removed, and
 - (b) provides evidence acceptable to the Audit and Practice Review Committee that the limits or conditions are no longer necessary or have been fulfilled, as applicable.
 - (9) After the removal of all limits or conditions imposed on a Registrant Firm subject to practice review pursuant to subsection (7)(b), the Audit and Practice Review Committee must close the practice review file and provide written notice to the Registrant Firm.
 - (10) If the Registrant Firm subject to practice review fails to abide by any limits or conditions imposed on the Registrant Firm pursuant to subsection (7)(b), the Audit and Practice Review Committee must disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable.

9 Complaints and Investigation

9.1 Definitions

- (1) For the purpose of this Part, “Registrant” includes a former Registrant where applicable pursuant to section 56(1) of the PGA [*Definition and application*].

9.2 Powers of the Investigation Committee

- (1) The Investigation Committee has the functions and duties assigned to it in the PGA and delegated to it by the ~~Board Council~~ in subsections (2) and (3).
- (2) The ~~Board Council~~ authorizes the Investigation Committee to exercise the ~~Board Council~~'s powers pursuant to the following sections of the PGA and Regulations, other than the ~~Board Council~~'s bylaw-making authority:
 - (a) section 32(1) of the PGA [*Officers and committees*], in order to appoint officers for the purpose of carrying out the powers delegated in subsection (3)(a);
 - (b) section 66(1) of the PGA [*Investigations*];
 - (c) [Repealed 2021-12-03];
 - (d) section 67(1) and (4) of the PGA [*Extraordinary action*];
 - (e) section 72(3) of the PGA [*Reprimand or remedial action by consent*];
 - (f) section 1.8 of the *Professional Governance General Regulation*, B.C. Reg. 107/2019 [*Protection of personal privacy – information on website*], in order to determine whether information should not be made publicly available despite section 82(2) of the PGA [*Information to be publicly available*].
- (3) The ~~Board Council~~ authorizes the Investigation Committee to act pursuant to the following sections of the PGA:
 - (a) section 32(5)(b) of the PGA [*Officers and committees*], to delegate the powers granted by the ~~Board Council~~ to the Investigation Committee pursuant to sections 66(1)(b) and (c) of the PGA [*Investigations*] to one or more officers;
 - (b) section 65(4) of the PGA [*Complaints*] to
 - (i) authorize a practice review pursuant to section 63 of the PGA [*Audits and practice reviews*], or
 - (ii) take action pursuant to section 66 of the PGA [*Investigations*].

9.3 Officers

- (1) All members of the Investigation Committee are appointed as officers pursuant to section 32(1) of the PGA [*Officers and committees*].

9.4 Powers of the Registrar

- (1) The ~~Board Council~~ authorizes the Registrar to act pursuant to section 65(4) of the PGA [*Complaints*] to authorize a practice review pursuant to section 63 of the PGA [*Audits and practice reviews*].

9.5 Avoiding the Appearance of Bias

- (1) A member of the Investigation Committee must not participate in the consideration or investigation of a matter in which the member of the Investigation Committee
 - (a) had involvement prior to the decision of the Investigation Committee to authorize an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*], or
 - (b) had or has a relationship with either the Complainant, a witness, or the Registrant subject to investigationthat would reasonably compromise the member's objectivity.

9.6 Disposition of Complaints by the Registrar

- (1) After receipt of a complaint, the Registrar may do any of the following:
 - (a) close all or part of the complaint without an investigation if the Registrar reasonably believes that any of the following apply:
 - (i) the complaint concerns a matter over which EGBC does not have jurisdiction;
 - (ii) the complaint does not, on its face, relate to an allegation that a Registrant is guilty of Professional Misconduct, Conduct Unbecoming a Registrant, or Incompetent performance of duties undertaken while engaged in the Regulated Practice;
 - (iii) the complaint is Trivial, Frivolous, Vexatious, or made in Bad Faith;
 - (b) close the complaint without an investigation and authorize a practice review of the Registrant subject to the complaint pursuant to section 65(4) of the PGA [*Complaints*], to be conducted by the Audit and Practice Review Committee, except where the Registrant subject to the complaint is a Trainee, who may not be referred to the Audit and Practice Review Committee for a practice review;

- (c) bring the complaint and any available evidence to the Investigation Committee in form of a written report for the Investigation Committee to consider authorizing an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*].
- (2) If the Registrar closes a complaint pursuant to subsection (1)(a), the Registrar must provide the Complainant, the Registrant subject to the complaint, and the Investigation Committee with a written report stating the nature of the complaint and the reasons for closure.
- (3) If the Registrar closes a complaint file and refers the Registrant subject to the complaint to the Audit and Practice Review Committee pursuant to subsection (1)(b), the Registrar must provide the Complainant, the Registrant subject to the complaint, and the Investigation Committee with a written report stating the nature of the complaint and the reasons for the referral.

9.7 Investigation

9.7.1 Authorizing an Investigation

- (1) If EGBC receives information from any source that indicates a Registrant may have been guilty of

- (a) Professional Misconduct,
- (b) Conduct Unbecoming a Registrant, or
- (c) Incompetent performance of duties undertaken while engaged in the Regulated Practice,

the Registrar may bring such information and any available evidence to the Investigation Committee in the form of a written report for the Investigation Committee to consider authorizing an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*].

- (2) Upon receipt of a written report pursuant to subsection (1) or section 9.6(1)(c) of the Bylaws [*Disposition of Complaints by the Registrar*], the Investigation Committee may do one of the following:
 - (a) decline to authorize an investigation, if the Investigation Committee reasonably believes that any of the following apply with respect to the allegations in the written report:
 - (i) the allegations concern a matter over which EGBC does not have jurisdiction;
 - (ii) the report does not, on its face, relate to an allegation that a Registrant is guilty of Professional Misconduct, Conduct Unbecoming a Registrant, or Incompetent performance of duties undertaken while engaged in the Regulated Practice;

- (iii) the substance of the allegations has been or could be appropriately dealt with in another process or proceeding;
 - (iv) there is no reasonable prospect that the allegations, if proven, could substantiate a finding of Professional Misconduct, Conduct Unbecoming a Registrant, or Incompetent performance of duties undertaken while engaged in the Regulated Practice;
 - (v) the allegations are Trivial, Frivolous, Vexatious, or made in Bad Faith;
 - (vi) the allegations give rise to an Abuse of Process;
 - (vii) the allegations were raised for an improper purpose or motive;
 - (viii) the allegations relate to a contractual dispute between the Registrant and a third party and there is no public interest in authorizing an investigation;
- (b) authorize an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*] and
- (i) order further investigation to be conducted pursuant to sections 9.7.4 to 9.7.6 of the Bylaws, or
 - (ii) deem the investigation to be complete based on the written report provided pursuant to subsection (1) or section 9.6(1)(c) of the Bylaws [*Disposition of Complaints by the Registrar*] and make a decision pursuant to section 9.7.7 of the Bylaws [*Decision by the Investigation Committee*].
- (3) If the Investigation Committee declines to authorize an investigation pursuant to subsection (2)(a), the Investigation Committee must provide the Complainant and the Registrant subject to the complaint with a written report stating the nature of the complaint and the reasons for closure of the file.
- (4) If the written report brought to the Investigation Committee pursuant to subsection (1) or section 9.6(1)(c) of the Bylaws [*Disposition of Complaints by the Registrar*] contains evidence that a Registrant has been convicted of an indictable offence, the Investigation Committee may authorize an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*], deem the investigation to be complete based on the written report, and take action pursuant to section 9.7.2 of the Bylaws [*Suspension or Cancellation on the Basis of an Indictable Offence*].
- (5) If the Investigation Committee authorizes an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*] in relation to a public sector Firm, EGBC must notify the Superintendent of Professional Governance within 30 days of the decision to authorize the investigation.

9.7.2 Suspension or Cancellation on the Basis of an Indictable Offence

- (1) If the Investigation Committee is satisfied that a Registrant has been convicted of an indictable offence, the Investigation Committee may make an order to summarily suspend or cancel the registration of the Registrant, and if the Registrant is a Registrant Firm, suspend or cancel the Registrant Firm's Permit to Practice.
- (2) Before proceeding pursuant to subsection (1), the Investigation Committee must be satisfied that the nature of the indictable offence or the circumstances under which the offence was committed give rise to concerns that the Registrant has engaged in
 - (a) Professional Misconduct,
 - (b) Conduct Unbecoming a Registrant, or
 - (c) Incompetent performance of duties undertaken while engaged in the Regulated Practice.
- (3) The Investigation Committee may determine the process and procedure for making a determination pursuant to this section of the Bylaws, including determining whether Proceedings are to be conducted
 - (a) in writing,
 - (b) in person,
 - (c) by Electronic Means, or
 - (d) in any combination of (a), (b), or (c).
- (4) The Investigation Committee must, before initiating Proceedings held pursuant to this section of the Bylaws, provide written notice to the Registrant subject to investigation that
 - (a) action may be undertaken pursuant to subsection (1), and
 - (b) the Registrant may, by a specified date, make written submissions to the Investigation Committee.
- (5) The Investigation Committee may hear oral submissions from the Registrant, in the place of or in addition to the written submissions referred to in subsection (4)(b).
- (6) Despite subsections (4) and (5) if the Investigation Committee considers it necessary to protect the public interest, the Investigation Committee may initiate Proceedings pursuant to this section of the Bylaws or make an order pursuant to subsection (1) without
 - (a) providing notice to the Registrant, or

- (b) providing the Registrant with an opportunity to make written or oral submissions to the Investigation Committee.
- (7) If the Investigation Committee makes an order pursuant to subsection (1) to suspend or cancel the registration of the Registrant and, if the Registrant is a Registrant Firm, the Permit to Practice of the Registrant Firm, the Investigation Committee must deliver the order to the Registrant.
- (8) If the Investigation Committee makes an order pursuant to subsection (1) suspending the registration of the Registrant and, if the Registrant is a Registrant Firm, the Permit to Practice of the Registrant Firm, the Investigation Committee
 - (a) must determine the length and any conditions of the suspension in its order, and
 - (b) may amend or rescind the order.

9.7.3 Extraordinary Action to Protect the Public

- (1) At any time after authorizing an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*], the Investigation Committee may, if it considers that it is necessary to protect the public interest,
 - (a) take action pursuant to section 67 of the PGA [*Extraordinary action*], or
 - (b) refer the file to the Discipline Committee, without the issuance of a citation, for the Discipline Committee to consider taking action pursuant to section 67 of the PGA [*Extraordinary action*].
- (2) The members of any Investigation Subcommittee carrying out an investigation or overseeing and taking responsibility for an investigation carried out by an Investigator and the members of any Resolution Subcommittee must not, for the same matter, participate in any Proceedings related to section 67 of the PGA [*Extraordinary action*].
- (3) If the Investigation Committee decides to proceed pursuant to subsection (1)(a), the Investigation Committee may determine the process and procedure for making a determination pursuant to this section of the Bylaws, including determining whether Proceedings are to be conducted
 - (a) in writing,
 - (b) in person,
 - (c) by Electronic Means, or
 - (d) in any combination of (a), (b), or (c).
- (4) The Investigation Committee may, before initiating Proceedings held pursuant to this section of the Bylaws, provide written notice to the Registrant subject to investigation that

- (a) action may be undertaken pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*], and
 - (b) the Registrant subject to investigation may, by a specified date, make written submissions to the Investigation Committee.
- (5) The Investigation Committee may hear oral submissions from the Registrant subject to investigation in the place of or in addition to the written submissions referred to in subsection (4)(b).
- (6) Despite subsections (4) and (5), if the Investigation Committee considers that it is necessary to protect the public interest, the Investigation Committee may initiate Proceedings held pursuant to this section of the Bylaws or make an order pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] without
- (a) providing notice to the Registrant subject to investigation, or
 - (b) providing the Registrant subject to investigation with an opportunity to make written or oral submissions to the Investigation Committee.
- (7) An order made by the Investigation Committee pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] must comply with sections 67(2) and (3) of the PGA [*Extraordinary action*].
- (8) Pursuant to section 67(4) of the PGA [*Extraordinary action*], if the Investigation Committee determines that its order pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is no longer necessary to protect the public interest, it must, in writing, cancel any limits, conditions, or suspension ordered pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] and notify the Registrant subject to investigation.
- (9) An order made by the Investigation Committee pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is effective until the final disposition of the matter by the Investigation Committee or the Discipline Committee, as applicable.

9.7.4 Carrying out of an Investigation

- (1) The Investigation Committee may appoint Investigators as officers and delegate to those Investigators the Investigation Committee's powers pursuant to sections 66(1)(b) and (c) of the PGA [*Investigations*].

9.7.5 Necessary Co-operation During an Investigation

- (1) An Investigator may, pursuant to section 66(1)(b) and (c) of the PGA [*Investigations*], issue a written notice to the Registrant subject to investigation requiring the Registrant subject to investigation to
 - (a) co-operate with the investigation,

- (b) provide evidence of education, training or experience in the area(s) of practice relevant to the investigation,
 - (c) answer questions in the manner specified by the Investigator(s),
 - (d) produce files, records or other evidence in the Registrant's possession or control,
 - (e) provide explanations on request,
 - (f) appear, either in person or by Electronic Means, before the Investigator(s) to discuss the conduct and competence of the Registrant subject to investigation, and
 - (g) if the Registrant is a Registrant Firm,
 - (i) produce any documentation or records requested by the Investigator, including but not limited to the Registrant Firm's corporate records, constating documents, project files, and quality management documents and records,
 - (ii) require any director, officer, individual employed by or under contract with, or any other individual authorized to act on behalf of a Registrant Firm, including the Responsible Officer, any Individual With Authority, or any Responsible Registrant of a Registrant Firm subject to investigation, to appear, either in person or by Electronic Means, before the Investigator(s) to discuss the conduct and competence of the Registrant Firm subject to investigation, and
 - (iii) if the Registrant Firm has more than one Responsible Registrant, designate one Responsible Registrant to co-ordinate
 - (A) the Registrant Firm's co-operation with the investigation, and
 - (B) communications on behalf of the Registrant Firm.
- (2) The Registrant subject to investigation may have legal counsel present at an appearance described in subsection (1)(f), or if the Registrant is a Registrant Firm, legal counsel may be present at any appearance pursuant to subsection (1)(g)(ii).
- (3) An appearance described in subsections (1)(f) and (1)(g)(ii)
- (a) is an examination under oath or affirmation,
 - (b) may be recorded by EGBC by
 - (i) audio, or
 - (ii) audio and video, and

- (c) may be transcribed by a court reporter for the purpose of preparing a certified transcript.
- (4) A Responsible Registrant designated to co-ordinate an investigation and communicate on behalf of a Registrant Firm pursuant to subsection (1)(g)(iii) must, at a minimum:
 - (a) have sufficient knowledge of the subject matter at issue in the investigation,
 - (b) have the authority and ability to facilitate the investigation as required by the Investigator, and
 - (c) be an Individual With Authority at the Registrant Firm.
- (5) If the Investigation Committee determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (1)(g)(iii) fails to meet any of the requirements set out in subsection (4) then the Investigation Committee may direct the Responsible Officer, an Individual With Authority, or any other individual employed by or under contract with the Registrant Firm to be designated for the purpose of coordinating the investigation and communicating on behalf of the Registrant Firm.
- (6) In addition to complying with any written notice issued pursuant to subsection (1), a Registrant subject to investigation must facilitate all requests and actions by an Investigator pursuant to section 69 of the PGA [*Powers and duties of investigators*], including taking reasonable steps to arrange for and provide access to
 - (a) premises or project sites where the Registrant engages or has engaged in the Regulated Practice, including providing any information or assistance required to comply with applicable health and safety legislation during the Investigator's examination of the premises,
 - (b) any employees, contractors, or personnel who engage in the Regulated Practice under the supervision of or on behalf of the Registrant,
 - (c) all files, documents, and records, electronic or otherwise, relating to the Registrant's Regulated Practice, and
 - (d) any equipment, or materials used by a Registrant to engage in the Regulated Practice.

9.7.6 Conclusion of an Investigation

- (1) At the conclusion of an investigation, the Investigator(s) must provide a written report to the Investigation Committee detailing the evidence gathered during the investigation, an assessment of the evidence gathered during the investigation, and the recommendations of the Investigator(s).

9.7.7 Decision by the Investigation Committee

- (1) After deeming an investigation to be complete pursuant to section 9.7.1(2)(b)(ii) of the Bylaws [*Authorizing an Investigation*], or after receipt of a written report prepared pursuant to section 9.7.6(1) of the Bylaws [*Conclusion of an Investigation*], the Investigation Committee may do any of the following:
 - (a) close the investigation file, with the option to write a letter of recommendation to the Registrant subject to investigation suggesting how the Registrant can improve their practice or conduct;
 - (b) close the investigation file and, pursuant to section 65(4) of the PGA [*Complaints*], authorize a practice review of the Registrant subject to investigation to be conducted by the Audit and Practice Review Committee, except where the Registrant subject to investigation is a Trainee who may not be referred to the Audit and Practice Review Committee for a practice review;
 - (c) attempt to resolve one or more of the matters subject to investigation by means other than a discipline hearing, pursuant to section 9.9 of the Bylaws [*Resolution by the Investigation Committee*];
 - (d) pursuant to section 66(1)(d) of the PGA [*Investigations*] issue a citation ordering a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*] to inquire into the conduct or competence of the Registrant subject to investigation.
- (2) When deciding to issue a citation pursuant to subsection (1)(d), the Investigation Committee may also make a recommendation to the Discipline Committee that the Discipline Committee consider taking action pursuant to section 67 of the PGA [*Extraordinary action*].
- (3) The Investigation Committee must inform and provide written reasons for its decision made pursuant to subsection (1) to
 - (a) the Registrant subject to investigation, and
 - (b) the Complainant, if the investigation is based on a complaint.
- (4) The members of any Investigation Subcommittee or Resolution Subcommittee must not vote on the disposition of the investigation pursuant to subsection (1).

9.8 Issuance and Rescission of a Citation

- (1) Pursuant to section 66(1)(d) of the PGA [*Investigations*], if the Investigation Committee determines that it is in the public interest, and if the Investigation Committee has reasonable and probable grounds to believe that the Registrant subject to investigation may be guilty of
 - (a) Professional Misconduct,

- (b) Conduct Unbecoming a Registrant, or
- (c) Incompetent performance of duties undertaken while engaged in the Regulated Practice,

the Investigation Committee may issue a citation ordering a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*] to inquire into the conduct or competence of the Registrant subject to investigation.

- (2) The Investigation Committee may amend or rescind, in whole or in part, a citation issued pursuant to subsection (1).

9.9 Resolution by the Investigation Committee

- (1) If the Investigation Committee makes a determination pursuant to section 9.7.7(1)(c) of the Bylaws [*Decision by the Investigation Committee*], the Investigation Committee may appoint a Resolution Subcommittee to oversee and take responsibility for attempting to resolve one or more of the matters subject to investigation by one or more of the following methods:
 - (a) make a request in writing for an undertaking or reprimand by consent to the Registrant subject to investigation pursuant to section 72 of the PGA [*Reprimand or remedial action by consent*];
 - (b) propose a consent order in writing to the Registrant subject to investigation pursuant to section 73 of the PGA [*Consent orders*];
 - (c) enter into the Alternative Complaint Resolution process with the Registrant subject to investigation pursuant to section 74 of the PGA [*Alternative complaint resolution*].
- (2) If the Registrant subject to investigation is a Registrant Firm, any undertaking or reprimand by consent, consent order, or agreement entered into following an Alternative Complaint Resolution Process pursuant to subsection (1) must be agreed to and endorsed by an Individual With Authority at the Registrant Firm.

9.9.1 Reprimand or Remedial Action by Consent

- (1) In relation to one or more of the matters investigated pursuant to section 66(1) of the PGA [*Investigations*], the Investigation Committee or the Resolution Subcommittee may make a request pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*].
- (2) In case of an undertaking pursuant to section 72(1)(b) or (d) of the PGA [*Reprimand or remedial action by consent*], the record of the undertaking must specify
 - (a) the period of time during which the educational courses or any other action specified by the Audit and Practice Review Committee is to be completed or is binding on the Registrant subject to investigation, and

- (b) the procedure, if any, that the Registrant subject to investigation may follow to be released from the undertaking.
- (3) If the Registrant subject to investigation agrees to an undertaking or reprimand by consent requested pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], the agreement must be approved by the Investigation Committee.
- (4) If the Registrant subject to investigation rejects an undertaking or reprimand by consent requested pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], the Investigation Committee may
 - (a) direct the Registrar to issue a citation for a hearing by the Discipline Committee pursuant to section 72(3) of the PGA [*Reprimand or remedial action by consent*], or
 - (b) continue with the investigation process as though the offer to resolve one or more matters by means of an undertaking or reprimand by consent pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*] had not been made.
- (5) The members of a Resolution Subcommittee must not, for the same matter, vote on a decision by the Investigation Committee pursuant to subsection (3) or (4).

9.9.2 Consent Orders

- (1) In relation to one or more of the matters investigated pursuant to section 66(1) of the PGA [*Investigations*], the Investigation Committee or the Resolution Subcommittee may, pursuant to section 73 of the PGA [*Consent orders*], propose a consent order in writing to the Registrant subject to investigation.
- (2) If the Registrant subject to investigation agrees to a consent order proposed pursuant to section 73(1) of the PGA [*Consent orders*], the agreement must be approved by the Investigation Committee.
- (3) A consent order made between the Investigation Committee and the Registrant subject to investigation must meet the requirements set out in section 73 of the PGA [*Consent orders*].
- (4) The members of a Resolution Subcommittee must not, for the same matter, vote on a decision by the Investigation Committee pursuant to subsection (2).

9.9.3 Alternative Complaint Resolution by the Investigation Committee

- (1) In relation to one or more of the matters investigated pursuant to section 66(1) of the PGA [*Investigations*], the following parties may agree to engage in Alternative Complaint Resolution pursuant to section 74 of the PGA [*Alternative complaint resolution*]:
 - (a) the Investigation Committee;

- (b) the Registrant subject to investigation;
 - (c) the Registrar.
- (2) Any party may withdraw from the Alternative Complaint Resolution process at any time by providing written notice to the other parties.
- (3) The apportionment of costs incurred through Alternative Complaint Resolution, other than any respective legal costs of the parties, must be agreed upon by the parties prior to the commencement of the Alternative Complaint Resolution process, unless the parties agree otherwise.

10 Discipline

10.1 Definitions

- (1) For the purpose of this Part, “Registrant” includes a former Registrant where applicable pursuant to section 56(1) of the PGA [*Definition and application*].

10.2 Powers of the Discipline Committee

- (1) The Discipline Committee has the functions and duties assigned to it in the PGA and delegated to it by the ~~Board Council~~ pursuant to subsections (2) and (3).
- (2) The ~~Board Council~~ authorizes the Discipline Committee to exercise the ~~Board Council~~’s powers pursuant to the following sections of the PGA and Regulations:
 - (a) section 32(1) of the PGA [*Officers and committees*], in order to appoint officers for the purpose of carrying out powers of the Discipline Committee as delegated in this Part of the Bylaws;
 - (b) section 67(1) and (4) of the PGA [*Extraordinary action*];
 - (c) section 1.8 of the *Professional Governance General Regulation*, B.C. Reg. 107/2019 [*Protection of personal privacy – information on website*] in order to determine whether information should not be made publicly available despite section 82(2) of the PGA [*Information to be publicly available*].
- (3) The ~~Board Council~~ authorizes the Discipline Committee to act pursuant to section 32(5)(b) of the PGA [*Officers and committees*], to delegate to one or more officers the powers granted to the Discipline Committee by the ~~Board Council~~ pursuant to sections 67(1) and (4) of the PGA [*Extraordinary action*].

10.3 Officers and Discipline Committee Panels

- (1) All members of the Discipline Committee are appointed as officers pursuant to section 32(1) of the PGA [*Officers and committees*].
- (2) The chair or vice chair of the Discipline Committee may do one or more of the following:
 - (a) appoint members of the Discipline Committee to serve on a Panel;
 - (b) terminate an appointment to a Panel;
 - (c) refer a matter that is before the Discipline Committee to the following Panels:
 - (i) an Extraordinary Action Panel, to take action pursuant to section 67 of the PGA [*Extraordinary action*];

- (ii) a Discipline Resolution Panel, to take action pursuant to sections 72 to 74 of the PGA;
 - (iii) a Discipline Hearing Panel, to take action pursuant to section 75 or 76 of the PGA.
- (3) On the appointment of members of the Discipline Committee to an Extraordinary Action Panel pursuant to subsection (2)(a), the Discipline Committee is deemed to have delegated to the members of the Extraordinary Action Panel the powers granted to the Discipline Committee by the ~~Board Council~~ pursuant to sections 67(1) and (4) of the PGA [*Extraordinary action*].
- (4) On the appointment of members of the Discipline Committee to a Discipline Resolution Panel pursuant to subsection (2)(a), the Discipline Committee is deemed to have delegated to the members of the Discipline Resolution Panel the powers of the Discipline Committee pursuant to sections 72 to 74 of the PGA.
- (5) A member of the Discipline Committee must not sit on more than one Panel concerning the same matter.

10.4 Avoiding the Appearance of Bias

- (1) A member of the Discipline Committee must not sit on a Panel concerning a matter in which the member of the Discipline Committee
- (a) had involvement prior to the matter being referred to the Panel pursuant to section 10.3(2)(c) of the Bylaws [*Officers and Discipline Committee Panels*], or
 - (b) had or has a relationship with either the Complainant, a witness, or the Registrant subject to discipline

that would reasonably compromise the member's objectivity.

10.5 Extraordinary Action to Protect the Public

- (1) An Extraordinary Action Panel may, if it considers that it is necessary to protect the public interest, take action pursuant to section 67 of the PGA [*Extraordinary action*]
- (a) during the course of an investigation pursuant to section 66 of the PGA [*Investigations*], upon recommendation by the Investigation Committee pursuant to section 9.7.3(1)(b) of the Bylaws [*Extraordinary Action to Protect the Public*], or
 - (b) pending a hearing pursuant to section 75 of the PGA [*Discipline Hearings*], on recommendation by the Investigation Committee pursuant to section 9.7.7(2) of the Bylaws [*Decision by the Investigation Committee*], or on application by EGBC.

- (2) An Extraordinary Action Panel may determine the process and procedure for making a determination pursuant to this section of the Bylaws, including determining whether Proceedings are to be conducted
 - (a) in writing,
 - (b) in person,
 - (c) by Electronic Means, or
 - (d) in any combination of (a), (b), or (c).
- (3) An Extraordinary Action Panel may, before initiating Proceedings held pursuant to this section of the Bylaws, provide written notice to the subject Registrant that
 - (a) action may be undertaken pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*], and
 - (b) the subject Registrant may, by a specified date, make written submissions to the Extraordinary Action Panel.
- (4) An Extraordinary Action Panel may hear oral submissions from the subject Registrant in the place of or in addition to the written submissions referred to in subsection (3)(b).
- (5) Despite subsection (3) and (4) if an Extraordinary Action Panel considers that it is necessary to protect the public interest, the Extraordinary Action Panel may initiate Proceedings held pursuant to this section of the Bylaws or make an order pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary Action*] without
 - (a) providing notice to the subject Registrant, or
 - (b) providing the subject Registrant with an opportunity to make written or oral submissions to the Investigation Committee.
- (6) An order made by an Extraordinary Action Panel pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] must comply with sections 67(2) and (3) of the PGA [*Extraordinary action*].
- (7) Pursuant to section 67(4) of the PGA [*Extraordinary action*], if the Discipline Committee or an Extraordinary Action Panel determines that the order made pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is no longer necessary to protect the public interest, it must, in writing, cancel any limits, conditions, or suspension ordered pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] and notify the subject Registrant as soon as possible.
- (8) An order made by an Extraordinary Action Panel pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is effective until the final disposition of the matter by the Discipline Committee.

10.6 Resolution by the Discipline Committee

- (1) Following the issuance of a citation by the Investigation Committee pursuant to section 66(1)(d) of the PGA [*Investigations*] or the Registrar pursuant to section 72(3) of the PGA [*Reprimand or remedial action by consent*], the chair or vice chair of the Discipline Committee may appoint a Discipline Resolution Panel to attempt to resolve one or more of the matters set out in the citation by one or more of the following methods:
 - (a) make a request in writing for an undertaking or reprimand by consent to the Registrant subject to discipline pursuant to section 72 of the PGA [*Reprimand or remedial action by consent*];
 - (b) propose a consent order in writing to the Registrant subject to discipline pursuant to section 73 of the PGA [*Consent orders*];
 - (c) enter into the Alternative Complaint Resolution process with the Registrant subject to discipline pursuant to section 74 of the PGA [*Alternative complaint resolution*].
- (2) If the Registrant subject to discipline is a Registrant Firm, any undertaking or reprimand by consent, consent order, or agreement entered into following an Alternative Complaint Resolution Process pursuant to subsection (1) must be agreed to and endorsed by an Individual With Authority at the Registrant Firm.

10.6.1 Reprimand or Remedial Action by Consent

- (1) In relation to one or more of the matters set out in the citation, the Discipline Resolution Panel may make a request pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*].
- (2) In case of an undertaking pursuant to section 72(1)(b) or (d) of the PGA [*Reprimand or remedial action by consent*], the record of the undertaking must specify
 - (a) the period of time during which the educational courses or any other action specified by the Audit and Practice Review Committee is to be completed or is binding on the Registrant subject to discipline, and
 - (b) the procedure, if any, that the Registrant subject to discipline may follow to be released from the undertaking.
- (3) If the Registrant subject to discipline rejects an undertaking or reprimand by consent requested pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*],
 - (a) the disciplinary processes may continue as though the offer to resolve one or more matters to be dealt with at the discipline hearing had not been made, and

- (b) the offer to resolve one or more matters to be dealt with at the discipline hearing must not be considered in determining the matters or in taking an action or imposing a penalty in respect of the matters during a discipline hearing.

10.6.2 Consent Orders

- (1) In relation to one or more of the matters to be dealt with at the discipline hearing, the Discipline Resolution Panel may, pursuant to section 73 of the PGA [*Consent orders*], propose a consent order in writing to the Registrant subject to discipline.
- (2) A consent order made between the Discipline Resolution Panel and the Registrant subject to discipline must meet the requirements set out in section 73 of the PGA [*Consent orders*].

10.6.3 Alternative Complaint Resolution by the Discipline Committee

- (1) In relation to one or more of the matters to be dealt with at the discipline hearing, the following parties may agree to engage in Alternative Complaint Resolution pursuant to section 74 of the PGA [*Alternative complaint resolution*]:
 - (a) the Discipline Resolution Panel;
 - (b) the Registrant subject to discipline;
 - (c) the Registrar.
- (2) Any party may withdraw from the Alternative Complaint Resolution process at any time by providing written notice to the other parties.
- (3) The apportionment of costs incurred through Alternative Complaint Resolution, other than any respective legal costs of the parties, must be agreed upon by the parties prior to the commencement of the Alternative Complaint Resolution process, unless the parties agree otherwise.

10.7 Discipline Hearings

- (1) Following the issuance of a citation by the Investigation Committee pursuant to section 66(1)(d) of the PGA [*Investigations*] or the Registrar pursuant to section 72(3) of the PGA [*Reprimand or remedial action by consent*], the chair or vice chair of the Discipline Committee must appoint a Discipline Hearing Panel to conduct the hearing pursuant to section 75 of the PGA [*Discipline hearings*].
- (2) A discipline hearing must be conducted in accordance with the procedure set out in Schedule B of the Bylaws, unless otherwise directed by the Discipline Hearing Panel.

10.8 Conduct in Another Jurisdiction

- (1) If the Registrar learns that a Different Governing Body has found, or a Registrant has admitted to a Different Governing Body, that the Registrant committed an act that may constitute Conduct of Concern, the Registrar must provide a written report to the Investigation Committee including any record of the relevant decision or findings made or action taken by the Different Governing Body.
- (1.1) If the Investigation Committee considers that the Registrant's act may constitute Conduct of Concern and it is in the public interest to proceed with the discipline process, the Investigation Committee, without issuing a Citation, must refer the matter to the Discipline Committee for the Discipline Committee to consider taking action pursuant to section 76 of the PGA [*Conduct in another jurisdiction*].
- (1.2) Upon recommendation by the Investigation Committee pursuant to subsection (1.1), the chair or vice chair of the Discipline Committee must appoint a Discipline Hearing Panel to consider making an order pursuant to section 76(2) of the PGA [*Conduct in another jurisdiction*].
- (2) The Discipline Hearing Panel must provide the Registrant with the following before taking any action pursuant to section 76(2) of the PGA [*Conduct in another jurisdiction*]:
 - (a) at least 14 days' written notice of the proposed action;
 - (a.1) a copy of the record of the relevant decision or findings made or action taken by the Different Governing Body; and
 - (b) an opportunity to be heard, which must be limited to a hearing in writing unless otherwise ordered by the Discipline Hearing Panel.

10.9 Assessment of Costs After a Discipline Hearing

- (1) If an adverse determination is made against a Respondent after a discipline hearing held pursuant to section 75 of the PGA [*Discipline hearings*] the Discipline Hearing Panel must require, through an order in writing, that the Respondent pay EGBC's costs, which may be up to the actual costs incurred by EGBC as a result of an investigation and a discipline hearing, provided that those actual costs are within the limits set out in section 81(2)(a) of the PGA [*Costs*].
- (2) For the purpose of calculating costs with respect to an investigation, recoverable costs are all costs incurred from the time the investigation is authorized pursuant to section 66(1)(a) of the PGA [*Investigations*] until the time that a citation is issued pursuant to section 66(1)(d) of the PGA [*Investigations*] or section 72(3) of the PGA [*Reprimand or remedial action by consent*].
- (3) For the purpose of calculating costs with respect to a discipline hearing, recoverable costs are all costs incurred from the time that the citation is issued pursuant to section 66(1)(d) of the PGA [*Investigations*] or 72(3) of the PGA [*Reprimand or remedial action by consent*].

until the conclusion of a hearing regarding the amount of costs to be assessed pursuant to section 81 of the PGA [Costs].

- (4) For the purposes of subsections (2) and (3), recoverable costs must include
- (a) salary costs for employees or officers engaged in the investigation and the discipline hearing, and
 - (b) the actual costs incurred by EGBC during the course of the investigation and the discipline hearing, including any motions, applications or pre-hearing conferences, or any other applications associated with a discipline matter, which may include some or all of the following:
 - (i) costs incurred to retain contractors who are engaged in the investigation and the discipline hearing, including contractors who are appointed as officers;
 - (ii) expenses incurred by persons appointed as Investigators for EGBC pursuant to section 68 of the PGA [Investigators];
 - (iii) fees charged and expenses incurred by legal counsel retained by EGBC;
 - (iv) fees charged and expenses incurred by expert witnesses retained by EGBC or EGBC's legal counsel;
 - (v) expenses incurred by witnesses called to testify by EGBC;
 - (vi) the cost of recording interviews, pre-hearing conferences, and hearings;
 - (vii) the cost of a court reporter for interviews, pre-hearing conferences, and hearings;
 - (viii) the cost of preparing a transcript of interviews, pre-hearing conferences, and hearings;
 - (ix) the cost of a translator for interviews, pre-hearing conferences, and hearings;
 - (x) costs incurred to rent facilities at which interviews, pre-hearing conferences, and hearings are held;
 - (xi) costs incurred to conduct interviews, pre-hearing conferences, and hearings, whether conducted in person, by Electronic Means, in writing or by any combination thereof;
 - (xii) any other reasonable costs, fees, or expenses paid or payable by EGBC as a result of the investigation or the hearing pursuant to section 75 of the PGA [Discipline hearings].

- (5) In determining the costs to require the Respondent to pay, the Discipline Hearing Panel

- (a) must consider whether EGBC did not prove all the allegations made against the Respondent set out in the citation to the requisite standard, and if so, the seriousness of the allegations which were not proven relative to those which were proven, and
- (b) may consider evidence that the Respondent previously rejected
 - (i) an undertaking or a consent requested by the Investigation Committee or the Discipline Committee, as applicable, pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], or
 - (ii) a consent order proposed by the Investigation Committee or the Discipline Committee, as applicable, pursuant to section 73(1) of the PGA [*Consent orders*].

10.10 Payment of Costs

- (1) A Respondent must pay the full amount of any costs imposed on the Respondent pursuant to section 10.9 of the Bylaws [*Assessment of Costs After a Discipline Hearing*] within 30 days of the date of the order for costs, unless an extension for payment of costs is obtained pursuant to section 10.10.1(1) of the Bylaws [*Extension of Time for Payment of Costs*].

10.10.1 Extension of Time for Payment of Costs

- (1) Upon receipt of a written request from a Respondent stating that the Respondent will suffer financial hardship if the Respondent is required to pay costs within 30 days of the date of the order for costs, the Registrant must be granted a one-time, 30-day extension for payment of costs imposed on the Respondent pursuant to section 10.9 of Bylaws [*Assessment of Costs After a Discipline Hearing*].

11 Public Disclosure of Disciplinary Orders

11.1 Definitions

- (1) For the purpose of this Part, “Registrant” includes a former Registrant where applicable pursuant to section 56(1) of the PGA [*Definition and application*].

11.2 Publication of Citations

- (1) If a citation is issued pursuant to section 66(1)(d) of the PGA [*Investigations*] or 72(3) of the PGA [*Reprimand or remedial action by consent*], EGBC must publish the full text of the citation on a public website maintained by EGBC at least 30 days in advance of the date of the discipline hearing.
- (2) Despite subsection (1), prior to publishing the citation, the Investigation Committee may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information if the Investigation Committee determines that the public interest in the information being made publicly available is outweighed by the privacy interest of
 - (a) a person other than the Registrant subject to discipline, or
 - (b) the subject Registrant if the Registrant suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs.
- (3) If the Investigation Committee makes a determination pursuant to subsection (2), the publication of the citation must include a note that information has been withheld.

11.3 Public Attendance at a Discipline Hearing

- (1) A discipline hearing must be public.
- (2) At least 30 days in advance of the date of the discipline hearing, EGBC must publish the anticipated date and time of the discipline hearing, including, if determined by the Discipline Hearing Panel, whether the hearing is anticipated to proceed in person, by Electronic Means, in writing, or by any combination thereof.
- (3) Despite subsection (1), in extraordinary circumstances, the Discipline Hearing Panel may make an order excluding the public from all or part of a discipline hearing if the Discipline Hearing Panel determines that
 - (a) there are reasons for confidentiality that may be disclosed at the hearing that outweigh the public interest in having an open hearing, or
 - (b) the safety of a person may be jeopardized.
- (4) The Discipline Hearing Panel may limit the number of people who may attend a discipline hearing given the capacity of the facility in which the discipline hearing is being held or the capabilities of the Electronic Means.

- (5) No person may make a visual or audio recording of a discipline hearing unless granted permission by the Discipline Hearing Panel prior to the discipline hearing commencing.

11.4 Publication of Disciplinary Orders

- (1) EGBC must publish the full text of a Disciplinary Order on a public website maintained by EGBC within 30 days of the date of the Disciplinary Order.
- (2) In addition to subsection (1), EGBC may publish a summary or the full text of a Disciplinary Order by other methods, including by one or more of the following means:
 - (a) in any of EGBC's electronic or paper communications;
 - (b) in a press release;
 - (c) in a local newspaper;
 - (d) in a legal research or decision database.
- (3) Despite subsection (1) and (2), prior to publishing the full text or a summary of a Disciplinary Order, the Investigation Committee or a Panel of the Discipline Committee, as applicable, may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information if the Investigation Committee or a Panel of the Discipline Committee, as applicable, determines that the public interest in the information being made publicly available is outweighed by the privacy interest of
 - (a) a person other than the Registrant subject to investigation or discipline, or
 - (b) the subject Registrant if the Registrant suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs.
- (4) If the Investigation Committee or a Panel of the Discipline Committee, as applicable, makes a determination pursuant to subsection (3), the publication of the Disciplinary Order must include a note that information has been withheld.
- (5) Despite subsection (1) and (2), prior to publishing the full text or a summary of a Disciplinary Order that is a consent or undertaking given pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], the Investigation Committee or Discipline Resolution Panel, as applicable, may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information of the Registrant subject to investigation or discipline, if the following conditions are met:
 - (a) the consent or undertaking given pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*] does not impose limitations or conditions on the Regulated Practice by the Registrant subject to investigation or discipline; and

- (b) the Investigation Committee or Discipline Resolution Panel, as applicable, determines that non-publication is in the public interest.
- (6) Despite subsections (1) and (2), if the Registrar determines that the public interest in a Disciplinary Order being made publicly available is outweighed by the potential prejudice to another investigation or disciplinary matter, the Registrar may temporarily withhold from publication the minimum portion of the Disciplinary Order, which could include the entirety of the Disciplinary Order, as necessary to prevent the potential prejudice.
- (7) If publication of a Disciplinary Order is temporarily withheld pursuant to subsection (6), EGBC must:
 - (a) notify the Superintendent of Professional Governance within 30 days of the date of the Disciplinary Order that is to be temporarily withheld from publication,
 - (b) publish a note on EGBC's public website stating that certain information is being temporarily withheld to ensure the fair conclusion of another proceeding, and
 - (c) publish the Disciplinary Order that is being temporarily withheld from publication within 30 days of the date that the related investigation or disciplinary matter has been concluded, or as soon as there is no longer any risk of potential prejudice to another investigation or disciplinary matter from publication of the Disciplinary Order.

11.5 Retention and Archiving of Disciplinary Order

- (1) A Disciplinary Order setting out a restriction or suspension of a Registrant's registration or, if the Registrant is a Registrant Firm, a restriction or suspension of a Registrant Firm's registration and Permit to Practice, must remain posted on a public website maintained by EGBC for the course of the restriction or suspension, and then must be moved to an archive section of a public website maintained by EGBC.
- (2) A Disciplinary Order setting out the cancellation of an individual Registrant's registration will remain permanently posted on a public website maintained by EGBC.
- (3) Despite subsection (2), upon receiving notice of the death of a former individual Registrant subject to a Disciplinary Order setting out the cancellation of the individual Registrant's registration, EGBC must move the Disciplinary Order to a permanent archive section of a public website maintained by EGBC.
- (4) A Disciplinary Order setting out a cancellation of a Registrant Firm's registration and Permit to Practice must remain permanently posted on a public website maintained by EGBC.

11.6 Publication of Dismissed Citations

- (1) If the Discipline Hearing Panel dismisses all elements of a citation pursuant to section 75(5)(a) of the PGA [*Discipline hearings*], EGBC must publish the reasons for the decision on a public website maintained by EGBC within 30 days of the date of the decision.
- (2) Despite subsection (1), prior to publishing the reasons for a decision dismissing all elements of a citation pursuant to section 75(5)(a) of the PGA [*Discipline hearings*], the Discipline Hearing Panel may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information of
 - (a) a person other than the Registrant subject to discipline, or
 - (b) the subject Registrant, unless the Registrant makes a request that the information be published.

12 Transitional Provisions

12.1 Repeal of Bylaws Previously in Force

- (1) All of the bylaws of EGBC previously in force are repealed when these Bylaws come into force.

Schedule A – Code of Ethics

(1) A registrant must adhere to the following Code of Ethics:

Registrants must act at all times with fairness, courtesy and good faith toward all persons with whom the registrant has professional dealings, and in accordance with the public interest. Registrants must uphold the values of truth, honesty and trustworthiness and safeguard human life and welfare and the environment. In keeping with these basic tenets, registrants must:

1. hold paramount the safety, health, and welfare of the public, including the protection of the environment and the promotion of health and safety in the workplace;
2. practice only in those fields where training and ability make the registrant professionally competent;
3. have regard for the common law and any applicable enactments, federal enactments or enactments of another province;
4. have regard for applicable standards, policies, plans and practices established by the government or EGBC;
5. maintain competence in relevant specializations, including advances in the regulated practice and relevant science;
6. provide accurate information in respect of qualifications and experience;
7. provide professional opinions that distinguish between facts, assumptions and opinions;
8. avoid situations and circumstances in which there is a real or perceived conflict of interest and ensure conflicts of interest, including perceived conflicts of interest, are properly disclosed and necessary measures are taken so a conflict of interest does not bias decisions or recommendations;
9. report to EGBC and, if applicable, any other appropriate authority, if the registrant, on reasonable and probable grounds, believes that:
 - a. the continued practice of a regulated practice by another registrant or other person, including firms and employers, might pose a risk of significant harm to the environment or to the health or safety of the public or a group of people; or
 - b. a registrant or another individual has made decisions or engaged in practices which may be illegal or unethical;

10. present clearly to employers and clients the possible consequences if professional decisions or judgments are overruled or disregarded;
11. clearly identify each registrant who has contributed professional work, including recommendations, reports, statements or opinions;
12. undertake work and documentation with due diligence and in accordance with any guidance developed to standardize professional documentation for the applicable profession; and
13. conduct themselves with fairness, courtesy and good faith towards clients, colleagues and others, give credit where it is due and accept, as well as give, honest and fair professional comment.

Schedule B – Credentials and Discipline Hearing Procedure

1.1 Definitions

(1) In this Schedule,

“Applicant” means the same as set out in section 1(1) of the PGA [*Definitions and interpretation*].

“Decision Maker” means

- (a) the Registrar in the case of a credentials hearing pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], and
- (b) the Discipline Hearing Panel in the case of a discipline hearing pursuant to section 10.7 of the Bylaws [*Discipline Hearings*].

“Discipline Committee” means the discipline committee established pursuant to section 75(1) of the PGA [*Discipline hearings*].

“Discipline Hearing Panel” means a panel of at least 3 members of the Discipline Committee, one of whom must be a Lay Committee Member, that is established by the chair or vice chair of the Discipline Committee pursuant to section 77(1) of the PGA [*Discipline committee to conduct hearings*] for the purpose of conducting a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*], or for the purpose of taking action pursuant to section 76 of the PGA [*Conduct in another jurisdiction*].

“EGBC” means the Association of Professional Engineers and Geoscientists of the Province of British Columbia, also operating as Engineers and Geoscientists BC.

“Electronic Means” includes videoconference, telephone conference, and webcasting.

“Lay Committee Member” means the same as defined in section 21 of the PGA [*Definition*].

“PGA” means the Professional Governance Act, S.B.C. 2018, c. 47.

“Proceeding” means a motion, application, pre-hearing conference, or hearing.

“Registrar” means the individual appointed by the ~~Board Council~~ as registrar pursuant to section 31(1) of the PGA [*Registrar and register for regulatory body*], who may also be the Executive Director.

“Respondent” means the same as defined in section 1(1) of the PGA [*Definitions and interpretation*].

1.2 Application of this Schedule

- (1) The procedural rules in this Schedule apply only to
 - (a) a credentials hearing held by the Registrar pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], and
 - (b) a discipline hearing held by a Discipline Hearing Panel pursuant to section 10.7 of the Bylaws [*Discipline Hearings*],
 unless otherwise ordered by the respective Decision Maker.

1.3 Parties and Representation

- (1) The parties to a hearing are
 - (a) the Applicant/Respondent, and
 - (b) EGBC.
- (2) A Registrant Firm must be represented in a Proceeding by an Individual With Authority or other individual who is duly authorized to make submissions and legally binding decisions on behalf of the Registrant Firm, and must provide notice to EGBC with the name and contact information for the representative, except where represented by legal counsel pursuant to subsections (4) and (5).
- (3) After receiving written notice including the contact information of a representative designated pursuant to subsection (2), any information or documents that EGBC is required to deliver to the Applicant/Respondent must be delivered to the individual designated to represent the Registrant Firm pursuant to subsection (2), except where the Registrant Firm is represented by legal counsel pursuant to subsections (4) and (5).
- (4) The Applicant/Respondent and EGBC may be represented by legal counsel in a Proceeding.
- (5) If the Applicant/Respondent is represented by legal counsel in a Proceeding,
 - (a) the Applicant/Respondent must provide EGBC with written notice of the name and contact information of the Applicant's/Respondent's legal counsel, and
 - (b) after receiving written notice of the name and contact information of the Applicant's/Respondent's legal counsel, any information or documents that EGBC is required to deliver to the Applicant/Respondent must be delivered to the Applicant's/Respondent's legal counsel which will constitute delivery to the Applicant/Respondent.

- (6) If the legal counsel for the Applicant/Respondent withdraws as legal counsel, EGBC is entitled to use the personal and unique email address of the Applicant/Respondent, or if the Applicant/Respondent is a Registrant Firm, the contact information for the individual designated to represent the Registrant Firm pursuant to subsection (2), as the address for delivery for any information or documents to the Applicant/Respondent, unless the withdrawing legal counsel or the Applicant/Respondent specify a different email address for delivery.
- (7) The Decision Maker may retain legal counsel or other assistance in conducting a Proceeding.

1.4 Combining Proceedings

- (1) If two or more Proceedings before the Discipline Committee involve
 - (a) the same Registrant, or
 - (b) the same or similar questions of fact, law, or policy,
 the Discipline Committee may, without the consent of the parties, combine the Proceedings or any part of them or hear the Proceedings at the same time.

1.5 Disclosure and Evidence

- (1) Unless otherwise agreed by the parties or ordered by the Decision Maker, EGBC must make disclosure to the Applicant/Respondent in the following manner:
 - (a) expert reports, or a summary of the anticipated evidence of an expert if no report is produced, at least 60 days prior to the commencement of a hearing;
 - (b) all relevant written or documentary evidence at least 30 days prior to the commencement of a hearing;
 - (c) a list of the witnesses that EGBC expects to call at least 30 days prior to the commencement of the hearing;
 - (d) will-say statements of the witnesses that EGBC expects to call at least 15 days prior to the commencement of a hearing.
- (2) Unless otherwise agreed by the parties or ordered by the Decision Maker, the Applicant/Respondent must provide the following to EGBC:
 - (a) expert reports, or a summary of the anticipated evidence of an expert if no report is produced, at least 30 days prior to the commencement of a hearing;
 - (b) all written or documentary evidence on which the Applicant/Respondent intends to introduce at the hearing that has not already been disclosed by EGBC, at least 15 days prior to the commencement of a hearing;

- (c) a list of the witnesses that the Applicant/Respondent expects to call at least 15 days prior to the commencement of a hearing;
 - (d) will-say statements of the witnesses that the Applicant/Respondent expects to call at least 7 days prior to the commencement of a hearing.
- (3) A failure to comply with a timeline in subsection (1) or (2) does not make the document or evidence inadmissible, subject to the Decision Maker's obligation to ensure procedural fairness.

1.6 Pre-Hearing Conference

- (1) The Decision Maker may convene a pre-hearing conference, either on its own motion or on the motion of a party made with written notice to the other party.
- (2) The Decision Maker must, in consultation with the parties, identify and provide written notice of the date, time, and location of the pre-hearing conference, including whether the pre-hearing conference will be conducted
 - (a) in writing,
 - (b) in person,
 - (c) by Electronic Means, or
 - (d) in any combination of (a), (b) and (c).
- (3) The Decision Maker may determine any procedural matter at a pre-hearing conference that will foster the fair, just, and timely disposition of the hearing.
- (4) The purposes of a pre-hearing conference include the following:
 - (a) identifying, simplifying, or narrowing the issues in dispute;
 - (b) resolving matters of procedure or evidence that can fairly be addressed prior to a hearing, either on the motion of a party or on the Decision Maker's own motion;
 - (c) scheduling the time and place of the hearing, including determining whether the hearing will be conducted in person, by Electronic Means, in writing, or by any combination thereof;
 - (d) identifying admissions or facts agreed upon by the parties;
 - (e) deciding upon applications made to vary any of the timelines set out in section 1.5(1) and (2) of this Schedule [*Disclosure and Evidence*];

- (f) determining the matters set out in section 1.10(6) and (7) of this Schedule [*Witnesses*];
 - (g) otherwise setting timelines for the orderly conduct of the Proceeding, including pre-hearing steps;
 - (h) setting time limits, if appropriate, on
 - (i) the presentation of evidence,
 - (ii) the examination and cross-examination of witnesses, and
 - (iii) the presentation of opening and closing submissions;
 - (i) taking any steps necessary to ensure the best interests of witnesses are protected;
 - (j) determining the estimated duration of the hearing;
 - (k) resolving any other matter that may assist in the fair, just, and timely disposition of the hearing.
- (5) A Decision Maker may direct that a hearing be conducted in writing pursuant to subsection (4)(c) if the Decision Maker is satisfied that:
- (a) the Decision Maker can find the necessary facts to come to its decision based on the written record, despite any potential conflicts in the evidence; and,
 - (b) the Decision Maker making a decision on the basis of written submissions would not result in unfairness to any party.
- (6) Submissions made by the parties at a pre-hearing conference are not admissible as evidence in a hearing.

1.7 Motions

- (1) A motion is an application to the Decision Maker for an interlocutory order.
- (2) All motions must be heard at a scheduled pre-hearing conference, unless otherwise ordered by the Decision Maker.
- (3) A motion must
 - (a) be made in writing,
 - (b) set out the grounds for the motion,
 - (c) set out the relief requested, and

- (d) be accompanied by any evidence to be relied upon.
- (4) The party bringing the motion must deliver the motion and any accompanying evidence to the Decision Maker and the other party at least 7 business days prior to the date set for the hearing of the motion.
- (5) The party responding to the motion may prepare a reply to the motion, which must be
 - (a) made in writing,
 - (b) set out the position of the party responding to the motion and the grounds for that position, and
 - (c) be accompanied by any evidence to be relied upon.
- (6) The party responding to the motion must deliver the reply to the motion and any accompanying evidence to the Decision Maker and the other party at least 2 business days prior to the date set for the hearing of the motion.
- (7) The Decision Maker may allow or require oral submissions from the parties in respect of the motion.

1.8 Adjournments

- (1) A party may apply in writing to the Decision Maker for an adjournment of a hearing.
- (2) An application for an adjournment must comply with the rules in section 1.7 of this Schedule [*Motions*], unless the Decision Maker is satisfied that special circumstances exist.
- (3) In considering an application for an adjournment, the Decision Maker may consider one or more of the following:
 - (a) the reason for the adjournment;
 - (b) whether the adjournment would cause unreasonable delay;
 - (c) the impact on the parties that would result from granting or refusing the adjournment;
 - (d) the public interest.
- (4) The Decision Maker may
 - (a) grant an adjournment,
 - (b) grant an adjournment on terms or with conditions, or
 - (c) refuse to grant an adjournment.

1.9 Hearing

- (1) As directed by the Decision Maker, a hearing will be conducted
 - (a) in writing,
 - (b) in person,
 - (c) by Electronic Means, or
 - (d) in any combination of (a), (b) and (c).
- (2) If a hearing has not yet been scheduled, the Decision Maker must schedule a hearing and provide written notice to the parties of the date(s), time(s), and location(s) or method(s) of the hearing.
- (3) A hearing must be open to the public, unless the Decision Maker determines it would be appropriate to hold some or all of the hearing in private.
- (4) A court reporter must keep a record of the hearing.
- (5) A person attending a hearing must not record any part of the hearing without the consent of the Decision Maker.
- (6) The Decision Maker may determine the procedures to be followed at a hearing, consistent with the principles of procedural fairness.
- (7) In a discipline hearing, both EGBC and the Respondent may
 - (a) present evidence,
 - (b) reply to evidence,
 - (c) call witnesses,
 - (d) cross-examine the opposing party's witnesses,
 - (e) re-examine witnesses,
 - (f) make submissions, and
 - (g) reply to the opposing party's submissions.
- (8) A party to a Proceeding must not put a document to a witness in cross-examination without having provided reasonable disclosure of the document to the opposing party in advance.

- (9) The rules of evidence must not be strictly applied, subject to the Decision Maker's obligation to ensure procedural fairness.
- (10) Nothing is admissible as evidence in a Proceeding that would be inadmissible in a court of law by reason of any privilege.
- (11) The Decision Maker may place reasonable limits on the length of a party's submissions in a hearing.
- (12) A party must not present new evidence in the party's closing submissions.
- (13) In a discipline hearing, the Discipline Hearing Panel must not consider the questions of penalty or costs until the Discipline Hearing Panel has rendered a decision on the allegations in the citation.
- (14) In a credentials hearing, the Registrar must not impose conditions on the ability of the Applicant to re-apply for registration without giving the Applicant the opportunity to respond to any proposed conditions.

1.10 Witnesses

- (1) Parties are responsible for arranging the attendance of their own witnesses.
- (2) Any witnesses testifying at a hearing must give an oath or affirmation before testifying, if competent to do so.
- (3) The Decision Maker may ask questions of any witnesses.
- (4) A Witness must not see or hear the testimony of other witnesses prior to giving testimony at a hearing, unless the witness is also a party to the hearing or is an expert whom the Decision Maker has ruled may be present for the testimony of an opposing party's expert.
- (5) In a Proceeding involving a Registrant Firm, for the purpose of subsection (4), a witness who is an Individual With Authority or individual employed by or under contract with the Registrant Firm, other than the individual designated to represent the Registrant Firm in the Proceeding pursuant to section 1.3(2) of this Schedule [*Parties and Representation*], is not considered to be a party to the hearing and is subject to the restrictions on attending during witness testimony as set out in subsection (4).
- (6) If the Decision Maker makes an order pursuant to section 34(3)(a) of the *Administrative Tribunals Act*, S.B.C. 2003, c. 45, at the request of EGBC or otherwise, to require the Respondent, or in the case of a Registrant Firm Respondent, any Individual With Authority or individual employed by or under contract with the Registrant Firm, to attend a discipline hearing for the purpose of giving evidence, EGBC must be permitted to cross-examine the Respondent, or in the case of a Registrant Firm Respondent, the Individual With Authority or individual employed by or under contract with the Registrant Firm, unless the Decision Maker rules otherwise.

- (7) If the Supreme Court makes an order pursuant to section 80(2) of the PGA [*Witnesses*], on the motion of EGBC or otherwise, that a subpoena be issued to compel the attendance of the Respondent, or in the case of a Registrant Firm Respondent, an Individual With Authority or individual employed by or under contract with the Registrant Firm, at a discipline hearing, EGBC must be permitted to cross-examine the Respondent, or in the case of a Registrant Firm Respondent, the Individual With Authority or individual employed by or under contract with the Registrant Firm, unless the Decision Maker rules otherwise.

1.11 Decisions

- (1) A Decision Maker is not bound by previous decisions of EGBC.
- (2) A Decision Maker must give written reasons for their decision.

Schedule C – Fees

[amended 2021-12-15]

1.1 Fees for Individual Registrants

Fee Description	Amount
APPLICATION FEES	
Application fee for Trainee (EIT/ GIT) Applicant	
a. who is an academically qualified EIT, GIT, MIT, ing jr, géo jr, or CPI in other Canadian province/territory and is applying for the same designation as they hold in the other province or territory	\$0.00
b. who applies within 12 months of graduation from an engineering or geoscience post-secondary program	\$0.00
c. who applies more than 12 months after graduation from an engineering or geoscience post-secondary program	\$475.00
Application fee for professional licensee engineering/ professional licensee geoscience Applicant	
a. First time Applicant not licensed or registered in another Canadian province/territory	\$475.00
b. Who holds an equivalent licence or registration in another Canadian province/territory	\$250.00
c. Application for Minor Change to authorized area of Reserved Practice	\$200.00
d. Application for Major Change to authorized area of Reserved Practice	\$400.00
Application fee for professional engineer/ professional geoscience Applicant	
a. First time Applicant not registered or licensed as a P.Eng., P.Geo., ing. or géo in other Canadian province/territory	\$475.00
b. Applicant who is registered with another registered or licensed as a P.Eng., P.Geo., ing. or géo in other Canadian province/territory	\$250.00
c. Applicant who is currently an EIT or GIT with Engineers and Geoscientists BC and whose EIT/GIT application fee was waived	\$325.00
d. Applicant who is currently an EIT or GIT with Engineers and Geoscientists BC and who paid an application fee for EIT/GIT application	\$0.00
Application fee for designated structural engineer Applicant	\$500.00
Application fee for reinstatement as a Professional Registrant	
a. within 6 months of resignation, removal or conversion to non-practising registration	\$50.00

Fee Description	Amount
b. after 6 months and within 18 months of resignation, removal or conversion to non-practising registration	\$100.00
c. over 18 months after resignation, removal or conversion to non-practising registration	\$300.00
Application fee for reinstatement as a Trainee, non-practising Registrant, life member or life limited licensee Registrant	\$50.00
EXAMINATION FEES	
Examination fee for Trainee (EIT/ GIT) Applicant, Professional Engineer Applicant, or Professional Geoscientist Applicant	
a. Per Examination	\$360.00
b. Defer Examination to a subsequent session	\$220.00
c. Request Examination Re-read per Examination	\$200.00
Examination fees for designated structural engineer Applicant	
a. BC Codes and Practices Examination	\$500.00
b. Institution of Structural Engineers Chartered Membership Examination	\$1,000.00
Examination fee for professional licensee engineering/ professional licensee geoscience Applicant	
a. Per Examination	\$360.00
b. Defer Examination to a subsequent session	\$220.00
c. Request Examination Re-read per Examination	\$200.00
Professional Practice Examination fee for all applicable Applicants or Registrants	
a. Multiple Choice and Essay sections	\$260.00
b. [Repealed 2021-04-23]	
INTERVIEW FEES	
Interview fee for all applicable Applicants	
a. In-person interview at EGBC office	\$0.00
b. Rescheduling (For applicant-initiated postponement or cancellation of a confirmed interview)	\$ 200.00
c. Remote Interview by Videoconference	\$200.00
Interview fee for reinstatement as a Professional Registrant	
a. In-person interview at EGBC office	\$0.00
b. Rescheduling (For applicant-initiated postponement or cancellation of a confirmed interview)	\$200.00

Fee Description	Amount
c. Remote Interview by Videoconference	\$200.00
COURSE FEES	
Course fee for Professional Engineering and Geoscience in BC Seminar for all applicable Applicants or Registrants	\$275.00
Course fee for Working in Canada Seminar	
- Per unit	\$50.00
- Four-unit Seminar	\$200.00
REGISTRATION & DESIGNATION FEES	
Registration fee for registration as an individual Registrant (other than a Trainee)	\$270.00
Annual fee for designation as a designated structural engineer	\$300.00
ANNUAL FEES	
Annual fee 2021	
Trainee (EIT/GIT)	
a. Full Fee	\$276.00
b. Reduced Fee for Hardship	\$138.00
c. Medically unable to work	\$0.00
Professional Registrant	
a. Professional Engineer/Professional Geoscientist Full Fee	\$450.00
b. Professional Engineer/Professional Geoscientist Reduced Fee for Hardship	\$225.00
c. Professional Licensee Engineering/Professional Licensee Geoscience Full Fee	\$418.62
d. Professional Licensee Engineering/Professional Licensee Geoscience Reduced Fee for Hardship	\$209.31
Non-practising Registrant	
a. Professional Engineer/Professional Geoscientist	\$225.00
b. Professional Licensee Engineering/Professional Licensee Geoscience	\$209.31
c. Registrant medically unable to work (non-practising)	\$0.00
Annual fee for a Registrant granted enrolment/ registration at some time other than beginning of annual renewal cycle	Prorated annual fee
Annual Fee 2022	
Trainee (EIT/GIT)	
a. Full Fee	\$276.00

Fee Description	Amount
b. Reduced Fee for Hardship	\$138.00
c. Medically unable to work	\$0.00
Professional Registrant	
a. Professional Engineer/Professional Geoscientist Full Fee	\$460.00
b. Professional Engineer/Professional Geoscientist Reduced Fee for Hardship	\$230.00
c. Professional Licensee Engineering/Professional Licensee Geoscience Full Fee	\$418.00
d. Professional Licensee Engineering/Professional Licensee Geoscience Reduced Fee for Hardship	\$209.00
Non-practising Registrant	
a. Professional Engineer/Professional Geoscientist	\$115.00
b. Professional Licensee Engineering/Professional Licensee Geoscience	\$104.50
c. Registrant medically unable to work (non-practising)	\$0.00
Annual fee for a Registrant granted enrolment/ registration at some time other than beginning of annual renewal cycle	Prorated annual fee
REPLACEMENT / ADDITIONAL FEES	
Additional Manual Seal	
a. 30 mm Rubber Stamp	\$30.00
b. 30 mm Self Inking Stamp (black ink unless specified)	\$50.00
c. 50 mm Rubber Stamp	\$35.00
d. 50 mm Self Inking Stamp (black ink unless specified)	\$55.00
e. Long Reach Seal	\$85.00
f. Professional Licensee Rubber Stamp	\$40.00
g. Professional Licensee Self Inking Stamp	\$50.00
Rush Order Fee for Stamp Order	\$20.00
Additional certificate of registration	\$25.00
Rush Order Fee for Certificate Order	\$20.00
LATE FEES	
Late fee for failure to pay annual fee	15% of Annual fee for Registration category

Fee Description	Amount
Late fee for failure to pay a special assessment	15% of Special assessment fee
Late reporting fee for:	2021 only: \$0
a. Failure to provide certain information published on the register or personal and unique email address	2022 onwards: \$100.00
b. Failure to submit a completed CEP Declaration	
Late exemption fee for failure to request an exemption to any CEP requirements prior to April 30	\$50.00
Late completion fee for failure to complete <u>CE continuing education</u> plan, <u>CE continuing education</u> hours, required ethical learning, required regulatory learning, required technical learning (in the case of a designated structural engineer)	\$200.00
RECONSIDERATION AND REVIEW ON THE RECORD FEES	
Reconsideration fee	\$150.00
Review on the record fee	\$500.00

1.2 Fees for Registrant Firms

Fee Description	Amount
APPLICATION FEE	
Application fee for Registration as a Registrant Firm	\$350.00
ANNUAL FEES	
Annual fee for Registrant Firm	
a. Registrant Firms with only one Professional Registrant employed by or under contract with the Registrant Firm:	\$250.00
b. Registrant Firms with more than one Professional Registrant employed by or under contract with the Registrant Firm, or Registrant Firms that are sole practitioners with more than 2 Trainees employed by or under contract with the Registrant Firm:	\$500*SQRT(n), where n = # of Professional Registrants and Trainees, but does not include non-practising individual Registrants employed by or under contract with the Registrant Firm.
Annual fee for a Registrant Firm granted enrolment/ registration at some time other than beginning of annual renewal cycle	Prorated, based on annual fee formula.
[Repealed 2021-06-25]	
SPECIAL ASSESSMENTS	
Special assessments (if any)	
LATE FEES	
Late fee for failure to pay annual fee	15% of Annual Fee of each category above
Late fee for failure to pay a special assessment	15% of special assessment
Late reporting fee for failure to provide:	\$100.00
a. Certain information published on the register	
b. Personal and unique email addresses for all Responsible Officers and Responsible Registrants	
Late completion fee for Regulation of Firms Training Program (for each Responsible Registrant who completes the Program late)	\$200.00

Fee Description	Amount
REVIEW ON THE RECORD FEE	
Review on the record fee	\$500.00

Schedule D – Responsible Registrant Declaration

I, <Full Legal Name>, <Job Title>, make the following statements in support of my application to act as a Responsible Registrant of <Name of Applicant Firm or Registrant Firm> (the “Registrant Firm”), and declare that the following statements are true:

1. I understand that for the purpose of this declaration, defined terms are capitalized and have the same meaning as set out in the Bylaws.
2. I understand and acknowledge that all Registrant Firms are regulated pursuant to the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC. I confirm that I have reviewed those documents and understand the obligations of Registrant Firms and Responsible Registrants set out therein.
3. I am submitting this declaration for the purpose of registering as a Responsible Registrant for the Registrant Firm or proposed Registrant Firm indicated on this declaration. I agree to act as Responsible Registrant for the Registrant Firm, including undertaking the responsibilities of a Responsible Registrant as set out in the Bylaws, guidelines, standards, and policies of EGBC.
4. IF A CONTRACTOR OR CONTRACT EMPLOYEE ONLY: I have express authority and access to act on behalf of the Registrant Firm, granted through a written contract or other documentation sufficient to satisfy paragraph (3) above, and can provide a copy of such contract or documentation upon request from EGBC.
5. I am registered with EGBC as a Professional Registrant In Good Standing.
6. I will notify EGBC if I am currently, or become in the future, the subject of an investigation, inquiry, review, or other disciplinary proceeding in British Columbia or another jurisdiction that could result in my entitlement to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions.
7. I understand and acknowledge that:
 - a. the Regulated Practice carried out by the Registrant Firm, including by any individual operating under the Registrant Firm’s Permit to Practice, must be reviewed and Authenticated in accordance with the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;
 - b. I remain fully accountable on behalf of the Registrant Firm for ensuring that, within the areas of practice that I have been designated to oversee pursuant to section 5.12(5) of the Bylaws [*Registrant Firm*], the Registrant Firm conforms to the PGA and regulations, as well as the Bylaws, Code of Ethics, guidelines, standards, practice advisories, and policies of EGBC;

- c. the Registrant Firm must develop and enforce a Professional Practice Management Plan to be in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm;
 - d. the Professional Practice Management Plan must conform to the requirements of section 7.7.3 of the Bylaws [*Professional Practice Management Plan*] and any additional requirements set out in the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;
 - e. the Registrant Firm must develop and enforce quality management policies and procedures applicable to the Registrant Firm and all individuals who are operating under the Registrant Firm's Permit to Practice;
 - f. it is my responsibility to ensure that the quality management policies and procedures related to the areas of practice to which I have been designated pursuant to section 5.12(5) of the Bylaws [*Registrant Firm*] conform to the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;
 - g. a copy of the Professional Practice Management Plan must be provided to all individuals operating under the Registrant Firm's Permit to Practice, and the Registrant Firm must take reasonable steps to ensure that regular orientation and training is provided to all individuals operating under the Registrant Firm's Permit to Practice regarding the contents and implementation of the Professional Practice Management Plan;
 - h. the Registrant Firm must ensure that all individuals operating under the Registrant Firm's Permit to Practice adhere to the Registrant Firm's Professional Practice Management Plan;
 - i. the details of the quality management policies and procedures of the Registrant Firm must be documented in the Professional Practice Management Plan and updated as necessary; and
 - j. if EGBC is conducting an audit, practice review, investigation, or disciplinary proceeding in relation to the Registrant Firm, as a Responsible Registrant it is my responsibility to: facilitate requests for documents, information, site visits, and interviews; respond to communications; and assist with any other items or arrangements required or requested by EGBC.
8. I will respond to any communications from EGBC that I receive on behalf of the Registrant Firm in a prompt and responsive manner.
9. I will provide EGBC with up-to-date and accurate information in the course of all correspondence or communications with EGBC on behalf of the Registrant Firm, and will take all reasonable steps to ensure that the information is updated as needed and in accordance with the requirements set out in the PGA and Bylaws.

10. I will participate in the mandatory Regulation of Firms Training Program provided by EGBC, either:

- a. If the Registrant Firm does not yet have a Permit to Practice, within 12 months of the Registrant Firm being issued a Permit to Practice by EGBC; or
- b. If the Registrant Firm has already been issued a Permit to Practice by EGBC at any time, within 3 months of submitting this declaration to EGBC;

AND, in either case, at minimum every 5 years thereafter.

11. I will contact EGBC immediately should I no longer be willing, able, or authorized to act as a Responsible Registrant in association with the Registrant Firm's Permit to Practice with EGBC.

Schedule E – Responsible Officer Declaration

I, <Full Legal Name>, <Job Title>, make the following statements in support of my application to act as the Responsible Officer of <Name of Applicant Firm or Registrant Firm> (the “Registrant Firm”), and declare that the following statements are true:

1. I understand that for the purpose of this declaration, defined terms are capitalized and have the same meaning as set out in the Bylaws.
2. I understand and acknowledge that all Registrant Firms are regulated pursuant to the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC. I confirm that I have reviewed those documents and understand the obligations of Registrant Firms and Responsible Officers set out therein.
3. I am submitting this declaration for the purpose of registering as the Responsible Officer of the Registrant Firm indicated on this declaration. I further confirm that I possess the necessary authority to legally bind the Registrant Firm in relation to all matters falling under the PGA and Bylaws of EGBC, and I agree to undertake the responsibilities of a Responsible Officer set out in the Bylaws, guidelines, standards, and policies of EGBC.
4. IF A CONTRACTOR OR CONTRACT EMPLOYEE ONLY: I have express authority and access to act on behalf of the Registrant Firm, granted through a written contract or other documentation sufficient to satisfy paragraph (3) above, and can provide a copy of such contract or documentation upon request from EGBC.
5. IF A PROFESSIONAL REGISTRANT OF EGBC: I am registered with EGBC as a Professional Registrant In Good Standing. I will notify EGBC if I am currently, or become the subject in the future, of an investigation, inquiry, review, or other disciplinary proceeding in British Columbia or another jurisdiction that could result in my entitlement to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions.
6. I will notify EGBC if the Registrant Firm is currently, or becomes in the future, subject to an investigation, inquiry, review, or other disciplinary proceeding in British Columbia or another jurisdiction which could result in the Registrant Firm’s entitlement to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions.
7. I understand and acknowledge that:
 - a. in order to engage in the Reserved Practice, the Registrant Firm must be registered with EGBC and have at least one Professional Registrant designated to act as the Responsible Registrant for each area of practice engaged in by the Registrant Firm;

- b. the Registrant Firm must ensure that the Responsible Registrant(s) have the necessary authority to oversee the Regulated Practice within the areas of practice that each Responsible Registrant has been designated to oversee pursuant to section 5.12(5) of the Bylaws [*Registrant Firm*], and to take the steps necessary to ensure that the Registrant Firm complies with the requirements in the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;
 - c. the Regulated Practice carried out by individuals operating under the Registrant Firm's Permit to Practice must conform to the PGA and regulations, as well as the Bylaws, Code of Ethics, guidelines, standards, practice advisories, and policies of EGBC;
 - d. the Registrant Firm must develop and enforce a Professional Practice Management Plan that conforms with the requirements of section 7.7.3 of the Bylaws [*Professional Practice Management Plan*], including setting out quality management policies and procedures applicable to the Regulated Practice carried out by the Registrant Firm;
 - e. the Registrant Firm must have its Professional Practice Management Plan in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm;
 - f. I must document my approval of the Professional Practice Management Plan on behalf of the Registrant Firm upon its implementation, as well as after each annual review conducted pursuant to section 7.7.3(7)(a) and (b) of the Bylaws [*Professional Practice Management Plan*]; and
 - g. the Registrant Firm is obligated to co-operate completely with the audit, practice review, investigation, and discipline processes conducted by EGBC, including providing all requested documents and information, facilitating site visits and interviews, and managing communications with EGBC in a timely manner.
8. I will reply to any communications from EGBC that I receive on behalf of the Registrant Firm in a prompt and responsive manner.
9. I will provide EGBC with up-to-date and accurate information in the course of all correspondence or communications with EGBC on behalf of the Registrant Firm, and I understand that the Registrant Firm must:
- a. provide EGBC with up-to-date and accurate contact information for myself, the Registrant Firm, and all Responsible Registrants of the Registrant Firm;
 - b. ensure that the contact information that has been provided to EGBC is updated as needed, in accordance with the requirements set out in the Bylaws; and

- c. provide up-to-date information regarding all Professional Registrants operating under the Registrant Firm's Permit to Practice, to be updated as needed in accordance with the requirements set out in the Bylaws.
- 10. I will contact EGBC immediately should I no longer be willing, able, or authorized to act as the Registrant Firm's Responsible Officer in association with the Registrant Firm's Permit to Practice.
- 11. I will provide notice to EGBC within 15 days of the occurrence of any of the following situations, as required pursuant to section 5.32(4) of the Bylaws [*Information Collected Immediately and not Published on the Register*]:
 - a. there is a merger, amalgamation, acquisition, closure, or dissolution involving the Registrant Firm; or
 - b. the Registrant Firm
 - i. becomes the subject of an application for a bankruptcy order,
 - ii. makes an assignment for the general benefit of creditors, or
 - iii. makes or becomes the subject of a Division I or Division II proposal,
- 12. I will contact EGBC should the Registrant Firm wish to cancel its Permit to Practice and will ensure that the Registrant Firm abides by any conditions or requirements as may be directed by EGBC at that time.



DATE	January 31, 2023
SUBJECT	Proposed Bylaw Amendments for the Council meeting of February 17, 2023

BYLAW AMENDMENTS TO ALIGN WITH PGA TERMINOLOGY

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
Terminology change from “Council” to “Board” and associated terminology changes In anticipation of the PGA terminology amendments that will be brought into force by regulation of the Lieutenant Governor in spring 2023, the Bylaws are being amended for Council approval on February 17, 2023 to incorporate terminology changes. In addition to the definition changes detailed below, the terminology changes are made throughout the Bylaws.		
1.1 [Definitions]	Terminology change from “Council” to “Board” The definition of “Council” is replaced with a new definition of “Board” which incorporates the definition of “council” currently used in PGA. Additional changes will be required once amendments to the PGA come into force.	<u>“Board” means the same as “council” as defined in section 1(1) of the PGA [Definitions and Interpretation].</u> “Council” means the same as defined in section 1(1) of the PGA [Definitions and interpretation].
1.1 [Definitions]	Terminology change from “president” to “Board Chair” Neither the PGA nor the Bylaws had a definition for the term “president”. The new Bylaw definition of “Board Chair” incorporates the term “president” as it is currently used in the PGA. Additional changes will be required once amendments to the PGA come into force.	<u>“Board Chair” means the same as president of the council referred to in the PGA.</u>
1.1 [Definitions]	Terminology change from “councillor” to “Board Member”	<u>“Board Member” means the same as “councillor” as defined in section 1(1) of the PGA [Definitions and interpretation].</u>

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
	<p>The Bylaws previously did not have a definition incorporating the term “councillor” as defined in the PGA. The new Bylaw definition of “Board Member” incorporates the definition of “councillor” currently used in the PGA.</p> <p>Additional changes will be required once amendments to the PGA come into force.</p>	
1.1 [Definitions]	<p>Terminology change from “vice president” to “Board Vice Chair”</p> <p>Neither the PGA nor the Bylaws had a definition for the term “vice president”. The new Bylaw definition of “Board Vice Chair” incorporates the term “vice president” as it is currently used in the PGA.</p> <p>Additional changes will be required once amendments to the PGA come into force.</p>	<p><u>“Board Vice Chair” means the same as vice president of the council referred to in the PGA.</u></p>
1.1 [Definitions]	<p>Terminology change from “immediate past president” to “Immediate Past Board Chair”</p> <p>Neither the PGA nor the Bylaws had a definition for the term “immediate past president”. The new Bylaw definition of “Immediate Past Board Chair” incorporates the term “immediate past president” as it is currently used in the PGA.</p> <p>Additional changes will be required once amendments to the PGA come into force.</p>	<p><u>“Immediate Past Board Chair” means the same as immediate past president of the council referred to in the PGA.</u></p>
1.1 [Definitions]	<p>Terminology change from “Lay Councillor” to “Lay Board Member”</p> <p>The definition of “Lay Councillor” is replaced with the new definition of “Lay Board Member” that incorporates the definition of “lay councillor” as it is currently used in the PGA.</p> <p>Additional changes will be required once amendments to the PGA come into force.</p>	<p>“Lay Councillor Board Member” means the same as <u>“lay councillor” as</u> defined in section 1(1) of the PGA [Definitions and Interpretation].</p>
1.1 [Definitions]	<p>Terminology change from “Registrant councillor” to “Registrant Board Member”</p> <p>The Bylaws previously did not have a definition of “registrant councillor”. The new Bylaw definition of “Registrant Board Member” incorporates the term “registrant councillor” as it is currently used in the PGA.</p> <p>Additional changes will be required once amendments to the PGA come into force.</p>	<p><u>“Registrant Board Member” means the same as “registrant councillor” as defined in section 1(1) of the PGA [Definitions and Interpretation].</u></p>

PROPOSED SUBSTANTIVE AMENDMENT: BOARD TO ELECT BOARD CHAIR

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
Board to elect the Chair of the Board from amongst the Registrant Board Members This bylaw change is to modernize Engineers and Geoscientists BC’s governance structure and align it with governance best practice to have the chair of the board elected by the board instead of registrants. At the Council meeting in November 2022, Council decided to move to a system in which the President (Board Chair) is elected by council (Board) from amongst the elected Registrant councillors (Registrant Board Members). Registrants will continue to elect the Registrant councillors (Registrant Board Members) but the president (Board Chair) will be elected by the Council (Board). This election system is already in place for the position of Vice President (Vice Chair).		
4.3(1) and (2) [Criteria for Nomination of Candidates]	Remove the provision that the Nomination Committee nominates candidates for the position of Board Chair and the nomination criteria for that position. Any such criteria will be left to the discretion of the Board Members electing the Board Chair from amongst the Registrant Board Members.	(1) Pursuant to section 25(2)(a) of the PGA [<i>Selection principles and criteria</i>], a candidate nominated by the Nomination Committee for a position as Registrant councillor <u>Board Member</u> , including the position of president of the Council , must be a Registrant In Good Standing. (2) Pursuant to section 25(2)(a) of the PGA [<i>Selection principles and criteria</i>], a candidate nominated by the Nomination Committee for the position of president of the Council must meet at least one of the following experience requirements prior to the date of taking office, if such a candidate is available for nomination: (a) one year of experience as a councillor for EGBC; (b) equivalent experience as determined by the Nomination Committee.
4.3(3) [Criteria for Nomination of Candidates]	Remove the duplication of disallowing Registrants who are not In Good Standing to be nominated. The “In Good Standing” requirement is already established in subsection (1).	(3) A Registrant who is not In Good Standing must not be nominated by the Nomination Committee for a position as Registrant councillor, including the position of president of the Council.
4.5(1.1) [Election Procedures]	Add subsection (1.1) as a general statement on the annual election. Previously, section 4.6(1)(b) of the Bylaws specified that at each election one third of Registrant councillors are elected for a three-year term. This rule does not apply under the new system where the Board Chair to-be is among the elected Board Members. The new subsection (1.1) instead specifies simply that an election is held annually to fill any vacancies – the number of vacancies may vary from year to year.	(1.1) <u>An election is held each year to fill vacancies on the Board.</u>

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
4.5(1), (4), (5), (7), (8), (9), (12) [<i>Election Procedures</i>]	Remove the implication that the Board Chair (president of the Council) is elected by registrants. This includes repealing subsection (7) and (9) in their entirety. Subsection (9) had meaning under the current system whereby the president is elected by registrants. If a councillor is elected president, their councillor position becomes vacant. That vacancy would be filled by the candidates with the next highest number of votes. This provision is no longer needed under the new system. If any vacancies arise prior to the next election, the Board can rely on section 23(3) of the PGA which allows the Board to act despite vacancies, and section 26(4) of the PGA which allows the Board to temporarily appoint Registrant Board Members to fill any vacancies.	<p>(1) The election of Registrant councillors<u>Board Members</u>, including the president of the Council, must be by paper ballot or electronic ballot, as determined by the Council.</p> <p>(4) Voting for more than one president of the Council or more than the number of Registrant councillors<u>Board Members</u> to be elected will render invalidate<u>the applicable part of the ballot invalid.</u></p> <p>(5) Voting for less than one president of the Council or less than the number of Registrant councillors<u>Board Members</u> to be elected will not invalidate the ballot.</p> <p>(7) The candidate for the position of president of the Council who receives the most votes in the election is elected to that position. [Repealed 2023-MM-DD]</p> <p>(8) The candidates for positions as Registrant councillors who receive the most votes in the election are elected to those positions as <u>Registrant Board Members.</u></p> <p>(9) If there are any vacancies in the Council to be filled because of an election, the candidate or candidates receiving the next highest number of votes must be elected for the unexpired term or terms to be filled. [Repealed 2023-MM-DD]</p> <p>(12) The successful candidates for positions as Registrant councillors<u>Board Members</u>, including the position of president of the Council, must take office at the close of the annual general meeting.</p>
4.5(2) and (13) [<i>Election Procedures</i>]	Remove the option to conduct elections by paper ballot. Council determined that going forward all elections will be by electronic ballot.	<p>(2) The election of Registrant councillors<u>Board Members</u>, including the president of the Council, must be by paper ballot or electronic ballot, as determined by the Council.</p> <p>(13) The Executive Director must not authorize the destruction of any paper ballots or the deletion of any electronic ballots cast in an election until 3 months after the date on which the annual general meeting was held.</p>

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
4.5(4) and (5) [<i>Election Procedures</i>]	Replace the wording “render invalid” with “invalidate” in subsection (4) to align with the subsection (5).	<div>(4) Voting for more than one president of the Council or more than the number of Registrant councillors <u>Board Members</u> to be elected will render invalid <u>invalidate</u> the applicable part of the ballot.</div> <div>(5) Voting for less than one president of the Council or less than the number of Registrant councillors <u>Board Members</u> to be elected will not invalidate the ballot.</div>
4.5 (14) [<i>Election Procedures</i>]	Add subsection (14) to establish that the Board Chair and the Board Vice Chair are elected by Board Members at the Board’s first meeting after an election. The election of the Board Vice Chair was previously established in section 4.6(2) [<i>Term Lengths</i>].	(14) <u>At the beginning of the first meeting of the Board after an election of Registrant Board Members held pursuant to the Bylaws, the Board must elect by majority vote the Board Chair and Board Vice Chair from among the Registrant Board Members.</u>
4.6(1) and (2) [<i>Term Lengths</i>]	Remove the requirement of having <u>one third</u> of Registrant Board Members elected each year. Under the new system the Board Chair is elected from the existing or the newly elected Registrant Board Members, consequently the number of vacant Registrant Board Members may vary. Section 4.6 now reflects the election of Registrant Board Members at subsection (1) and the subsequent election of the Board Chair and Board Vice Chair by the Board Members at subsection (2).	<div>(1) At each election of Registrant councillors held pursuant to the Bylaws,</div> <div>(a) the president of the Council must be elected for a one-year term, pursuant to section 24(3)(a) of the PGA [<i>Term limits</i>] and</div> <div>(2)(1) one-third of the other Registrant councillors <u>Board Members</u> must be elected for a 3-year term, pursuant to section 24(1) of the PGA [<i>Term limits</i>].</div> <div>(3)(2) After each election held pursuant to the Bylaws, the vice president of the Council must be selected by the Council from among the Registrant councillors. <u>The Board Chair and Board Vice Chair must each be elected pursuant to section 4.5(14) of the Bylaws [<i>Election Procedures</i>] for a one-year term pursuant to section 24(3)(b) of the PGA [<i>Term limits</i>].</u></div>

PROPOSED SUBSTANTIVE AMENDMENTS: CHANGES TO ANNUAL REPORTING AND THE CONTINUING EDUCATION PROGRAM

Bylaw Section	Description of Proposed Bylaw Amendment	Redline Excerpt
Remove Requirement for Life Members or Life Limited Licensees to complete Annual Reporting The category of registrants called “life members or life limited licensees” is largely honorary in nature. These are 1193 non-practising registrants. They are exempt from paying fees but maintain the ability to vote. Registrants in this category had previously no mandatory regular communications with EGBC until Annual Reporting was implemented in 2021 which has led to significant confusion. This bylaw amendment removes their annual requirement to report. Instead, staff will contact these individuals at a frequency of every 2-3 years to confirm that their contact information remains accurate.		
5.15(5) [<i>Life Member of Life Limited Licensee</i>]	Amend subsection (5) to remove the requirement for life members and life limited licensees to annually report. Instead, life members and life limited licensees are required to provide up-to-date contact information and a commitment not to engage in the Reserved Practice when requested by EGBC staff.	(5) A life member or life limited licensee must, <u>when contacted by EGBC using all available contact information on file, provide up-to-date contact information and reaffirm their commitment</u> annually commit to the Council not to engage in the Reserved Practice until released from the commitment by the Council in writing.
5.29 [<i>Information Collected Annually and Published on the Register</i>]	Add subsection (2.1) to exempt life members and life limited licensees from the annual reporting requirements.	<u>(2.1) Life Members and Life Limited Licensees are exempt from the requirements in subsections (1) and (2).</u>
5.30 [<i>Information Collected Annually and not Published on the Register</i>]	Add subsection (1.1) to exempt life members and life limited licensees from the annual reporting requirement to confirm whether they have been convicted of an offence, were subject to an investigation or disciplinary action, etc. The requirement to immediately report any conviction, investigation or disciplinary action still applies pursuant to section 5.32 [<i>Information Collected Immediately and note Published on the Register</i>].	<u>(1.1) Life Members and Life Limited Licensees are exempt from the requirement in subsection (1).</u>

Bylaw Section	Description of Proposed Bylaw Amendment	Redline Excerpt
Remove Continuing Education Requirements for Non-practising Registrants The category of non-practising individual registrants has 2157 individuals. They do not have the right to engage in the Reserved Practice. When Engineers and Geoscientists BC first developed the Continuing Education (“CE”) Program, the decision was to require non-practising registrants to complete some CE to ensure they remain competent in regulatory and ethical areas of learning. However, after a year of CE being in place and reviewing feedback from non-practising registrants and EGBC staff, we now believe that this requirement is not in line with the principle of right touch regulation. The risk to the public and environment is negligible since these registrants do not have the right to engage in Reserved Practice.		
1.1 [Definitions]	Amend the definition of “Continuing Education Hour” to remove reference to continuing education requirements for non-practising Registrants.	“Continuing Education Hour” means one hour of a Continuing Education Activity that contributes to an individual Registrant’s maintenance of competency within the individual Registrant’s (a) current area(s) of practice, including any anticipated future area(s) of practice, if the individual Registrant is a Professional Registrant, or (b) former area(s) of practice, if the individual Registrant is a non-practising Registrant or a life member or life limited licensee.
7.6.2 [Categories of Registrants Exempt from the Continuing Education Program]; 7.6.7 [Continuing Education Program Declaration]	<p>Change from a list of exemptions to using the defined term “Professional Registrants”: When exempting non-practising individual Registrants from the Continuing Education Program (“CEP”), the remaining individual Registrants subject to the CEP all fall within the definition of “Professional Registrant.” Therefore, instead of listing categories that are exempt from the CEP, the language is changed to Professional Registrants being required to do CE.</p> <p>The categories of <i>individual</i> Registrants who fall outside the definition of “Professional Registrant” and who are exempt from the CEP are: Trainees, life members or life limited licensees, non-practising individual Registrants, and honorary members. The latter category is exempt by default (see section 5.15(4) of the Bylaws: “Honorary status is a ceremonial designation and does not on its own accord confer any rights or responsibilities under the PGA or the Bylaws.”)</p>	<p>7.6.2 Categories of Registrants Exempt from the Continuing Education Program <u>for Professional Registrants</u></p> <p>(1) The following categories of individual Registrants are not required to complete any of the continuing education program requirements set out in this section of the Bylaws:</p> <p>(a) Trainees; (b) (c) life members or life limited licensees.</p> <p>(1) <u>All Professional Registrants must complete the continuing education program set out at section 7.6.3 [Mandatory Continuing Education Hours and Activities for Professional Registrants], section 7.6.4 of the Bylaws [Mandatory Continuing Education Plan for Professional Registrants], and section 7.6.7 of the Bylaws [Continuing Education Program Declaration].</u></p> <p>7.6.7 Continuing Education Program Declaration</p> <p>(1) All <u>individual Professional Registrants</u> who are not exempted from the Continuing Education Program pursuant to section 7.6.2(1) of the Bylaws [Categories of Registrants Exempt from the</p>

Bylaw Section	Description of Proposed Bylaw Amendment	Redline Excerpt
	Registrant Firms have separate requirements under the CEP pursuant to section 7.6.16 of the Bylaws [<i>Continuing Education Program by Registrant Firms</i>].	Continuing Education Program must electronically submit a continuing education program declaration to EGBC by 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, which must confirm [...]
7.6.3 – 7.6.16	Change all references made to “individual Registrants” to “Professional Registrants”. The exception is 7.6.16(b). The CE obligation for firms is essentially two-fold: Firms are required to support Professional Registrants to meet their CE requirements pursuant to section 7.6.16(1)(a), and to support any individual Registrants in their employ (including Trainees) to maintain their competency pursuant to section 7.6.16(1)(b).	7.6.16 Continuing Education Program by Registrant Firms (1) A Registrant Firm must develop, maintain, and follow documented procedures to support individual Registrants employed by or under contract with the Registrant Firm in (a) meeting the individual <u>Professional</u> Registrants’ continuing education program requirements pursuant to [...], as applicable, and (b) maintaining the individual Registrants’ competency with respect to the role(s) of the individual Registrants and the activities or work engaged in by the individual Registrants on behalf of the Registrant Firm.
7.6.6 [Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants]	Repeal section 7.6.6 pertaining to the CE requirements for non-practising individual Registrants.	7.6.6 [Repealed 2023-MM-DD]Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants (1) In each Three-Year Rolling Period, a non-practising individual Registrant must complete, at a minimum, (a) one Continuing Education Hour of Ethical Learning, and one Regulatory Learning module referred to in section 7.6.14(1) of the Bylaws [Mandatory Regulatory Learning Modules].
7.6.8 [Applications for Exemptions from Continuing Education Program];	Remove references to the CE requirements for non-practising individual Registrants (i.e. references to section 7.6.6).	7.6.8 Applications for Exemptions from Continuing Education Program (1) An individual <u>Professional</u> Registrant may be granted an exemption, on an annual basis, from any or all of the continuing education program requirements set out in sections 7.6.3 of the Bylaws [Mandatory Continuing Education Hours and Activities for Professional Registrants], section 7.6.4 of the Bylaws [Mandatory Continuing Education Plan for Professional Registrants], section 7.6.5 of the Bylaws [Mandatory Continuing Education Hours and Activities for Designated structural Engineers], 7.6.6, or section 7.6.7 of the Bylaws [Continuing Education Program Declaration] <u>7.6.3 of the Bylaws [Mandatory Continuing Education Hours and Activities for Professional Registrants], section 7.6.4 of the Bylaws [Mandatory Continuing Education Plan for Professional Registrants], section 7.6.5 of the Bylaws [Mandatory Continuing Education Hours and Activities for Designated structural Engineers], 7.6.6, or section 7.6.7 of the Bylaws [Continuing Education Program Declaration]</u> [...]

Bylaw Section	Description of Proposed Bylaw Amendment	Redline Excerpt
7.6.10 [Late Exemption from Continuing Education Plan, Hours, or Activities];		7.6.10 Late Exemption from Continuing Education Plan, Hours, or Activities (1) An individual Professional Registrant who fails to comply with the obligations pursuant to sections 7.6.3 of the Bylaws [<i>Mandatory Continuing Education Hours and Activities for Professional Registrants</i>], section 7.6.4 of the Bylaws [<i>Mandatory Continuing Education Plan for Professional Registrants</i>], or section 7.6.5, or 7.6.6 of the Bylaws [<i>Mandatory Continuing Education Hours and Activities for Designated Structural Engineers</i>], as applicable, [...]
7.6.11 [Failure to Complete Continuing Education Plan, Hours, or Activities];		7.6.11 Failure to Complete Continuing Education Plan, Hours, or Activities (1) An individual Professional Registrant who fails to comply with the obligations pursuant to section 7.6.3 of the Bylaws [<i>Mandatory Continuing Education Hours and Activities for Professional Registrants</i>] or , section 7.6.4 of the Bylaws [<i>Mandatory Continuing Education Plan for Professional Registrants</i>] or section 7.6.6 of the Bylaws [<i>Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants</i>], as applicable, [...]
7.6.14 [Mandatory Regulatory Learning Modules];		7.6.14 Mandatory Regulatory Learning Modules (1) EGBC will facilitate [...] a series of mandatory Regulatory Learning modules to enable (a) a Professional Registrant to meet the requirement set out in section 7.6.3(3) of the Bylaws [...], and (b) a non-practising Registrant or a life member or life limited licensee to meet the requirement set out in section 7.6.6(1)(b) of the Bylaws [<i>Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants</i>].
7.6.16 [Continuing Education Program by Registrant Firms]		7.6.16 Continuing Education Program by Registrant Firms (1) A Registrant Firm must develop, maintain, and follow documented procedures to support individual Professional Registrants employed by or under contract with the Registrant Firm in

Bylaw Section	Description of Proposed Bylaw Amendment	Redline Excerpt
		(a) meeting the individual-Professional Registrants' continuing education program requirements pursuant to sections 7.6.3 of the Bylaws [Mandatory Continuing Education Hours and Activities for Professional Registrants] , section 7.6.4 of the Bylaws [Mandatory Continuing Education Plan for Professional Registrants] , section 7.6.5 of the Bylaws [Mandatory Continuing Education Hours and Activities for Designated Structural Engineers] , 7.6.6 , and section 7.6.7 of the Bylaws[Continuing Education Program Declaration] , as applicable, and [...]
7.6.13 [<i>Newly Registered Individual Registrants</i>]	Change the title of section 7.6.13 for additional clarity.	7.6.13 <u>Continuing Education for</u> Newly Registered Individual-Professional Registrants

Bylaw Section	Description of Proposed Bylaw Amendment	Redline Excerpt
Remove requirement to upload the Continuing Education Plan Registrants are required to complete the Continuing Education (“CE”) plan and maintain the documentation for 10 years. Removing the requirement to upload the CE plan has negligible impact on public protection. The requirement to upload the CE plan is in place because of the past recommendation of the Continuing Professional Development Committee who developed the CE Program. The rationale was to ensure that registrants complete the CE plan each year. We now believe that the requirement to upload CE plans is not in line with right touch regulation. It is important to note, that staff do not review these uploaded CE plans. The only time Engineers and Geoscientists BC may review these documents is when a registrant is requested to provide a copy of their CE plan during an audit, a practice review, or an investigation. We may reconsider the requirement to upload CE plan once we have compliance data from audits and practice reviews.		
7.6.4 [<i>Mandatory Continuing Education Plan for Professional Registrants</i>]	Remove the requirement to upload the continuing education (“CE”) plan in subsection (2). Instead, the requirement is to complete the CE plan annually by June 30 th , date the plan and keep it on record, and submit it to EGBC upon request.	7.6.4 Mandatory Continuing Education Plan for Professional Registrants (1) Before the end of <u>in</u> each Reporting Year, a Professional Registrant must complete an up-to-date continuing education plan which sets out all of the following information: [...]. (2) A Professional Registrant must date and keep the continuing education plan required pursuant to subsection (1) in their records for 10 years and electronically submit the continuing education plan required pursuant to subsection (1) to EGBC by 11:59 PM (Pacific Time) on the last day of each Reporting Year upon request.

Bylaw Section	Description of Proposed Bylaw Amendment	Redline Excerpt
7.6.7(1)(c) [Continuing Education Program Declaration]	Remove the requirement to upload the CE plan by replacing the word “uploaded” with “completed”.	7.6.7 Continuing Education Program Declaration (1) All individual Professional Registrants who are not exempted from the Continuing Education Program pursuant to section 7.6.2(1) of the Bylaws [Categories of Registrants Exempt from the Continuing Education Program] must electronically submit a continuing education program declaration to EGBC by 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, which must confirm (c) that the individual Professional Registrant has uploaded <u>completed</u> a valid and up-to-date CE continuing education P plan pursuant to section 7.6.4(2) of the Bylaws [...]
7.6.11(1)(a) [Failure to Complete Continuing Education Plan, Hours, or Activities]	Remove the requirement to upload the CE plan by removing subsection (a) from the list of CE obligations in section 7.6.11(1). While Registrants must no longer submit their CE plan, they still must confirm completion of their CE plan through a checkbox on the CEP declaration form. Failing to upload the CE plan is no longer applicable. Failing to complete the CE plan would likely only be discovered during an audit, practice review, or possibly an investigation, and would classify as a major non-conformance and addressed through the relevant processes.	7.6.11 Failure to Complete Continuing Education Plan, Hours, or Activities (1) An individual Professional Registrant who fails to comply with the obligations pursuant to section 7.6.3 of the Bylaws [Mandatory Continuing Education Hours and Activities for Professional Registrants] or, section 7.6.4 of the Bylaws [Mandatory Continuing Education Plan for Professional Registrants] or section 7.6.6 of the Bylaws [Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants], as applicable, by 11:59 PM (Pacific Time) on the last day of the Reporting Year and is not granted a late exemption pursuant to section 7.6.10 of the Bylaws [Late Exemption from Continuing Education Plan, Hours, or Activities] must (a) complete and submit a continuing education plan; [...] by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.

PROPOSED MINOR AMENDMENTS

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
1 – General Amendment	Add missing Bylaw cross-references.	Example: 7.6.8 Applications For Exemptions From The Continuing Education Program (2) An individual Registrant may be granted an exemption, on an annual basis, from any or all of the continuing education program requirements set out in sections 7.6.3 of the Bylaws <u>[Mandatory Continuing Education Hours and Activities for Professional Registrants]</u> , section 7.6.4 of the Bylaws <u>[Mandatory Continuing Education Plan for Professional Registrants]</u> , section 7.6.5 of the Bylaws <u>[Mandatory Continuing Education Hours and Activities for Designated Structural Engineers]</u> , [...]
2.4(7) [Conduct of Council Meetings]	In addition to updating the terminology throughout the Bylaws, make minor amendments to clean up any unnecessary repetitions of the use of the word “chair”.	(7) At a meeting of the Council Board , if neither the president Board Chair nor the Board Vice president Chair attend the meeting in person or by Electronic Means at its appointed time, the Council Board may choose one of their number to chair the meeting, and the chair so chosen may exercise all of the functions and authority of the president Board Chair for the conduct of the meeting.
4.1(2(a), (3), (5)(a) and (b) [Nomination Committee Composition]	Change the descriptor for the “Immediate Past Chair <u>of EGBC</u> ” to “Immediate Past Board Chair” for consistency across the Bylaws.	Example: (3) [...] (a) the i Immediate p Past president Board Chair of EGBC, who will serve as chair of the Nomination Committee, [...]
4.1 (5); 5.12(3)	Change “member of Council” to “Board Member” for consistent use of the new terminology.	Example: 5.12(3) A Registrant Firm must not serve as a member of Council <u>Board Member</u> or <u>as a member of</u> any Committee.
7.6.7 [Continuing Education Program Declaration]; Schedule C	Remove the acronym “CE” where the acronym was used accidentally in the Bylaws. This acronym is not defined anywhere in the Bylaws.	7.6.7 Continuing Education Program Declaration (1) (c) [...] a valid and up-to-date CE <u>continuing education</u> P plan pursuant to [...] Schedule C: Late completion fee for failure to complete CE <u>continuing education</u> plan, CE <u>continuing education</u> hours, required ethical learning, required regulatory learning, required technical learning (in the case of a designated structural engineer)

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
7.6.7(2) [Continuing Education Program Declaration]	Change the requirement to retain all documentation supporting a Professional Registrant’s CEP declaration from 5 to 10 years. This aligns with the Bylaw Standard for Retention and Preservation of Complete Project Documentation at section 7.3.2. Professional Registrant are also required to retain their CE plans for 10 years at section 7.6.4(2) of the Bylaws (as amended).	7.6.7 Continuing Education Program Declaration (2) All Professional individual Registrants must retain all documentation that supports their continuing education program declaration for a minimum of 5 10 years after the continuing education program declaration was made.+