



# OVERALL AGENDA

<b>DATE</b>	June 16, 2023
<b>LOCATION</b>	<b>Hybrid Event</b> Engineers and Geoscientists BC office (Dan Lambert Boardroom) & Virtually Via Teams ( <i>Meeting Link Sent Via Outlook Invitation</i> )

## Meeting Schedule

<b>08:30 – 11:10</b>	<b>Closed Session</b>
<b>11:10 – 11:20</b>	<b>Morning Break</b>
<b>11:20 – 12:25</b>	<b>Open Session</b>
<b>12:25 – 13:25</b>	<b>Lunch Break</b>
<b>13:25 – 14:25</b>	<b>Open Session (continued)</b>
<b>14:25 – 14:35</b>	<b>Agenda Overflow Buffer</b>
<b>14:35 – 14:45</b>	<b>Break Before In-Camera Session</b>
<b>14:45 – 15:45</b>	<b>In-Camera Session</b>
<b>15:45</b>	<b>Adjournment</b>

For more information, contact Tracy Richards at [trichards@egbc.ca](mailto:trichards@egbc.ca) or 604.412.6055.

# OPEN AGENDA

**DATE** June 16, 2023

**TIME** 11:20 – 14:35

**LOCATION** **Hybrid Event**  
Engineers and Geoscientists BC Office (Dan Lambert Boardroom) & Virtually  
Via Teams (*Meeting Link Sent Via Outlook Invitation*)

11:20 (3 mins)	<b>4.0 OPEN SESSION – Welcome Greetings &amp; Call to Order</b> Chair: Mark Adams, P.Eng., Board Chair <b>MOTION: That the Board approve the Open Agenda in its entirety.</b>	
11:23 (2 mins)	4.1 Declaration of Conflict of Interest	
11:25	<b>5.0 OPEN REGULAR AGENDA</b>	
11:25 (40 mins)	5.1 Board Sub-Committee Structure <b>MOTION: That the Board approve a new sub-committee structure effective for the 2023/2024 Board year, consisting of the following three sub-committees: 1. Finance, Audit and Risk, 2. Governance, 3. Human Resources.</b> <i>Governance Sub-Committee</i>	Board Sub-Committee Structure
12:05 (20 mins)	5.2 Board Meeting Renewal <b>MOTION: That the Board approve the recommended changes to the Board meeting format.</b> <b>RECOMMENDED CHANGES INCLUDE:</b> 1. Update Board Policy so that appointments are made in a closed session and made publicly available once approved (rather than discussed in Closed and approved in Open). 2. Change the usual meeting flow to start with Open, then Closed and then In Camera.	Board Meeting Renewal

	<p>3. Include a pre-meet to level-set and frame the meeting before moving into the Open session.</p> <p>4. Remove information reports from the consent agenda and place them at the end of the agenda.</p> <p>5. Include dedicated “strategic time” for each meeting (when possible). This would be dedicated time to build awareness and understanding of the external landscape. This may include guest presenters, or discussions on regulatory trends, government priorities, registrant perspectives, survey insights or other strategic topics. Topics would be determined by the Chair and CEO.</p> <p>6. Limit closed meeting attendance to the Board, Executive plus Governance support staff, and those Directors directly involved in the discussion, thereby, reducing the number of “Embargoed” items.</p> <p>7. Change the process for considering agenda topic requests for the Board Meeting and Forums to be determined by Chair, in consultation with CEO (instead of Executive Subcommittee).</p> <p>8. Remove agenda overflow and rely on more accurate time allocations. Ensure appropriate number of breaks are scheduled throughout the meeting, and that break time is respected.</p>	
<p><b>12:25</b> <b>(60 mins)</b></p>	<p><b>LUNCH BREAK</b></p>	
<p><b>13:25</b> <b>(10 mins)</b></p>	<p>5.3 Safety Moment</p>	
<p><b>13:35</b> <b>(15 mins)</b></p>	<p>5.4 Amendments to the Bylaws of Engineers and Geoscientists BC</p> <p><b>MOTION: That the Board pass the Recommended Motion, 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>.</b></p> <p>RECOMMENDED MOTION:</p> <p>That the Board approve the following Bylaw amendments as set out in detail in Appendix A:</p> <p>Substantive Amendments, including:</p> <p>Suspension and cancellation provisions for failure to pay a penalty or costs;</p> <p>Publication of pre-hearing conference decisions;</p> <p>Publication of credentials hearing decisions;</p>	<p>Amendments to the Bylaws of Engineers and Geoscientists BC</p>

	<p>Minor amendments; Schedule C (Fees) corrections; Housekeeping changes; 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.</p> <p><i>Efrem Swartz, LLB, mMBA, Director, Legislation, Ethics &amp; Compliance</i> <i>Amrita Virk, Legal Counsel, Policy Manager</i> <i>Klara Hillmann, Senior Policy Analyst</i></p>	
<b>13:50</b> <b>(15 mins)</b>	<p>5.5 Selection of Nominees for Election to the Board</p> <p><b>For information only.</b></p> <p><i>Carol Park, P.Eng., Chair, Nominating Committee</i></p>	Selection of Nominees for Election to the Board
<b>14:05</b> <b>(15 mins)</b>	<p>5.6 Registrant Insights Survey Results</p> <p><b>For information only.</b></p> <p><i>Megan Archibald, Director, Communications &amp; Stakeholder Engagement</i></p>	Presentation only
<b>14:20</b> <b>(5 mins)</b>	<p><b>6.0 OPEN CONSENT AGENDA</b></p> <p><b>MOTION: That the Board approve all items (6.1 to 6.4) on the Open Consent Agenda.</b></p>	
	<p>6.1 April 21, 2023 Open Minutes</p> <p><b>MOTION: That the Board approve the April 21, 2023 Open Meeting minutes as circulated.</b></p>	April 21, 2023 Open Minutes
	<p>6.2 Appointments Approval</p> <p><b>MOTION: That the Board approve the recommended re-appointment to the Investigation Committee as presented.</b></p> <p><b>MOTION: That the Board approve the recommended appointments and re-appointment to the Discipline Committee as presented.</b></p>	Report can be found in the Closed Agenda package
	<p>6.3 AGM Rules for Approval</p> <p><b>MOTION: That the Board approve the 2023 AGM Rules of Order.</b></p> <p><i>Governance Sub-Committee</i></p>	AGM Rules for Approval
	6.4 Information Reports	
	6.4.1 May 3, 2023 Consent Resolution	May 3, 2023 Consent Resolution
	<p>6.4.2 Project Management Office Update</p> <p><i>Dan Rankin, Manager, Project Management Office</i></p>	Project Management Office Update

	<p>6.4.3 Implementation of 2023 Strategic Plan Renewal Process</p> <p><i>Liza Aboud, MBA, ABC, ICD.D., Chief Operating Officer</i></p>	Implementation of 2023 Strategic Plan Renewal Process
	<p>6.4.4 Engineers and Geoscientists BC Board Road Map for 2022/2023</p> <p><i>Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer</i></p>	Board Road Map
	<p>6.4.5 Progress Update: Climate Change Action Plan Implementation + Developing Engineers and Geoscientists BC's Organizational Climate Strategy</p> <p><i>Harshan Radhakrishnan, P.Eng., Manager, Climate Change and Sustainability Initiatives</i></p> <p><i>Dr. Malcolm Shield, P.Eng., Chair, Engineers and Geoscientists BC Climate Change Advisory Group</i></p> <p><i>Peter Mitchell, P.Eng., Director, Professional Practice Standards and Development</i></p>	Climate Change Action Plan Update
	<p>6.4.6 Conference Attendance Guideline 2023</p> <p><i>Ailene Lim, Associate Director, Programs and Professional Development</i></p>	Conference Attendance Guideline 2023
	<p>6.4.7 CEO Report (Open Session)</p> <p><i>Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer</i></p>	CEO Report
14:25 (10 mins)	<b>OVERFLOW BUFFER</b>	
14:35	<b>END OF OPEN SESSION</b>	
14:35 (10 mins)	<b>BREAK BEFORE IN-CAMERA SESSION</b>	
14:45 (60 mins)	<b>IN-CAMERA SESSION</b>	
15:45	<b>ADJOURNMENT</b>	

## OPEN SESSION

### ITEM 5.1

DATE	May 19, 2023
REPORT TO	Board for decision
FROM	Governance Sub-committee
SUBJECT	Board Sub-committee Structure
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To develop a sustainable Board sub-committee structure that best supports the Board in fulfilling its mandate.
Motion	That the Board approve a new sub-committee structure effective for the 2023/2024 Board year, consisting of the following three sub-committees: 1. Finance, Audit and Risk, 2. Governance, 3. Human Resources.

## BACKGROUND

Engineers and Geoscientists BC's Board has established three sub-committees to support the work of the Board – Audit, Executive, and Governance. Sub-committees are typically designed to:

- Allow for more detailed examination of key issues
- Make Board meetings more productive and strategic in focus
- Allow individual Board members to make more meaningful contributions
- Allow for more equitable distribution of work
- Reduce the need for frequent Board meetings
- Add value for management by sharing experience, perspective, industry knowledge and trends

Prior to the introduction of the *Professional Governance Act*, a review of the organization's overall committee structure was conducted in the Spring of 2020. This review resulted in a number of changes, however, one recommendation required further consideration; the recommendation to

dissolve the Executive Sub-Committee and re-allocate its responsibilities for HR and Finance to the Governance and Audit Sub-committees.

Executive committees historically existed to act in an emergency situation whenever quick and decisive action was called for or to exercise the board's authority in between meetings and were more common for larger boards. With a push towards smaller boards and the greater use of technology for convening meetings, the need for executive committees is less compelling.

While there are some benefits to maintaining an Executive Sub-committee such as providing flexibility to make decisions when the full Board is not able to convene, serve as a venue for discussion amongst the Chair, Vice Chair and Past Chair and to act as a sounding board for the CEO, there are drawbacks as outlined below:

- Confusion over responsibility for decision-making
- Gaps of knowledge among Board members
- Overlap of financial responsibilities with Audit Committee, resulting in duplication and inefficiencies
- Composition does not require expertise in financial affairs despite having financial oversight
- Overlap with responsibilities of the Chair in terms of managing the effective performance of the Board and planning activities
- Creates an insider versus outsider sentiment among board members

When this recommendation was made in 2020, it was decided by the Board that further analysis would be required before any decision could be made. An excerpt from the 2020 report listing the pros and cons on having executive committees can be found in **Appendix A**. A snapshot of the remits for each Board Sub-committee is included in **Appendix B**.

In June 2022, a facilitated workshop was held to examine a range of factors relating to the role of the Executive Sub-committee and to explore the case for change. The discussion set out to fulfill two key objectives:

- Understand the purpose and function of sub-committees.
- Enable the Board to have sufficient background, context and opportunity for discussion to then give staff guidance as to how to proceed in the development of a sustainable Committee structure that best supports the Board in fulfilling its mandate.

The following is a summary of the results and action items of that workshop:

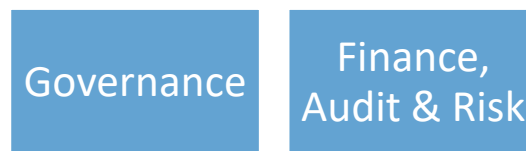
- Agreement that there is duplication between the Executive Sub-committee and the Audit Sub-committee on financial matters and that review of financial matters should move to the Audit Sub-committee.
- Agreement that the Audit Sub-committee should be renamed to either Finance and Audit or Finance, Audit and Risk

- Varying response on whether to move the HR Responsibilities of the Executive Sub-committee to a new HR Committee or to the Governance Committee
- A recommendation that a review of all tasks be undertaken to determine which need a deeper dive with a sub-committee before going to the Board, as some could go directly to the full Board.
- The need to consider how any changes will impact delivery of EGBC's mandate, particularly with respect to Staff and Board members' workload and time commitments.

## DISCUSSION

The feedback from the workshop demonstrated a case for change; alignment to move away from an Executive Sub-committee. While status quo can be maintained, two alternative design options were considered by the Governance Sub-committee.

### Option 1: Two Sub-committee Structure



In this design, the HR functions of the Executive Sub-committee would move to the Governance Sub-committee and all Finance functions would be moved to a re-named Finance, Audit and Risk Sub-committee. This option would result in a reduction of committees.

#### Considerations:

- The organization continues to be on a journey of governance modernization; as a result, the work plan of the Governance sub-committee is currently high. Adding more at this time may not be practical in terms of workload and time commitments.
- The workplan of the Audit Sub-committee can be expanded. The addition of Finance components would support a more equitable distribution of work amongst the sub-committees
- Moving the Finance components to the Audit Committee would create efficiencies
- Usually, HR committees are smaller due to the sensitive and confidential nature of the work; we may need to consider a smaller Governance sub-committee to support this option
- For the Governance Sub-committee to support the HR function, the Board Chair would need to be member of the Governance Sub-committee as they are a key link to the CEO
- The sub-committee would need to be supported by the Governance team for governance issues and the HR team for HR issues



## Option 2: Three Sub-committee Structure



In this design, a new Human Resources Sub-committee would be created to take on all HR functions of the Executive Sub-committee. All Finance functions would be moved to a re-named Finance, Audit and Risk Sub-committee (same as in option 1). This option would maintain the same number of committees but create more specification and reduce inefficiencies.

### Considerations:

- Due to the sensitive and confidential nature of the HR work, the HR committee composition should be small (3 to 4 members)
- The Board Chair is the key liaison with the CEO and takes on the lead in the CEO's performance review. Continuity is also important, and therefore, the composition of the HR committee would need to include both the Chair and Vice Chair and a public member
- A separate HR committee supports a better distribution of work and allows for more specialization (as well as committee specific training opportunities); governance expertise is not necessarily HR expertise
- Provides clear, focused workload across the sub-committees

## RECOMMENDATION

The June 2022 Board workshop showed support for a change in the sub-committee structure and alignment on moving away from an Executive Sub-committee. There was also support amongst the Board to move the finance functions of the Executive Sub-committee to the Audit Sub-committee.

In consideration of the status quo and the two options presented above, the Governance Sub-committee recommends the Board move forward with Option 2. While the number of sub-committees would remain unchanged, the changes in remit will provide more clarity on sub-committee functions, specialization and reduce the inefficiencies that exist today. The organization continues to be on a journey to modernize its governance framework. As a result, the workload of the Governance Sub-committee is high. In a few years, this work may stabilize, which may create space for additional responsibilities at which time, the sub-committee structure can be revisited.

## NEXT STEPS

Once the Board decides on the sub-committee structure, the terms of reference for each sub-committee will be renewed over the summer with the aim of having the new sub-committee structure be effective for the 2023/24 Board year. Consideration will be given to:

- Modernization of the terms of reference, including removing items that are too operational for the Board
- Items that no longer require sub-committee review and can be addressed by the Chair, CEO or taken directly to the full Board

**MOTION:** That the Board approve a new sub-committee structure effective for the 2023/24 Board year, consisting of the following three sub-committees: 1. Finance, Audit and Risk, 2. Governance, 3. Human Resources.

**APPENDIX A - Excerpt from the 2020 report listing the pros and cons on having executive committees**

**APPENDIX B - Snapshot of the remits for each Board Sub-committee**

## 5.1 – APPENDIX A

A summary of pros and cons on having executive committees are set out below:

Cons	Pros
<ul style="list-style-type: none"><li>• Smaller groups with lots of power can lead to unchecked and exclusive decision making</li><li>• If information is poorly communicated within the Board, the Executive Sub Committee can hold important information while the rest of the Board is uninformed –leading to Board members disengaging or feeling disengaged</li><li>• Can create a sense of a two-tiered hierarchy on the Board – an Executive Sub-Committee can operate in a way that limits the Board's complete view of EGBC, and ability to act together to make important decisions</li><li>• Its financial responsibilities overlap with the Audit Sub-Committee, resulting in duplication and inefficiencies. Eliminating a sub-committee that does not enable the Board to operate more efficiently or more effectively is money saved</li><li>• It can be anti-democratic</li></ul>	<ul style="list-style-type: none"><li>• Smaller groups can make decisions more quickly since fewer people need to be consulted</li><li>• An Executive Sub-Committee can act as a quick touch point for the CEO</li><li>• An Executive Sub-Committee can act as a decision-making body when the whole Board is not able to convene</li><li>• Barring the existence of other training, an Executive Sub-Committee can support the training of those ladder up to be Chair (but it is not (and should not be) the only tool available to provide this)</li></ul>

## 5.1 – APPENDIX B

A high-level snapshot of the remit for each current sub-committee is presented below:

EXECUTIVE	GOVERNANCE	AUDIT
Act on behalf of Council on matters that require action between meetings	Review governance policies and make recommendations to Council	Review annual draft financial statements and recommend to Council
Financial affairs (e.g., annual work plan with operating and capital budgets, appropriations between reserve funds, annual fee, insurance coverage, building leases)	Develop tools for measuring Council, Councillor, committee, and task force performance	Oversee the external audit
Human Resources (CEO compensation and evaluation, HR contingency plan, retirement/severance payments, employee compensation philosophy/principles/program, employment and HR policies, volunteer management HR policies)	Review terms of reference of committees, task forces, Divisions, and Branches	Ensure accounting systems are reliable and internal controls are adequate; ensure the security of computer systems and applications
To recommend or bring forward for Council's consideration nominees with respect to the Association's representatives on other organizations	Develop orientation and training processes and materials for Council members; develop training and materials for committee, Branch, and Division Chairs	Other responsibilities (ensure controls, review status of litigation, review financial reports and statements, determine systems to identify/monitor/manage/mitigate risks, verify policies for monitoring compliance, verify insurance coverage, receive quarterly financial statements)
To advise the CEO & Registrar, on matters relating to Council meeting agendas, Council's planning activities and the development of Council initiatives	Keep current on governance practices and support other tasks relating to governance oversight	

## OPEN SESSION

### ITEM 5.2

DATE	May 19, 2023
REPORT TO	Board for decision
FROM	Governance Sub-committee
SUBJECT	Board Meeting Renewal
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To consider recommendations to renew the Board meeting format.
Motion	That the Board approve the recommended changes to the Board meeting format.

## BACKGROUND

Meetings are one of the most important ways in which a Board governs. This is the time that the Board comes together to deliberate, make decisions or give direction – acting collectively. The Board seeks to foster meetings that are effective and inclusive, where the Board members are supported to meaningfully engage in their work and make well informed decisions.

Board meeting practice and design helps ensure effective use of meeting time and strategic engagement.

The current design of Engineers and Geoscientists BC Board meetings includes three sections:

CLOSED	OPEN	IN-CAMERA
Allows the Board to discuss subject matter that can only be considered in a closed meeting as per the Transparency Policy (matters concerning personal information; litigation; property and real estate; employee relations; security issues; pre-liminary discussions)	Allows the Board to conduct the business affairs of the organization in an open and transparent manner	Allows the Board to carry out a self-assessment on the effectiveness of the Board meeting, includes a post-meeting brief with the CEO and information sharing amongst the Board

## WHAT IS THE PROBLEM WE ARE TRYING TO SOLVE?

The design of Board meetings should be reviewed periodically to ensure its structure continues to be fit for purpose. Through past discussions and Board evaluations, the following issues/ observations/ feedback have been identified:

- Meeting structure is not efficient; if the closed session finishes early, the Board is left waiting to start the open session; agenda overflow is not fully utilized which can sometimes add to long breaks between sessions
- Agenda feels too structured; reluctance to move items out of consent; the process to bring up agenda items through the Executive Sub-committee is too formal
- Lack of meeting time for generative and strategic discussions; desire for more time to discuss broader strategic issues; opportunities to bring in knowledge of the external landscape
- Meeting material includes high volume of information reports with no discussion
- Desire to hear more from the CEO; state of the business; framing of the most important meeting topics

## DESIRED OUTCOMES

The observations identified can be translated into the following desired outcomes to improve the current design of Board meetings:

- **External Focus** – Allow time in the meeting for the Board to build its awareness and understanding of the external landscape and shifts in the organization's operating environment
- **Optimize timing** – Structure the agenda so that strategic decisions happen as early as possible in the day, enabling the board to read "for action" items first, with a relatively fresh mind
- **Operational Level-setting** – Ensure each meeting allows the CEO to provide a state of the business and framing of the day's meeting
- **Better Flow** – Streamline the flow between closed and open sessions to create efficiency

## RECOMMENDATIONS

Management has been taking an incremental approach to renewing the format of Board Meetings. In the current year, the following changes have been implemented:

- Closed sessions are limited to the Board and management
- Representatives to external boards are invited to present to the Board yearly for better understanding of strategic issues through dialogue, instead of submitting information reports for each meeting
- Chairs of statutory committees are invited to present to the Board yearly for better engagement with work of each statutory committee
- CEO report is presented verbally, rather than as a consent item, allowing the Board to ask questions on the state of the business
- The CEO report is being better utilized to limit the number of additional information reports

To further optimize the Board meeting format, the following additional actions were reviewed and endorsed by the Governance Sub-committee:

1. Update Board Policy so that appointments are made in a closed session and made publicly available once approved (rather than discussed in Closed and approved in Open)
2. Change the usual meeting flow to start with Open, then Closed and then In Camera
3. Include a pre-meet to level-set and frame the meeting before moving into the Open session
4. Remove information reports from the consent agenda and place them at the end of the agenda
5. Include dedicated “strategic time” for each meeting (when possible). This would be dedicated time to build awareness and understanding of the external landscape. This may include guest presenters, or discussions on regulatory trends, government priorities, registrant perspectives, survey insights or other strategic topics. Topics would be determined by the Chair and CEO.
6. Limit closed meeting attendance to the Board, Executive plus Governance support staff, and those Directors directly involved in the discussion, thereby, reducing the number of “Embargoed” items
7. Change the process for considering agenda topic requests for the Board Meeting and Forums to be determined by Chair, in consultation with CEO (instead of Executive Sub-committee)
8. Remove agenda overflow and rely on more accurate time allocations. Ensure appropriate number of breaks are scheduled throughout the meeting, and that break time is respected.

The proposed meeting format can be found in **Appendix A**.

The Governance Sub-committee recommends that the Board approve the Board meeting format changes as presented. If approved, staff would work to make the necessary changes for the Fall.

**MOTION:** That the Board approve the recommended changes to the Board meeting format.

#### **APPENDIX A – Proposed meeting format**



### Proposed Meeting Structure

**OPEN** → **CLOSED** → **IN CAMERA**

#### PRE-MEETING

- 15 minutes CEO/Chair ground setting

#### OPEN

- Welcome and Call to Order
- Approval of Open Agenda
- Declaration of Conflict of Interest
- Safety Moment
- Open Consent Agenda
- Open Regular Agenda
- CEO Report
  - Questions on any of the information reports
- Information Reports

#### CLOSED

- Welcome and Call to Order by Board Chair
- Approval of Closed Agenda
- Declaration of Conflict of Interest
- Closed Consent Agenda (including appointments)
- Closed Regular Agenda
- CEO Report – (when needed)
  - Questions on any information reports
- Information Reports

#### IN CAMERA

OPEN SESSION

ITEM 5.4

DATE	May 31, 2023
REPORT TO	Board 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	The Board is requested to review and approve the proposed amendments to the bylaws.
Motion	That the Board pass the Recommended Motion, 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 Board 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.

The OSPG conducted a review of the proposed bylaw amendments and gave us feedback which has been incorporated into the amendments being proposed. As such, we anticipate that they will be approved by the OSPG following approval by the Board. If the proposed amendments are approved by the Board, 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***

There are three substantive amendments and several minor and housekeeping amendments, including minor changes to the fee schedule.

#### **(1) Substantive Amendments**

##### **(A) Suspension and cancellation provisions for failure to pay penalty of costs**

Amendments to the PGA came into force on June 2, 2022. The new section 50.1 provides bylaw-making authority to suspend or cancel registrants for failure to comply with certain regulatory requirements. During the last round of bylaw amendments, the Board approved bylaw changes for most of the items listed in section 50.1 of the PGA. In this bylaw package, we propose an additional bylaw provision that allows for the suspension of a registrant who fails to pay a penalty or costs following disciplinary action. If a registrant fails to pay within 90 days of the date of the suspension, the registrant will be cancelled.

The existing bylaws for registration reinstatement already capture that any amounts owed to EGBC, including a penalty or costs resulting from disciplinary action, must be paid when making an application for reinstatement.

##### **(B) Publication of pre-hearing conference decisions**

Pre-hearing conferences may be held prior to a discipline hearing to resolve matters of procedure or evidence, or adjudicate motions brought by the parties, etc. While some decisions at a pre-hearing conference address merely procedural matters such as scheduling, other decisions are substantive to the assessment of the disputed issues or clarify the application of the law.

The proposed bylaw amendments provide for the publication of a pre-hearing conference decision when the decision pertains to a substantive component of the discipline hearing. Pre-hearing conference decisions that pertain merely to procedural matters would not be published. The intent behind publishing substantive pre-hearing conference decisions is to increase transparency, ensure our precedents are published, and provide the public with a better understanding of the discipline process.

##### **(C) Publication of credentials hearing decisions.**

While updating the bylaws regarding publication of discipline decisions, we also considered the publication of the [infrequent] credentials hearing decisions. We realized that the current bylaw provisions on the publication of credentials hearing decisions lack clarity. The proposed amendments require publication of all credentials hearing decisions and allow for anonymous publication. The publication of a credentials hearing decision now matches the rules of the Law Society of BC, that is, we would only include the identity of the applicant if: (a) the applicant consents in writing; (b) the concern prompting the credentials hearing, including the identity of the applicant, is known to the public; or (c) the applicant has been disciplined by EGBC or another jurisdiction.

##### **(D) Minor amendments and Housekeeping**

Multiple minor amendments are proposed to correct, clarify, or particularize the Bylaw requirements, or improve existing practices. Two minor corrections to the fee schedule are also proposed.

Additionally, numerous housekeeping amendments are made to correct oversights and streamline bylaw provisions to reduce redundancies.

See **Appendix B** for a description of the minor amendments and housekeeping changes.

### **RECOMMENDED MOTION**

That the Board approve the following Bylaw amendments as set out in detail in **Appendix A:**

- (1) Substantive Amendments, including:
  - (A) Suspension and cancellation provisions for failure to pay a penalty or costs;
  - (B) Publication of pre-hearing conference decisions;
  - (C) Publication of credentials hearing decisions;
- (2) Minor amendments;
- (3) Schedule C (Fees) corrections;
- (4) Housekeeping changes;

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**

**APPENDIX B – Descriptions of Proposed Amendments to Bylaws**

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

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# BYLAWS OF ENGINEERS AND GEOSCIENTISTS BC

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In Force Effective MONTH DATE, 2023



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 Board to chair meetings of representatives of each Branch and to act as a liaison between those representatives and the 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 current area(s) of practice, including any anticipated future area(s) of practice, if the individual Registrant is a Professional Registrant.

**“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 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*];

[\(e.1\) a determination made at a pre-hearing conference by a Discipline Hearing Panel;](#)

- (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 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 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 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 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 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 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 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 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 Board must appoint the members of each Committee.
- (6) For each Regulatory Committee, the 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 Board and may be removed by the 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 Board Meetings**

- (1) The Board may meet or adjourn as it sees fit, including meeting by any combination of Board Members attending in person or by Electronic Means.
- (2) The 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 Board.
- (3) [Repealed 2021-06-25]
- (4) A meeting of the Board is open to the public.
- (5) Despite subsection (4), the 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 Board Member pursuant to section 35(2) of the PGA [*Bylaws of council*].

- (6) The Executive Director must
  - (a) call a meeting of the Board at the request of the Board Chair or any 3 Board Members, and
  - (b) provide reasonable written notice to the Board of the date, hour, place, and purpose of a meeting of the Board.
- (3) At a meeting of the Board, if neither the Board Chair nor the Board Vice Chair attend the meeting in person or by Electronic Means at its appointed time, the Board may choose one of their number to chair the meeting and exercise all of the functions and authority of the Board Chair for the conduct of the meeting.
- (4) Questions arising at a meeting of the Board must be decided by a majority of the voting Board Members attending in person or by Electronic Means, who may each cast one vote on a matter put to a vote.
- (5) Despite subsection (8), the chair of a meeting of the Board 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.
- (6) A resolution that is assented to and adopted by the Board Members in writing, although not passed at a meeting of the Board, is of the same force and effect as if it had been duly passed at a meeting of the Board.
- (7) The Executive Director must ensure that minutes are taken at each meeting of the Board.

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

- (1) The Board must appoint an Executive Director pursuant to section 32(1)(a) of the PGA [*Officers and committees*].
- (2) The Board authorizes the Executive Director to exercise the 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 Board authorizes the Executive Director to exercise the 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 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.
- (2) No Registrant, other than a Registrant who is on the Board, has any right to inspect any Accounting Records of EGBC, except as authorized by the Board or as required by law.
- (3) The Board 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.

## **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 as an auditor.
- (2) A report duly signed by the auditor appointed pursuant to subsection (1) must be presented to Registrants, and the Board 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 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, 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 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 pursuant to subsection (3).
- (5) Any policies, procedures, or rules of order adopted or established by the Board 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 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 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 Board Chair must act as chair of a general meeting.
- (2) Despite subsection (1), the Board Vice Chair must act as chair of a general meeting if the Board Chair
  - (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 may choose one of their number to chair the general meeting if both the Board Chair and the Board Vice Chair
  - (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 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 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, 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 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, 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 the Board**

### **4.1 Nomination Committee Composition**

- (1) The Nomination Committee must be composed of between 5 and 7 members appointed by the Board.
- (2) The members of the Nomination Committee appointed by the Board pursuant to subsection (1) must include
  - (a) the Immediate Past Board Chair, 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 Immediate Past Board Chair cannot be appointed as or serve as chair of the Nomination Committee, the Board must appoint a Lay 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 must appoint a delegate.
- (5) No Board Member may be appointed to or serve on the Nomination Committee, except
  - (a) the Immediate Past Board Chair, or
  - (b) a Lay Board Member, if the Immediate Past Board Chair 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 Board Member must be a Registrant In Good Standing.

### **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**

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

- (1) The election of Registrant Board Members must be by electronic ballot.
- (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 the number of Registrant Board Members to be elected will invalidate the ballot.
- (5) Voting for less than the number of Registrant 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 2023-02-28].
- (8) The candidates who receive the most votes in the election are elected as Registrant Board Members.
- (9) [Repealed 2023-02-28].
- (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 Board Members must take office at the close of the annual general meeting.
- (13) The Executive Director must not authorize the deletion of any electronic ballots cast in an election until 3 months after the date on which the annual general meeting was held.

- (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**

- (1) Registrant Board Members must be elected for a 3-year term pursuant to section 24(1) of the PGA [*Term limits*].
- (2) 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) 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 the Board in subsections (2) and (3).
- (2) The Board authorizes the Credentials Committee to exercise the Board's powers pursuant to the following sections of the PGA, other than the 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) [Repealed 2023-05-01]
- (3) The Board 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 in this section of the Bylaws with respect to applications for registration as a Registrant Firm.
- (2) The Board authorizes the Audit and Practice Review Committee to exercise the Board's powers pursuant to the following sections of the PGA, other than the 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) [Repealed 2023-05-01]
- (3) The Board 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 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 authorizes the Registrar to exercise the Board'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
<b>Trainee</b>		5.5
	Engineer-in-Training	5.5.1
	Geoscientist-in-Training	5.5.2
<b>Professional Engineer</b>		5.6
	Designated Structural Engineer	5.6.1
<b>Professional Geoscientist</b>		5.7
<b>Professional Licensee Engineering</b>		5.8
<b>Professional Licensee Geoscience</b>		5.9
<b>Life Member Prior to 1998</b>		5.10
<b>Honorary Life Member</b>		5.11
<b>Registrant Firm</b>		5.12
	Public Sector Firm	5.12.1
	Private Sector Firm	5.12.2
<b>Non-Practising Individual Registrant</b>		5.13
<b>Non-Practising Registrant Firm</b>		5.14
<b>Life Member or Life Limited Licensee</b>		5.15
<b>Honorary Member</b>		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 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 at the required level of competence established by the Board 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 at the required level of competence established by the Board, or by any alternative means established by the Board;
- (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, and
  - (B) an examination in professional practice approved by the Board.
- (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, 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, including 2 years in responsible charge of significant engineering work as specified by the Board, that includes seismic design of buildings or other Structures in significant seismic regions as specified by the Board,
  - (iii) has completed examination(s) in structural engineering knowledge, solutions, codes and practice, as specified by the Board, and
  - (iv) has demonstrated active practice and completion of continuing education, as specified by the Board.
- (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.

## 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 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 at the required level of competence established by the Board, or by any alternative means established by the Board;
- (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, and
  - (2) an examination in professional practice approved by the Board.
- (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, 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, a degree or diploma in engineering technology from an institution approved by the Board in a program approved by the Board, or other academic qualifications acceptable to the Board;
- (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 at the required level of competence established by the Board 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 at the required level of competence established by the Board, or by any alternative means established by the Board;
- (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, and
  - (B) an examination in professional practice approved by the Board.
- (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, a degree or diploma in geoscience technology from an institution approved by the Board in a program approved by the Board, or other academic qualifications acceptable to the Board;
    - (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 at the required level of competence established by the Board 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 at the required level of competence established by the Board, or by any alternative means established by the Board;

- (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, and
  - (B) an examination in professional practice approved by the Board.
- (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 Board Member or as a member of any Committee.
- (4) 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, cancel, or impose a limit or condition, including a condition prohibiting practice, on the registration and Permit to Practice of a Public Sector Firm, then
  - (a) EGBC must notify the Superintendent of Professional Governance of the decision,
  - (b) any suspension, cancellation, limit, or condition on a Public Sector Firm's registration and Permit to 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 not to engage in the Reserved Practice until released from the commitment by the Board 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 not to engage in the Reserved Practice until released from the commitment by the Board 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 not to engage in the Reserved Practice.
- (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 and may be revoked at the Board’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 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 may, 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*], section 5.23(7)(b) of the Bylaws [*Reinstatement of Status as a Practising Professional Registrant*], or section 5.25(4)(b) [*Reinstatement as Trainee, a Non-Practising Registrant of a Life Member of Life Limited Licensee*] -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.

(2.1) EGBC must publish the full text of a credentials hearing decision on a public website maintained by EGBC within 30 days of the date of the credentials hearing decision.

(2.2) The publication of a credentials hearing decision pursuant to subsection (2.1) must not identify the Applicant.

(2.3) Despite subsection (2.2), the publication of a credentials hearing decision pursuant to subsection (2.1) may identify the Applicant if

- (a) the Applicant consents in writing, or
- (b) the matter of serious concern identified by the Credentials Committee pursuant to subsection (1), including the identity of the applicant, is known to the public.

(2.4) Despite subsection (2.2), the publication of a credentials hearing decision must identify the Applicant if the Applicant has been the subject of a disciplinary action taken by EGBC or a Different Governing Body, including an agreement resulting in the resolution of an investigation or disciplinary process by EGBC or by a Different Governing Body.

(3) If a decision is posted publicly following a credentials hearing held pursuant to subsection (2), Despite subsections (2.1), (2.3) and (2.4), prior to publishing the full text of the credentials hearing decision, the Registrar ~~may~~ must anonymize, ~~or~~ redact, ~~or otherwise not make publicly available~~ any identifying, personal or sensitive information if the Registrar 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 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.
- (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.
- (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 5.20 of the Bylaws [*Rejection of Application on the Basis of an Indictable Offense*], 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 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 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 other outstanding amounts owing to EGBC, including a penalty imposed on the Registrant by a Disciplinary Order and any costs imposed on the Registrant pursuant to section 10.9 of the Bylaws [*Assessment of Costs After a Discipline Hearing*];
  - (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 repute, 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 repute, 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 has previously been completed by the Applicant;
  - (g) evidence of the successful completion of an examination in professional practice approved by the Board;
  - (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.
- (6) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant whose registration was cancelled for failure to participate in a compliance audit pursuant to section 8.6(6.6) of the Bylaws or failure to cooperate with a practice review pursuant to section 8.9(4.6) of the Bylaws, must provide the following to the Credentials Committee:
- (a) a letter of explanation as to why the Applicant failed to participate in a compliance audit or failed to cooperate in a practice review; and
  - (b) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant and comply with all regulatory requirements.
- (7) On receiving an application for reinstatement of status as a practicing Professional Registrant pursuant to subsection (6),
- (a) the Credentials Committee may
    - (i) grant the application subject to conditions or limitations on the registration, including the condition that the reinstated Professional Registrant must be subject to a compliance audit pursuant to section 8.6 of the Bylaws [*Compliance Audit Program for Individual Registrants*] or a practice review pursuant to section 8.9 of the Bylaws [*Practice Review Program for Individual Registrants*] within the period of time specified by the Credentials Committee, or
    - (ii) reject the application, with written reasons, or



- (b) the Registrar may, after ~~holding~~ 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*] ~~in accordance with subsection (9),~~
  - (i) grant the application subject to conditions or limitations on the registration, including the condition that the reinstated Professional Registrant must be subject to a compliance audit pursuant to section 8.6 of the Bylaws [*Compliance Audit Program for Individual Registrants*] or a practice review pursuant to section 8.9 of the Bylaws [*Practice Review Program for Individual Registrants*] within the period of time specified by the Registrar, or
  - (ii) reject the application, with written reasons.

- ~~(8) The Credentials Committee may order a credentials hearing be conducted by the Registrar before the Registrar makes a decision pursuant to subsection (7)(b) 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.~~
- ~~(9) 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.~~
- ~~(10) If a decision is posted publicly following a credentials hearing held pursuant to subsection (9), 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.~~~~

## 5.24 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 other outstanding amounts owing to EIBC, including a penalty imposed on the Registrant by a Disciplinary Order and any costs imposed on the Registrant pursuant to section 10.9 of the Bylaws [*Assessment of Costs After a Discipline Hearing*];

- (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 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 other outstanding amounts owing to EGBC, including a penalty imposed on the Registrant by a Disciplinary Order and any costs imposed on the Registrant pursuant to section 10.9 of the Bylaws [*Assessment of Costs After a Discipline Hearing*];
  - (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*], and any other outstanding amounts owing to EGBC, including a penalty imposed on the Registrant by a Disciplinary Order and any costs imposed on the Registrant pursuant to section 10.9 of the Bylaws [*Assessment of Costs After a Discipline Hearing*];
  - (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.
- (3) In addition to the requirements set out in subsection (2), an Applicant for reinstatement as a non-practising Registrant whose registration was cancelled for failure to participate in a compliance audit pursuant to section 8.6(6.6) of the Bylaws or failure to cooperate with a practice review pursuant to section 8.9(4.6) of the Bylaws, must provide the following to the Credentials Committee:
- (a) a letter of explanation as to why the Applicant failed to participate in a compliance audit or failed to cooperate in a practice review;
  - (b) a letter of explanation as to why the Applicant wishes to reinstate status as a non-practising Registrant.
- (4) On receiving an application for reinstatement as non-practising Registrant pursuant to subsection (3),
- (a) the Credentials Committee may



- (i) grant the application subject to conditions or limitations on the registration, including the condition that the reinstated non-practising Registrant must be subject to a compliance audit pursuant to section 8.6 of the Bylaws [*Compliance Audit Program for Individual Registrants*] or a practice review pursuant to section 8.9 of the Bylaws [*Practice Review Program for Individual Registrants*] within the period of time specified by the Credentials Committee, or
  - (ii) reject the application, with written reasons, or
- (b) the Registrar may, after ~~holding~~ a credentials hearing on good character and good repute ~~in accordance with subsection (6) held pursuant to section 5.19 of the Bylaws [Credentials Hearing on Good Character and Good Repute of an Individual Applicant]~~,
- (i) grant the application subject to conditions or limitations on the registration, including the condition that the reinstated non-practising Registrant must be subject to a compliance audit pursuant to section 8.6 of the Bylaws [*Compliance Audit Program for Individual Registrants*] or a practice review pursuant to section 8.9 of the Bylaws [*Practice Review Program for Individual Registrants*] within the period of time specified by the Registrar, or
  - (ii) reject the application, with written reasons.

- ~~(5) The Credentials Committee may order a credentials hearing be conducted by the Registrar before the Registrar makes a decision pursuant to subsection (4)(b) 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.~~
- ~~(6) 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.~~
- ~~(7) If a decision is posted publicly following a credentials hearing held pursuant to subsection (6), 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.~~

## 5.26 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 include the following:
  - (a) the reason(s) that the Registrant Firm is seeking cancellation of the Registrant Firm's registration and Permit to Practice; and
  - (b) a declaration that the Firm is not involved in any ongoing activities or work related to the Regulated Practice.

### **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 as published pursuant to section 11.4 of the Bylaws [Publication of Disciplinary Orders], unless the identity of the Registrant subject to discipline is anonymized in the publication;
  - (m) any credentials hearing decision as published pursuant to section 5.19 of the Bylaws [Credentials Hearing on Good Character and Good Repute of an Individual Applicant] unless the identity of the Registrant subject to discipline is anonymized in the publication.
- (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 as published pursuant to section 11.4 of the Bylaws [Publication of Disciplinary Orders], unless the identity of the Registrant subject to discipline is anonymized in the publication;-
  - (h) any credentials hearing decision as published pursuant to section 5.19 of the Bylaws [Credentials Hearing on Good Character and Good Repute of an Individual Applicant] unless the identity of the Registrant subject to discipline is anonymized in the publication.
- (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 as published pursuant to section 11.4 [Publication of Disciplinary Orders] unless the identity of the Registrant subject to discipline is anonymized in the publication.
- (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 as published pursuant to section 11.4 [Publication of Disciplinary Orders] unless the identity of the Registrant subject to discipline is anonymized in the publication.
- (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) a 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.
- (1.1) Despite subsection (1)(b), an individual Registrant is not required to send to EGBC the late reporting fee specified in Schedule C of the Bylaws if the individual Registrant is required to send to EGBC the late completion fee pursuant to section 7.6.11(1)(d) 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.
- (6) Despite subsections (1), (3) and (4), the Registrar may, on receiving a written application by an individual Registrant, exempt the individual Registrant from providing 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*].
- (7) An exemption pursuant to subsection (6) may be granted on an annual basis.
- (8) An application by an individual Registrant to be granted an exemption pursuant to subsection (6) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on June 30 in the Reporting Year.

### **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.
  - (1.1) An application by an individual Registrant pursuant to subsection (1) to be granted an exemption from, reduction, deferral, or refund of all or part of
    - (a) a late reporting fee specified in Schedule C of the Bylaws, or
    - (b) a late completion fee specified in Schedule C of the Bylaws

must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on September 30 of the following year.

- (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*] 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).
- (4) The Board may waive payment of all or part of a fee, either annually or on a permanent basis, including the annual fee and special assessments, for an individual Registrant who demonstrates exemplary service to EGBC in the role of Board Chair and who the Board accordingly wishes to honour.

## 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 an individual Registrant fails to pay a required
- (a) registration fee pursuant to section 6.2(1) of the Bylaws [*Registration Fees*],
  - (b) designation fee pursuant to section 6.2(2) of the Bylaws [*Registration Fees*],
  - (c) 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 subsection (1),
- the Registrar must cancel the Registrant's registration, or if the Registrant is a Trainee, the Trainee's enrolment.
- (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 suspend the Registrant Firm until all fees outstanding pursuant to subsection (3) have been paid.
- (5) If a Registrant Firm or non-practising Registrant Firm suspended 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 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.
- (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.
- (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 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 Continuing Education Program for Professional Registrants**

- (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, a 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 submit the continuing education plan to EGBC 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 [Repealed 2023-02-28]**

### 7.6.7 Continuing Education Program Declaration

- (1) All Professional Registrants 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 Professional Registrant is reporting for that Reporting Year,
  - (b) that the 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 Professional Registrant has completed a valid and up-to-date continuing education plan pursuant to section 7.6.4 of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*], and
  - (d) that the information provided by the Professional Registrant pursuant to this section is true and correct to the best of the Professional Registrant's knowledge.
- (2) All Professional Registrants must retain all documentation that supports their continuing education program declaration for a minimum of 10 years after the continuing education program declaration was made.

### 7.6.8 Applications for Exemptions from the Continuing Education Program

- (1) A Professional Registrant may be granted an exemption, on an annual basis, from any or all of the continuing education program requirements set out in 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*], section 7.6.5 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Designated Structural Engineers*], 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 Professional Registrant was on parental leave, medical leave, or compassionate care leave, or
  - (b) the Audit and Practice Review Committee, if the Professional Registrant
    - (i) [Repealed 2023-05-01]
    - (ii) has other extenuating circumstances.
- (2) An application by a 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 June 30 of the applicable Reporting Year.

- (3) If an exemption granted pursuant to subsection (1) reduces the number of Continuing Education Hours that a 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 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) A 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 a Professional Registrant fails to comply with the requirements set out in subsection (1), the Registrar must suspend the Professional Registrant's registration until such requirements are complete.
- (3) If a Professional Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31, the Registrar must cancel the Professional Registrant's registration.

#### **7.6.10 Late Exemption from Continuing Education Plan, Hours, or Activities**

- (1) A 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*], section 7.6.4 of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*], or section 7.6.5 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 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 a 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 December 31 in the following Reporting Year.

- (3) If a late exemption granted pursuant to subsection (1) reduces the number of Continuing Education Hours that a 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 Professional Registrant is required to complete for the applicable Three-Year Rolling Period.
- (4) [Repealed 2023-05-01]
- (5) [Repealed 2023-05-01]

#### **7.6.11 Failure to Complete Continuing Education Plan, Hours, or Activities**

- (1) A 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*], 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) [Repealed 2023-02-28]
  - (b) complete the required Continuing Education Hours, Ethical Learning activities, or Regulatory Learning activities,
  - (c) submit a continuing education program declaration, and
  - (d) send to EGBC the late completion fee specified in Schedule C of the Bylaws,
  - (e) [Repealed 2023-05-01]
 by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.
- (2) If a Professional Registrant fails to comply with the requirements set out in subsection (1), the Registrar must suspend the Professional Registrant's registration until such requirements are complete.
- (3) If a Professional Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31, the Registrar must cancel the Professional Registrant's registration.
- (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, and
- (c) send to EGBC the late completion fee specified in Schedule C of the Bylaws,
- (d) [Repealed 2023-05-01]

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 Registrar must suspend the designated structural engineer's designation as a designated structural engineer until such requirements are complete.
- (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 Registrar must cancel the designated structural engineer's designation as a designated structural engineer.
- (7) If a 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 [Repealed 2023-05-01]**

#### **7.6.13 Continuing Education for Newly Registered 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*].
- (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 Professional Registrants' continuing education program requirements pursuant to 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*], section 7.6.5 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Designated Structural Engineers*], 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, 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 in subsections (2) and (3).
- (2) The Board authorizes the Audit and Practice Review Committee to exercise the 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 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 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 authorizes the Registrar to exercise the Board'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) An employee of EGBC, contractor retained by EGBC, or subject matter expert must not be appointed as an assessor for the purposes of subsection (1) if the employee, contractor, or subject matter expert has or previously had a relationship with a Registrant subject to a compliance audit or a practice review that would reasonably compromise 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 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 participate in the compliance audit process.
  - (a) [Repealed 2023-05-01]
  - (b) [Repealed 2023-05-01]
  - (c) [Repealed 2023-05-01]
- (6.1) For the purposes of subsection (6), participation in the compliance audit process includes, but is not limited to, the following:
  - (a) completing and submitting the conflict of interest declaration form;
  - (b) completing and submitting the compliance audit questionnaire;
  - (c) responding to requests and answering all questions;
  - (d) providing access to all requested information, files, or records in the individual Registrant's possession or control, including but not limited to information, files, or records related to the individual Registrant's compliance with applicable continuing education requirements, quality management standards, professional practice guidelines, practice advisories, and policies of EGBC;
  - (e) attending one or more interviews with the assessor, either in person or by Electronic Means; and
  - (f) facilitating office and site visits, in person or by Electronic Means, by the assessor or any person designated by the assessor, including taking reasonable steps to arrange for office and site access and any information required to comply with applicable health and safety legislation during the site visit.
- (6.2) For the purposes of subsection (6.1), the assessor or the Audit and Practice Review Committee may specify time periods within which the individual Registrant must comply.
- (6.3) If an individual Registrant fails to comply with subsection (6), the individual Registrant's registration must be suspended.
- (6.4) At least 15 days before a suspension pursuant to subsection (6.3) can take effect, the individual Registrant must be given written notice of
  - (a) the date on which the suspension will take effect, and
  - (b) the reasons for the suspension.
- (6.5) A suspension pursuant to subsection (6.3) remains in place until the individual Registrant complies with subsection (6).

- (6.6) If an individual Registrant suspended pursuant to subsection (6.3) fails to comply with subsection (6) within 90 days of the date of the suspension, the individual Registrant's registration must be cancelled.
- (7) The assessor must review the evidence provided pursuant to subsection (6.1) and determine whether the individual Registrant is in compliance with all applicable regulatory requirements, including
- (a.01) the Bylaws and Code of Ethics,
  - (a) applicable requirements of the continuing education program,
  - (b) applicable quality management standards, professional practice guidelines, practice advisories, and policies of EGBC, 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 (8).

- (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 participate in the compliance audit process.
  - (a) [Repealed 2023-05-01]
  - (b) [Repealed 2023-05-01]
  - (c) [Repealed 2023-05-01]
  - (d) [Repealed 2023-05-01]
  - (e) [Repealed 2023-05-01]
- (9.1) For the purposes of subsection (9), participation in the compliance audit process includes, but is not limited to, the following:
  - (a) designating one Responsible Registrant, if the Registrant Firm has more than one Responsible Registrant, to coordinate
    - (i) the Registrant Firm's participation in the compliance audit, and
    - (ii) communications on behalf of the Registrant Firm;
  - (b) completing and submitting the conflict of interest declaration form;
  - (c) submitting the Registrant Firm's Professional Practice Management Plan;
  - (d) completing and submitting the compliance audit questionnaire;
  - (e) responding to requests and answering all questions;
  - (f) providing access to all requested information, files, or records in the Registrant Firm's possession or control, including but not limited to information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, Code of Conduct, and compliance with the Bylaws, applicable professional practice guidelines, practice advisories, and policies of EGBC;
  - (g) facilitating office and site visits, in person or by Electronic Means, by the assessor or any person designated by the assessor, including arranging for and providing office

and site access, any necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit;

- (h) ensuring compliance with any request 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; and
  - (i) attending the opening, summary, and closing meetings with the assessor.
- (10) A Responsible Registrant designated pursuant to subsection (9.1)(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 (9.1)(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 compliance audit pursuant to subsection (9.1).
- (11.1) For the purposes of subsection (9.1), the assessor or the Audit and Practice Review Committee may specify time periods within which the Registrant Firm must comply.
- (11.2) If the Registrant Firm fails to comply with subsection (9), the Registrant Firm's registration and Permit to Practice must be suspended.
- (11.3) At least 15 days before a suspension pursuant to subsection (11.2) can take effect, the Registrant Firm must be given written notice of
- (a) the date on which the suspension will take effect, and
  - (b) the reasons for the suspension.
- (11.4) A suspension pursuant to subsection (11.2) remains in place until the Registrant Firm complies with subsection (9).
- (11.5) If a Registrant Firm suspended pursuant to subsection (11.2) fails to comply with subsection (9) within 90 days of the date of the suspension, the Registrant Firm's registration and Permit to Practice must be cancelled.
- (12) The assessor must review the evidence provided pursuant to subsection (9.1) and determine whether the Registrant Firm is in compliance with all applicable regulatory requirements, including
- (a) the Bylaws and the Code of Ethics,

- (b) professional practice guidelines, practice advisories, and policies of EGBC, and
  - (c) quality management and continuing education requirements.
- (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 participate in 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 coordinate
    - (i) the Registrant Firm's participation 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 cooperate with the practice review process.
  - (a) [Repealed 2023-05-01]
  - (b) [Repealed 2023-05-01]

- (c) [Repealed 2023-05-01]
- (4.1) For the purposes of subsection (4), cooperation with the practice review process includes, but is not limited to, the following:
  - (a) completing and submitting the practice review questionnaire;
  - (b) responding to requests and answering all questions;
  - (c) providing access to all requested information, files, or records in the individual Registrant's possession or control, including but not limited to information, files, or records related to the individual Registrant's compliance with applicable continuing education requirements, quality management standards, professional practice guidelines, practice advisories, and policies of EGBC;
  - (d) attending one or more interviews with the assessor, either in person or by Electronic Means; and
  - (e) facilitating office and site visits, in person or by Electronic Means, by the assessor or any person designated by the assessor, including taking reasonable steps to arrange for office and site access and any information required to comply with applicable health and safety legislation during the visit.
- (4.2) For the purposes of subsection (4.1), the assessor or the Audit and Practice Review Committee may specify time periods within which the individual Registrant must comply.
- (4.3) If an individual Registrant fails to comply with subsection (4), the individual Registrant's registration must be suspended.
- (4.4) At least 15 days before a suspension pursuant to subsection (4.3) can take effect, the individual Registrant must be given written notice of
  - (a) the date on which the suspension will take effect, and
  - (b) the reasons for suspension.
- (4.5) A suspension pursuant to subsection (4.3) remains in place until the individual Registrant complies with subsection (4).
- (4.6) If an individual Registrant suspended pursuant to subsection (4.3) fails to comply with subsection (4) within 90 days of the date of the suspension, the individual Registrant's registration must be cancelled.
- (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 cooperate with the practice review process.
  - (a) [Repealed 2023-05-01]
  - (b) [Repealed 2023-05-01]
  - (c) [Repealed 2023-05-01]
  - (d) [Repealed 2023-05-01]
  - (e) [Repealed 2023-05-01]
- (3.1) For the purposes of subsection (3), cooperation with the practice review process includes, but is not limited to, the following:
  - (a) designating one Responsible Registrant, if the Registrant Firm has more than one Responsible Registrant, to coordinate

- (i) the Registrant Firm's cooperation with the practice review, and
    - (ii) communications on behalf of the Registrant Firm;
  - (b) submitting the Registrant Firm's Professional Practice Management Plan;
  - (c) completing and submitting the practice review questionnaire;
  - (d) responding to requests and answering all questions;
  - (e) providing access to all requested information, files, or records in the Registrant Firm's possession or control, including but not limited to information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, Code of Conduct, and compliance with the Bylaws, applicable professional practice guidelines, practice advisories, and policies of EGBC;
  - (f) facilitating office and site visits, in person or by Electronic Means, by the assessor or any person designated by the assessor, including arranging for and providing office and site access, any necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit; and
  - (g) ensuring compliance with any request 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.
- (4) A Responsible Registrant designated pursuant to subsection (3.1)(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 (3.1)(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 (3.1).
- (5.1) For the purposes of subsection (3.1), the assessor or the Audit and Practice Review Committee may specify time periods within which the Registrant Firm must comply.
- (5.2) If the Registrant Firm fails to comply with subsection (3), the Registrant Firm's registration and Permit to Practice must be suspended.
- (5.3) At least 15 days before a suspension pursuant to subsection (5.2) can take effect, the Registrant Firm must be given written notice of

- (a) the date on which the suspension will take effect, and
  - (b) the reasons for the suspension.
- (5.4) A suspension pursuant to subsection (5.2) remains in place until the Registrant Firm complies with subsection (3).
- (5.5) If a Registrant Firm suspended pursuant to subsection (5.2) fails to comply with subsection (3) within 90 days of the date of the suspension, the Registrant Firm's registration and Permit to Practice must be cancelled.
- (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 in subsections (2) and (3).
- (2) The Board authorizes the Investigation Committee to exercise the Board’s powers pursuant to the following sections of the PGA and Regulations, other than the Board’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 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 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 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 investigation
 that 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 Cooperation 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) cooperate 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 coordinate
      - (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 coordinate 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)(a) or (b) 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 pursuant to subsections (2) and (3).
- (2) The Board authorizes the Discipline Committee to exercise the Board’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 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 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 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-Respondent](#) 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*].

## 10.11 Failure to Pay Penalties or Costs

- (1) If a Registrant fails to pay, within the specified time period, the full amount of
  - (a) a penalty imposed pursuant to section 75 of the PGA [*Discipline hearings*], or
  - (b) costs imposed pursuant to section 81(1) of the PGA and 10.10 of the Bylaws [*Payment of Costs*],the Registrar must suspend 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.
- (2) A suspension pursuant to subsection (1) remains in place until the Registrant pays the full amount of the penalty or costs.

- (3) If a Registrant suspended pursuant to subsection (1) fails to pay the full amount of a penalty or costs within 90 days of the date of the suspension, 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.

## 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~~ **must** 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 but not limited to ~~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;

(e) in the form of a posting on an electronic or online publication.

(2.1) Despite subsection (1), EGBC is not required to publish a Disciplinary Order that is a pre-hearing conference determination pertaining solely to a procedural component of a discipline hearing.

(2.2) For the purposes of subsection (2.1), the Discipline Hearing Panel must specify whether a pre-hearing conference determination pertains to a procedural component or a substantive component of the discipline hearing.

(2.3) Despite subsection (1), EGBC may delay publication of a Disciplinary Order that is a pre-hearing conference determination until 30 days in advance of the date of the discipline hearing.

- (3) Despite subsections (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~~must 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 subsections (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 Orders

- (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*], section 5.23(8)-(10) of the Bylaws [*Reinstatement of Status as a Practicing Professional Registrant*], or section 5.25(5)-(7) of the Bylaws [*Reinstatement of Status as a Trainee, a Non-Practicing Registrant, or a Life Member or Life Limited Licensee*], 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 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*], section 5.23(8)-(10) of the Bylaws [*Reinstatement of Status as a Practicing Professional Registrant*], or section 5.25(5)-(7) of the Bylaws [*Reinstatement of Status as a Trainee, a Non-Practicing Registrant, or a Life Member or Life Limited Licensee*], 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~~90 days prior to the commencement of a hearing;
  - (b) all relevant written or documentary evidence at least ~~30~~90 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 ~~360~~ 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 ~~4560~~ 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

(a) give written reasons for their decision, and

(b) determine whether publication of any part of the decision is to be withheld in accordance with section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*] or section 11.4 of the Bylaws [*Publication of Disciplinary Orders*], as applicable.

## Schedule C – Fees

[amended 2023-05-01 **YYYY-MM-DD**]

### 1.1 Fees for Individual Registrants

Fee Description	Amount
<b>APPLICATION FEES</b>	
<b>Application fee for Trainee (EIT/ GIT) Applicant</b>	
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	<b>\$0.00</b>
b. who applies within 12 months of graduation from an engineering or geoscience post-secondary program	<b>\$0.00</b>
c. who applies more than 12 months after graduation from an engineering or geoscience post-secondary program	<b>\$475.00</b>
<b>Application fee for professional licensee engineering/ professional licensee geoscience Applicant</b>	
a. First time Applicant not licensed or registered in another Canadian province/territory	<b>\$475.00</b>
b. Who holds an equivalent licence or registration in another Canadian province/territory	<b>\$250.00</b>
c. Application for Minor Change to authorized area of Reserved Practice	<b>\$200.00</b>
d. Application for Major Change to authorized area of Reserved Practice	<b>\$400.00</b>
<b>Application fee for professional engineer/ professional geoscience Applicant</b>	
a. First time Applicant not registered or licensed as a P.Eng., P.Geo., ing. or géo in other Canadian province/territory	<b>\$475.00</b>
b. Applicant who is registered with another registered or licensed as a P.Eng., P.Geo., ing. or géo in other Canadian province/territory	<b>\$250.00</b>
c. Applicant who is currently an EIT or GIT with Engineers and Geoscientists BC and whose EIT/GIT application fee was waived	<b>\$325.00</b>
d. Applicant who is currently an EIT or GIT with Engineers and Geoscientists BC and who paid an application fee for EIT/GIT application	<b>\$0.00</b>
<b>Application fee for designated structural engineer Applicant</b>	<b>\$500.00</b>
<b>Application fee for reinstatement as a Professional Registrant</b>	
a. within 6 months of resignation, removal or conversion to non-practising registration	<b>\$50.00</b>

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
<b>Application fee for reinstatement as a Trainee, non-practising Registrant, life member or life limited licensee Registrant</b>	<b>\$50.00</b>
<b>EXAMINATION FEES</b>	
<b>Examination fee for Trainee (EIT/ GIT) Applicant, Professional Engineer Applicant, or Professional Geoscientist Applicant</b>	
a. Per Examination	\$360.00
b. Defer Examination to a subsequent session	\$220.00
c. Request Examination Re-read per Examination	\$330.00
<b>Examination fees for designated structural engineer Applicant</b>	
a. BC Codes and Practices Examination	\$500.00
b. <del>Institution of Structural Engineers Chartered Membership Examination</del> [Repealed YYYY-MM-DD]	<del>\$1,000.00</del>
<b>Examination fee for professional licensee engineering/ professional licensee geoscience Applicant</b>	
a. Per Examination	\$360.00
b. Defer Examination to a subsequent session	\$220.00
c. Request Examination Re-read per Examination	\$330.00
<b>Professional Practice Examination fee for all applicable Applicants or Registrants</b>	
a. Multiple Choice and Essay sections	\$260.00
b. [Repealed 2021-04-23]	
<b>INTERVIEW FEES</b>	
<b>Interview fee for all applicable Applicants</b>	
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
<b>Interview fee for reinstatement as a Professional Registrant</b>	
a. In-person interview at EGBC office	\$0.00



Fee Description	Amount
b. Rescheduling (For applicant-initiated postponement or cancellation of a confirmed interview)	\$200.00
c. Remote Interview by Videoconference	\$200.00
<b>COURSE FEES</b>	
<b>Course fee for Professional Engineering and Geoscience in BC Seminar for all applicable Applicants or Registrants</b>	<b>\$275.00</b>
<b>Course fee for Working in Canada Seminar</b>	
- Per unit	\$50.00
- Four-unit Seminar	\$200.00
<b>REGISTRATION &amp; DESIGNATION FEES</b>	
<b>Registration fee for registration as an individual Registrant (other than a Trainee)</b>	<b>\$270.00</b>
<b>Annual fee for designation as a designated structural engineer</b>	<b>\$300.00</b>
<b>ANNUAL FEES</b>	
<b>Annual fee 2023</b>	
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	\$470.00
b. Professional Engineer/Professional Geoscientist Reduced Fee for Hardship	\$235.00
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	\$117.50
b. Professional Licensee Engineering/Professional Licensee Geoscience	\$104.50
c. Registrant medically unable to work (non-practising)	\$0.00
<b>Annual fee for a Registrant granted enrolment/ registration at some time other than beginning of annual renewal cycle</b>	<b>Prorated annual fee</b>
<b>Annual Fee 2024</b>	

Fee Description	Amount
<b>Trainee (EIT/GIT)</b>	
a. Full Fee	<b>\$286.00</b>
b. Reduced Fee for Hardship	<b>\$143.00</b>
c. Medically unable to work	<b>\$0.00</b>
<b>Professional Registrant</b>	
a. Professional Engineer/Professional Geoscientist Full Fee	<b>\$520.00</b>
b. Professional Engineer/Professional Geoscientist Reduced Fee for Hardship	<b>\$260.00</b>
c. Professional Licensee Engineering/Professional Licensee Geoscience Full Fee	<b>\$418.00</b>
d. Professional Licensee Engineering/Professional Licensee Geoscience Reduced Fee for Hardship	<b>\$209.00</b>
<b>Non-practising Registrant</b>	
a. Professional Engineer/Professional Geoscientist	<b>\$130.00</b>
b. Professional Licensee Engineering/Professional Licensee Geoscience	<b>\$104.50</b>
c. Registrant medically unable to work (non-practising)	<b>\$0.00</b>
<b>Annual fee for a Registrant granted enrolment/ registration at some time other than beginning of annual renewal cycle</b>	<b>Prorated annual fee</b>
<b>REPLACEMENT / ADDITIONAL FEES</b>	
<b>Additional Manual Seal</b>	
a. 30 mm Rubber Stamp	<b>\$30.00</b>
b. 30 mm Self Inking Stamp (black ink unless specified)	<b>\$50.00</b>
c. 50 mm Rubber Stamp	<b>\$35.00</b>
d. 50 mm Self Inking Stamp (black ink unless specified)	<b>\$55.00</b>
e. Long Reach Seal	<b>\$85.00</b>
f. Professional Licensee Rubber Stamp	<b>\$40.00</b>
g. Professional Licensee Self Inking Stamp	<b>\$50.00</b>
Rush Order Fee for Stamp Order	<b>\$20.00</b>
<b>Additional certificate of registration</b>	<b>\$25.00</b>
<b>Rush Order Fee for Certificate Order</b>	<b>\$20.00</b>
<b>LATE FEES</b>	
<b>Late fee for failure to pay annual fee</b>	<b>15% of Annual fee for</b>

Fee Description	Amount
	<b>Registration category</b>
<b>Late fee for failure to pay a special assessment</b>	<b>15% of Special assessment fee</b>
<b>Late reporting fee for:</b>	<b>2021 only: \$0</b>
a. Failure to provide certain information published on the register or personal and unique email address	<b>2022 onwards: \$100.00</b>
b. Failure to submit a completed CEP Declaration	
<b>[Repealed 2023-05-01]</b>	
<b>Late completion fee for failure to complete continuing education plan, continuing education hours, required ethical learning, required regulatory learning, required technical learning (in the case of a designated structural engineer)</b>	<b>\$200.00</b>
<b>RECONSIDERATION AND REVIEW ON THE RECORD FEES</b>	
<b>Reconsideration fee</b>	<b>\$150.00</b>
<b>Review on the record fee</b>	<b>\$500.00</b>

## 1.2 Fees for Registrant Firms

Fee Description	Amount
<b>APPLICATION FEE</b>	
Application fee for Registration as a Registrant Firm	<b>\$350.00</b>
<b>ANNUAL FEES</b>	
<b>Annual fee for Registrant Firm</b>	
a. Registrant Firms with only one Professional Registrant employed by or under contract with the Registrant Firm:	<b>\$250.00</b>
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:	<b>\$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.</b>
Annual fee for a Registrant Firm granted enrolment/ registration at some time other than beginning of annual renewal cycle	<b>Prorated, based on annual fee formula.</b>
<b>[Repealed 2021-06-25]</b>	
<b>SPECIAL ASSESSMENTS</b>	
<b>Special assessments (if any)</b>	
<b>LATE FEES</b>	
Late fee for failure to pay annual fee	<b>15% of Annual Fee of each category above</b>
Late fee for failure to pay a special assessment	<b>15% of special assessment</b>
Late reporting fee for failure to provide:	<b>\$100.00</b>
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)	<b>\$200.00</b>
<b>REVIEW ON THE RECORD FEE</b>	
Review on the record fee	<b>\$500.00</b>

## 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 cooperate 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	June 16, 2023
SUBJECT	Proposed Bylaw Amendments for the Board meeting of June 16, 2023

Overview and Navigation

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(1) SUBSTANTIVE AMENDMENTS

(A) SUSPENSION AND CANCELLATION FOR FAILURE TO PAY PENALTY OR COSTS

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
New Bylaw provisions are proposed, pursuant to section 50.1(g) and (h) of the PGA, to suspend and ultimately cancel Registrants for failure to pay a penalty or costs. The existing Bylaws for reinstatement already capture that any amounts owed to EGBC, including penalty and costs, must be paid as a pre-requisite for reinstatement (ss. 5.23(1)(b), 5.24(1)(b), 5.25(1)(b)).		
10.11 [ <i>Failure to Pay Penalty or Costs</i> ]	Add bylaw provisions to suspend and cancel registrants who fail to pay, within the specified time period, a penalty or costs resulting from an order made following a discipline hearing.	<p><b>10.11 Failure to Pay Penalties or Costs</b></p> <p>(1) If a Registrant fails to pay, within the specified time period, the full amount of</p> <p>(a) a penalty imposed pursuant to section 75 of the PGA [<i>Discipline hearings</i>], or</p> <p>(b) costs imposed pursuant to section 81(1) of the PGA and 10.10 of the Bylaws [<i>Payment of Costs</i>], the Registrar must suspend 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.</p> <p>(2) A suspension pursuant to subsection (1) remains in place until the Registrant pays the full amount of the penalty or costs.</p> <p>(3) If a Registrant suspended pursuant to subsection (1) fails to pay the full amount of a penalty or costs within 90 days of the date of the suspension, 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.</p>

(B) PUBLICATION OF PRE-HEARING CONFERENCE DECISIONS

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
1.1(1) [ <i>Definitions</i> ]	Add pre-hearing conferences related to discipline hearings to the definition of "Disciplinary Order" in order to make the existing publication bylaws applicable to pre-hearing conference decisions.	<p><b>"Disciplinary Order"</b> means any of the following:</p> <p>(a) an order made pursuant to section 9.7.2 of the Bylaws [<i>Suspension or Cancellation on the Basis of an Indictable Offence</i>];</p> <p>(b) an order made pursuant to section 67(1) of the PGA [<i>Extraordinary action</i>];</p> <p>(c) a consent or undertaking given pursuant to section 72(1) of the PGA [<i>Reprimand or remedial action by consent</i>];</p> <p>(d) a consent order made pursuant to section 73(2)(a) or (b) of the PGA [<i>Consent orders</i>];</p> <p>(e) any agreement reached through the Alternative Complaint Resolution process pursuant to section 74 of the PGA [<i>Alternative complaint resolution</i>];</p> <p>(e.1) a determination made at a pre-hearing conference by a Discipline Hearing Panel;</p> <p>(f) a determination made pursuant to sections 75(5)(b), 75(6), or 75(7) of the PGA [<i>Discipline hearings</i>], as applicable;</p> <p>(g) an assessment of costs made pursuant to section 81(1) of the PGA [<i>Costs</i>].</p>

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
11.4 [ <i>Publication Disciplinary Orders</i> ];	<p>Add publication provisions specific to pre-hearing conference orders to establish which pre-hearing conference decisions are to be published and when.</p> <p>The intent behind publishing pre-hearing conference decisions is to increase transparency. Pre-hearing conferences may be held to resolve matters of procedure or evidence, or adjudicate motions brought by the parties, etc. While some decisions at a pre-hearing conference address merely procedural matters (such as scheduling issues), other decisions are substantive to the assessment of the disputed issues.</p> <p>Publishing substantive pre-hearing conference decisions</p> <p>(a) provides the public with a better understanding of the discipline process as it allows for an insight into the procedures and issues that may arise before the start of a discipline hearing, and</p> <p>(b) helps increase clarity of the law as some pre-hearing conference decisions provide explanations of legal principles.</p> <p>Establishing a publication requirement in the Bylaws is important to prevent any dispute as to whether pre-hearing conference decisions can be published.</p>	<p>(2.1) Despite subsection (1), EGBC is not required to publish a Disciplinary Order that is a pre-hearing conference determination pertaining solely to a procedural component of a discipline hearing.</p> <p>(2.2) For the purposes of subsection (2.1), the Discipline Hearing Panel must specify whether a pre-hearing conference determination pertains to a procedural component or a substantive component of the discipline hearing.</p> <p>(2.3) Despite subsection (1), EGBC may delay publication of a Disciplinary Order that is a pre-hearing conference determination until 30 days in advance of the date of the discipline hearing.</p>

(C) PUBLICATION OF CREDENTIALS HEARING DECISIONS

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
5.19 [ <i>Credentials Hearing on Good Character and Good Repute of an Individual Applicant</i> ];	Amend the provisions for the publication of credentials hearing decisions to establish that credentials hearing decisions are always published and, by default, published anonymously. The identity of the Applicant is only disclosed if: (a) the Applicant agrees in writing; (b) the matter of serious concern prompting the credentials hearing is known to the public; or (c) the Applicant has been disciplined by EGBC or in another jurisdiction.	<p>5. 19 Credentials Hearing on Good Character and Good Repute of an Individual Applicant</p> <p>(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 [<i>Decisions Regarding Applications for Enrolment, Admission, and Reinstatement</i>], <i>section 5.23(7)(b) of the Bylaws [Reinstatement of Status as a Practising Professional Registrant], or section 5.25(4)(b) [Reinstatement as Trainee, a Non-Practising Registrant of a Life Member of Life Limited Licensee]</i> 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.</p> <p>(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.</p> <p>(2.1) <i>EGBC must publish the full text of a credentials hearing decision on a public website maintained by EGBC within 30 days of the date of the credentials hearing decision.</i></p> <p>(2.2) <i>The publication of a credentials hearing decision pursuant to subsection (2.1) must not identify the Applicant.</i></p> <p>(2.3) <i>Despite subsection (2.2), the publication of a credentials hearing decision pursuant to subsection (2.1) may identify the Applicant if</i></p> <p><i>(a) the Applicant consents in writing, or</i></p> <p><i>(b) the matter of serious concern identified by the Credentials Committee referred to in subsection (1), including the identity of the applicant, is known to the public.</i></p> <p>(2.4) <i>Despite subsection (2.2), the publication of a credentials hearing decision must identify the Applicant if the Applicant has been the subject of a disciplinary action taken by EGBC or a Different Governing Body, including an agreement resulting in the resolution of an investigation or disciplinary process by EGBC or by a Different Governing Body.</i></p> <p>(3) <i>If a decision is posted publicly following a credentials hearing held pursuant to subsection (2), Despite subsections (2.1), (2.3) and (2.4), prior to publishing the full text of the credentials hearing decision, the Registrar may must anonymize, or redact, or otherwise not make publicly available any identifying, personal or sensitive information if the Registrar determines that the public interest in the information being made publicly available is outweighed by the privacy interest of</i></p> <p><i>(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</i></p> <p><i>(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/Respondent's ability to practice.</i></p>

(2) MINOR AMENDMENTS

Bylaw Section	Description of Proposed Amendment	Redline Excerpt
5.27(4)(l) and (5)(g) [Register of Individual Registrants]; 5.28(3)(l) and (4)(g) [Register of Registrant Firms]	Amend the provision to add Disciplinary Orders to a Registrant’s profile on the register to allow that Disciplinary Orders where the identity of the Registrant is anonymized are not added to the Registrant’s profile. The added provision “as published pursuant to section 11.4 of the Bylaws” also ensures that Disciplinary Orders that are pre-hearing conference determinations are only linked to the register if they meet the threshold for publication.	5.27(4)(l) any Disciplinary Order(s) respecting the individual Registrant <b>as published pursuant to section 11.4 of the Bylaws [Publication of Disciplinary Orders], unless the identity of the Registrant subject to discipline is anonymized in the publication;</b>
5.27(4)(m) and (5)(h) [Register of Individual Registrants]	Add a provision to include credentials hearing decisions on the register if the identity of the Registrant is identified in the publication of the credentials hearing decision. The proposal to add credentials hearing decisions on the register aligns with the practice of the Law Society of BC.	<b>(m) any credentials hearing decisions as published pursuant to section 5.19 of the Bylaws [Credentials Hearing on Good Character and Good Repute of an Individual Applicant] unless the identity of the Registrant subject to discipline is anonymized in the publication.</b>
9.7.7(3) [Decision by the Investigation Committee]	<p>Change the cross-reference in subsection (3) to refer to subsection (1)(a) and (b) exclusively. This is an important correction to the scope of providing written reasons following a decision made by the Investigation Committee.</p> <p>Under the revised Bylaws, the Investigation Committee must continue to provide written reasons when deciding to close a file under subsection (1) (a) or (b). Whereas a decision made pursuant to (1)(c) would not involve written reasons because, at this point, the Investigation Committee merely decides to <i>attempt</i> to resolve the matter through a voluntary resolution process. EGBC will continue to advise the complainant when a consent agreement is reached in accordance with our policy. For a decision to issue a citation under subsection (1)(d), the citation itself presents the reasons.</p>	<p>(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:</p> <ul style="list-style-type: none"><li>(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;</li><li>(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;</li><li>(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];</li><li>(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.</li></ul> <p>(3) The Investigation Committee must inform and provide written reasons for its decision made pursuant to subsection (1)(a) or (b) to</p> <ul style="list-style-type: none"><li>(a) the Registrant subject to investigation, and</li><li>(b) the Complainant, if the investigation is based on a complaint.</li></ul>



Bylaw Section	Description of Proposed Amendment	Redline Excerpt
11.4(2) [ <i>Publication of Disciplinary Orders</i> ]	Add electronic or online publication to the possible means of publishing a summary or the full Disciplinary Order	(1) In addition to subsection (1), EGBC may publish a summary or the full text of a Disciplinary Order by other methods, including <b>but not limited to by</b> 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; <b>(e) in the form of a posting on an electronic or online publication.</b>
Schedule B – 1.5 [ <i>Disclosure and Evidence</i> ]	Adjust timelines for document disclosure for a discipline hearing. The intent is to align the timeline for document disclosure with the disclosure of expert reports and to extend the overall timelines. The increased timelines should assist with the voluntary resolution process (resolution by consent prior to a discipline hearing often relies on earlier document disclosure), and avoid adjournment of discipline hearings.	(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 <del>60</del> <b>90</b> days prior to the commencement of a hearing; (b) all relevant written or documentary evidence at least <del>30</del> <b>90</b> 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 <del>30</del> <b>60</b> 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 <del>45</del> <b>60</b> 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.
Schedule B – 1.11 [ <i>Decisions</i> ]	Require the Decision Maker (which is the Registrar in a credentials hearing or the Discipline Hearing Panel in a discipline hearing) to make a determination with respect to publication of their decision.	1.11 Decisions (2) A Decision Maker must (a) give written reasons for their decision <del>-, and</del> (b) <b>determine whether publication of any part of the decision is to be withheld in accordance with section 5.19 of the Bylaws [<i>Credentials Hearing on Good Character and Good Repute of an Individual Applicant</i>] or section 11.4 of the Bylaws [<i>Publication of Disciplinary Orders</i>], as applicable.</b>



(3) SCHEDULE C (FEES)

Bylaw Section	Description of Proposed Amendment	Redline Excerpt
Schedule C – Examination Fees	<p>Remove the item “Institution of Structural Engineers Chartered Membership Examination” from the Schedule C list of examination fees for designated structural engineer Applicant.</p> <p>The Institution of Structural Engineers (IStructE) Chartered Membership Examination is not offered through EGBC. In previous years, EGBC may have helped coordinate registration for this external exam including payment collection. However, the organization does not collect payment (i.e., \$1000) for the exam as the Applicant can register and submit payment directly to IStructE.</p>	<p><b>Examination fees for designated structural engineer Applicant</b></p> <p>a. BC Codes and Practices Examination \$500.00</p> <p>b. <del>Institution of Structural Engineers Chartered Membership Examination \$1,000.00</del> [Repealed YYYY-MM-DD]</p>
Schedule C – Examination Fees	<p>Remove Essay Fee for Professional Practice Exam (PPE) from Schedule C.</p> <p>At its August 2022 meeting, the Credentials Committee approved the motion to eliminate the essay component of the PPE, and replace it with English language testing options/alternatives. As of January 2023, all fees associated with the PPE do not include the essay. The item can now be revised to “Multiple Choice”.</p>	<p><b>Professional Practice Examination fee for all applicable Applicants or Registrants</b></p> <p>a. Multiple Choice <del>and Essay sections</del> \$260.00</p> <p>b. [Repealed 2021-04-23]</p>

(4) HOUSEKEEPING

Bylaw Section	Description of Proposed Amendment	Redline Excerpt
5.23(7)(b), (8)-(10) [Reinstatement of Status as a Practising Professional Registrant]; and 5.25(4)(b), (5)-(7) [Reinstatement as a Trainee, a Non-Practising Registrant, or a Life Member or Life Limited Licensee]	Add a cross-reference to section 5.19 on credentials hearings and remove redundant provisions.	5.19 Reinstatement of Status as a Practising Professional Registrant (7) On receiving an application for reinstatement of status as a practicing Professional Registrant pursuant to subsection (6), (a) [...] (b) the Registrar may, after <del>holding</del> a credentials hearing on good character and good reputation <del>held pursuant to section 5.19 of the Bylaws [Credentials Hearing on Good Character and Good Reputation of an Individual Applicant] in accordance with subsection (9), [...]</del> <del>(8) The Credentials Committee may order a credentials hearing be conducted by the Registrar before the Registrar makes a decision pursuant to subsection (7)(b) 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 reputation.</del> <del>(9) 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.</del> <del>(10) If a decision is posted publicly following a credentials hearing held pursuant to subsection (9), the Registrar may anonymize or redact any identifying, personal or sensitive information of</del> <del>(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</del> <del>(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.</del>
5.25(2)(b) [Reinstatement as a Trainee, a Non-Practising Registrant, or a Life Member or Life Limited Licensee]	Correct an oversight. The requirement for applicants for reinstatement to pay “any other outstanding amounts owing to EGBC” was added for clarity and cohesion in a previous round of bylaw amendment to 5.23(1)(b) [for reinstatement as a practicing Professional Registrant] and 5.25(1)(b) [for reinstatement as a Trainee], but was missed in section 5.25(2)(b) [for reinstatement as a non-practising Registrant or life member or life limited licensee]	(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], <del>and any other outstanding amounts owing to EGBC, including a penalty imposed on the Registrant by a Disciplinary Order and any costs imposed on the Registrant pursuant to section 10.9 of the Bylaws [Assessment of Costs After a Discipline Hearing];</del>
10.10.1(1) [Extension of Time for Payment of Costs]	Amend “Registrant” to “Respondent” for consistency within section 10.10.1 and the prior sections.	(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 <del>Registrant</del> Respondent 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].

Bylaw Section	Description of Proposed Amendment	Redline Excerpt
11.2(2) [ <i>Publication of Citations</i> ]; 11.4(3) [ <i>Publication of Disciplinary Orders</i> ]	Revise “may” to “must” to ensure that, if a determination is made that anonymization or redaction is warranted because one of the factors in subsections (a) or (b) applies, the respective decision maker <u>must</u> anonymize or redact. This change is a minor correction to ensure alignment with sections 1.7 and 1.8 of the <i>Professional Governance General Regulation</i> .	<p>11.2 (2) Despite subsection (1) prior to publishing the citation, the Investigation Committee <del>may</del> <b>must</b> 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</p> <p>(a) a person other than the Registrant subject to discipline, or</p> <p>(b) the subject Registrant if the Registrant suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs.</p> <p>11.4(3) Despite subsections (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, <del>may</del> <b>must</b> 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</p> <p>(a) a person other than the Registrant subject to investigation or discipline, or</p> <p>(b) the subject Registrant if the Registrant suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs.</p>

## OPEN SESSION

### ITEM 5.5

DATE	May 31, 2023
REPORT TO	Board for Information
FROM	Carol Park, P.Eng., Chair, Nomination Committee
SUBJECT	Selection of Nominees for Election to the Board
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To provide an overview of the merit-based selection process and the nominees selected for election to the Board.
Motion	No motion required. For information only.

## BACKGROUND

The Nomination Committee is charged with selecting a list of candidates for Engineers and Geoscientists BC's Board that they believe best demonstrate the qualities needed for strong governance of the organization. As per the *Professional Governance Act* (PGA) and associated bylaws, all candidates standing for election must be approved by the Nomination Committee, using a merit-based selection process.

The 2023 Nomination Committee comprises the following members:

- Carol Park, P.Eng., Immediate Past President, Chair
- Larry Spence, P.Eng., Committee Member
- Dr. Brian Guy, P.Geo., Committee Member
- Chris Flury, P.Eng., Branch Representatives Chair, Committee Member
- John Turner, P.Ag. (Retired), Lay Committee Member
- Guangbin Yan, Lay Committee Member

This year, there are three vacancies for the position of Board member. The Chair and Vice-Chair will be selected from the elected Board members by the Board at the inaugural meeting in November.

The PGA requires that the Nomination Committee make a reasonable attempt to nominate at least one more nominee than the number required to fill the current or expected vacancies. At the conclusion of the Nomination Committee's work, the PGA requires a report be produced for the current Board specifying:

1. How the selection of nominees meets the requirements of the Act, any other applicable Act, the regulation and any other applicable bylaws, and
2. How the nominees meet the criteria set out in the call for nominations

## REQUIREMENT OF ACT, REGULATION & BYLAWS

As directed by the *PGA*, only candidates approved by the Nomination Committee through a merit-based process may stand for election to the Board. The merit-based selection process established by the Board and administered by the Nomination Committee was fully compliant with the requirements of the PGA, the Regulation and applicable bylaws.

## CANDIDATE SELECTION CRITERIA

The selection of registrant Board members is conducted in accordance with the following two selection principles:

1. **Merit:** A nomination committee selects candidates based on merit, evaluating the skills and experience of a nominee(s) that are determined to best meet the needs of the regulatory body, and
2. **Integrity:** A nomination committee considers information about the nominee(s) that may support, affect or compromise the nominees' capacity:
  - a. To perform and uphold the duties and functions of a registrant Board member with objectivity and honesty, and
  - b. To act ethically without seeking improper personal or corporate gain that would not normally be accepted as compensation by the nominee as a professional.

In support of these selection principles, the Board has established a merit-based selection framework to ensure that the candidates selected are highly qualified to fulfill their roles and responsibilities. The candidate selection framework includes:

- Conducting a gap analysis to prioritize the desired skills, competencies, and experience for the upcoming year, including consideration of diversity;
- Evaluating all prospective nominees against the desired skills and competencies; and
- Interviewing prospective nominees to confirm experience and competencies before the Nomination Committee selects its final list of candidates.

The candidate selection framework seeks qualified candidates with diverse experience, skills and expertise in the following areas: Leadership, Financial Literacy, Risk Management, Human Resources, Strategy, Regulatory Understanding, Governance and Technical Proficiency.

Considering the gap analysis and the strengths of the continuing members of the Board, **three priority areas** were identified for the upcoming year: **human resources, financial literacy, and risk management**.

To support the Committee in its selection process, an external consultant, Watson Advisors, with extensive experience supporting organization and board recruitment was retained.

To ensure the process was objective as possible, the Committee was provided with a refresher on Unconscious Bias and continued utilizing methodologies first introduced in 2021 to help reduce any unconscious and unintentional bias in its selection process. In the first phase of the evaluation process, select information, including personal identifiers were redacted in the Committee's review of applications, ensuring the review and evaluation, to the extent possible, was based on each candidate's skills and experience. In the second phase of evaluation, diversity information was provided to support the Committee in incorporating diversity in its decision-making. The committee also continued practices to reduce bias in the selection process (e.g., use of a standard evaluation guide, scheduled breaks to reduce recency effect).

## CALL FOR NOMINATIONS

The call for nominations opened on January 20, 2023 and closed on March 13, 2023. The opportunity was communicated to registrants through the following channels:

- The organization's website
- E-news articles
- Innovation article
- Social media posts
- All-registrant email
- All- staff email encouraging them to spread the word to their network
- Outreach to various volunteer groups, including the Board, branches, statutory committees, and divisions

- Outreach to various underrepresented groups

In addition, the Chair offered drop-in sessions for potential applicants to discuss service on the Board.

The call for nominations material was also reviewed through an EDI lens, with language included to reflect the organization's commitment to EDI, as well as to remove language that might reinforce bias.

All prospective nominees were asked to provide the following:

1. Written summary of their interest to serve on the Board (up to 250 words)
2. Current CV
3. Details of their experience related to the desired skills and competencies in 2–3 sentences for each applicable area (maximum 100 words)
4. Answers to supplementary conflict of interest and declaration questions
5. Three References

As part of the declaration questions, prospective nominees were asked to identify any circumstances that may place the candidate in a real or potential conflict of interest and disclose any circumstances that could have a potential impact on their duty to Engineers and Geoscientists BC or on the credibility of the organization. EGBC staff confirmed all candidates to be registrants in good standing and not the subject of any disciplinary action.

## CANDIDATE SELECTION

At the close of nominations, a total of **thirty-seven (37) candidates** submitted applications for the position of Board member. This was, by far, a record number of applications. All candidates received a first interview.

The Nomination Committee reviewed and assessed all prospective nominees against the desired skills and competencies using a two-step process (redacted profiles to reduce unintentional bias, and then unredacted profiles). The Committee then shortlisted candidates for a second interview.

Four members of the Nomination Committee participated in the interviews, which occurred over two days. Key objectives for the interviews included consistency and equal treatment of all candidates. These were achieved by conducting all interviews using Zoom video conferencing technology and asking a prescribed set of questions designed to ascertain the motivations underlying a candidate's interest to serve Engineers and Geoscientists BC and self-assessments of their skills and experience against the prioritized competencies. All interviews lasted

approximately 45 minutes to ensure all candidates had the same opportunity to answer and ask questions. Among the considerations of the interview panel were:

- Governance and leadership experience
- Examples of specific skills and experiences in the key areas identified for this election cycle (human resources, financial literacy, risk management)
- Defined rationale, including values and personal motivators, for wanting to serve as a Board member of Engineers and Geoscientists BC
- Confirmed willingness and commitment to dedicate the time required to serve
- Confirmation of their employer's understanding and willingness to grant the time required to serve

The Committee's deliberations included the consideration of the role requirements, the prioritized skills of human resources, financial literacy, and risk management and the Committee's assessment of the candidate's skills, competencies, and experience. Throughout the process, the Nomination Committee ensured the process adhered to the following procedural principles outlined in the Regulation:

- **Fairness:** selection procedures were objective and impartial, applied consistently, promoted equality, and free from discrimination, harassment and victimization;
- **Transparency:** advertisements were designed to attract qualified and diverse field of suitable nominees, included information about positions and election process, and were published on a publicly accessible website;
- **Accountability:** selection procedures were consistent with applicable laws and designed to promote public confidence in the governance of the regulatory body; and
- **Independence:** the Nomination Committee and its members were free from influence by the Board, registrants of the regulatory body, the government or other parties.

Following a comprehensive and rigorous process for selecting the candidates for the 2023 election to the Board, the Nomination Committee nominated five candidates for the position of Board member.

The following candidates were approved by the Nomination Committee to stand for the 2023 Engineers and Geoscientists BC Board election.



Candidates	Discipline	Location
Veronica Knott, P.Eng.	Mining	Victoria
Michelle Mahovich, P.Eng., P.Geo.	Civil	Langford
Bijan Pourkarimi, P.Eng.	Electrical/Electronic & Mechanical	Vancouver
Ivan Rincon, P.Eng.	Computer & Electrical/Electronic	Victoria
Matthew Salmon, P.Eng.	Civil	Oyama

The list of nominees will be published on the Engineers and Geoscientists BC website and included in the July issue of E-news.

This year's candidate pool was the strongest and the most diverse in the organization's history, providing the Committee with an excellent group of candidates from which to select those moving forward for consideration by the registrants later this year.

The Chair recognizes and thanks the members of the Nomination Committee for their comprehensive and thoughtful evaluation of nominees for the 2023 Engineers and Geoscientists BC Board election, and for their considerable volunteer time and effort. The Chair, and the Committee at large, also recognizes the great work and heavy lifting that John Jennings and Hannah Magus of Watson Advisors did to aid the Committee in screening the applications and developing critical interview materials, as well as EGBC staff Deesh Olychick and Ros Seibert for their ongoing support throughout the process.

Respectfully submitted,

Carol Park, P.Eng., Chair, Nomination Committee

MINUTES OF THE OPEN SESSION OF THE FOURTH MEETING OF THE 2022/2023 BOARD of Engineers and Geoscientists BC, held on APRIL 21, 2023 at the Engineers and Geoscientists BC Office (Dan Lambert Boardroom) and virtually via Teams.

### Present

<b>Council</b>	
Mark Adams, P.Eng.	Chair (2022/2023)
Michelle Mahovich, P.Eng., P.Geo., FCSSE	Vice Chair (2022/2023)
Carol Park, P.Eng.	Immediate Past Chair (2022/2023)
Suky Cheema, CPA, CMA	Board Member (2022/2023)
Leslie Hildebrandt, LL.B, ICD.D	Board Member (2022/2023)
Emily Lewis, CPA, CMA	Board Member (2022/2023)
Karen Ling, P.Eng.	Board Member (2022/2023)
Mahsoo Naderi-Dasoar, P.Eng.	Board Member (2022/2023)
Mark Porter, P.Eng., StructEng.	Board Member (2022/2023)
Jessica Steeves, P.Eng.	Board Member (2022/2023)
Jens Weber, P.Eng.	Board Member (2022/2023)
David Wells, JD	Board Member (2022/2023)
<b>Staff</b>	
Heidi Yang, P.Eng., FEC, FGC (Hon.)	Chief Executive Officer
David Pavan, R. Ph.	Chief Regulatory Officer & Registrar
Liza Aboud, MBA, ABC, ICD.D	Chief Operating Officer
Jen Cho, CPA, CGA, FEC (Hon.), FGC (Hon.)	Chief Financial and Administration Officer
Peter Mitchell, P.Eng.	Director, Professional Practice, Standards & Development
Deesh Olychick	Director, Corporate Governance & Strategy
Don Gamble	Director, Information Systems
Megan Archibald	Director, Communications & Stakeholder Engagement
Efrem Swartz, LLB	Director, Legislation, Ethics & Compliance
Jason Ong	Director, Registration
Mark Rigolo, P.Eng.	Director, Programs and Professional Development
Alicia Tan, CPA, CMA, MA	Director, Finance
Kelly Dayman, ASCT, Eng.L.	Associate Director, Regulation of Firms
Lindsay Steele, P.Geo.	Associate Director, Professional Practice, Standards & Development
Kate Henry, CPA, CMA, MBA	Associate Director, Finance
Ailene Lim	Associate Director, Programs and Professional Development
Tracy Richards	Executive Assistant to CEO and Board
Stephanie Kwong	Executive Assistant to CFAO, COO & CRO

<b>Guests</b>
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Jason Jung, ASct.	Director, Professional Practice, Standards & Development, ASTTBC
Ann English, P.Eng., FEC, FGC (Hon)., FCSSE	Engineers and Geoscientists BC Appointee to the Engineers Canada Board
Sany Zein, P.Eng., FEC	Engineers and Geoscientists BC Appointee to the Vancouver Airport Authority Board

## **OPEN SESSION – CALL TO ORDER**

Mark Adams, P.Eng., Board Chair called the Open Session to order at 1:22 p.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 the office of Engineers and Geoscientists BC stands.

Deesh Olychick, Director, Corporate Governance & Strategy acted as the Governance Advisor for the meeting. Board Vice Chair Michelle Mahovich, P.Eng., P.Geo., FCSSE acted as the meeting's EDI Champion.

The Chair welcomed everyone to the meeting and announced that Jason Jung, ASct, Director of Professional Practice, Standards & Development of ASTTBC, Ann English, P.Eng., FEC Engineers and Geoscientists BC Appointee to the Engineers Canada Board and Sany Zein, P.Eng., FEC Engineers and Geoscientists BC Appointee to the Vancouver Airport Authority Board would be joining for the Open Session.

CO-23-43     OPEN AGENDA

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

**CARRIED**

## DECLARATION OF CONFLICT OF INTEREST

None declared.

## SAFETY MOMENT

Board Member David Wells, JD provided the Safety Moment for the meeting.

CO-23-44     OPEN CONSENT AGENDA

**MOTION**     **It was moved that the Board approve all items (5.1 to 5.7) on the Open Consent Agenda.**

**CARRIED**

*Motions carried by approval of the Consent Agenda:*

5.1 February 17, 2023 Open Minutes

**MOTION:** That the Board approve the February 17, 2023 Open Meeting minutes as circulated.

5.2 Appointments Approval

**MOTION 1:** That the Board approve the recommended appointments to the Investigation Committee as presented.

**MOTION 2:** That the Board approve the recommended appointments and re-appointment to the Discipline Committee as presented.

**MOTION 3:** That the Board approve the recommended appointment to the Audit & Practice Review Committee as presented.

Individual, Designation	Position	Engineers and Geoscientists BC Volunteer Group/Outside Organization	Staff Contact	Start Date	Expiry Date	New/Returning/ * Over 9 Years
<b>New Appointments and Re-Appointments (over nine years)</b>						
David Dowdell, P.Eng.	Member	Investigation Committee	Jesse Romano	04/21/2023	04/21/2026	New
Vivienne McLennan, P.Geo.	Member	Investigation Committee	Jesse Romano	04/21/2023	04/21/2026	New
Robyn K. Gaebel P.Eng.	Member	Investigation Committee	Jesse Romano	04/21/2023	04/21/2026	New
Sonia Lachar	Lay Member	Investigation Committee	Jesse Romano	04/21/2023	04/21/2026	New
Warren Funt	Lay Member	Discipline Committee	Jesse Romano	04/21/2023	04/21/2026	New
Gerald Matier	Lay Member	Discipline Committee	Jesse Romano	04/21/2023	04/21/2026	New
Gordon Donald McDonald, P.Eng.	Member	Audit & Practice Review Committee	Lindsay Steele	04/21/2023	04/21/2026	New
<b>Re-appointments (under nine years)</b>						
Jaswinder Bansal, P.Eng.	Member	Discipline Committee	Jesse Romano	04/21/2023	04/21/2026	Returning

5.3 Revisions to Election Policy

**MOTION:** That the Board approve the revised Election Policy as presented.

5.4 Professional Practice Guidelines: Legislated Dam Safety Reviews in BC - Version 4.0

**MOTION:** Consistent with the authority granted under PGA 57 (1) (b) and Bylaw 7.3.1 (1), the Board approve Professional Practice Guidelines – Legislated Dam Safety Reviews in BC - Version 4.0 to be published following editorial and legal review. The Board's approval is based on confirmation that the following criteria have been met as outlined in the Board Policy on Professional Practice Guidelines:

- the standard guideline development process was followed; and
- a robust and appropriate review and consultation process was followed.

5.5 AIBC/EGBC Guide to the Certified Professional Program Edition #3, January 2023

**MOTION:** Consistent with the authority granted under PGA 57 (1) (b) and Bylaw 7.3.1 (1), the Board approve the AIBC/EGBC Guide to the Certified Professional Program Edition #3, January 2023 to be published following editorial and legal review. The Board's approval is based on confirmation that the following criteria have been met as outlined in the Board Policy on Professional Practice Guidelines:

- the standard guideline development process was followed; and
- a robust and appropriate review and consultation process was followed.

5.6 Format of the 2023 Annual General Meeting

**MOTION:** That the Board approve the 2023 Annual General Meeting be held in Whistler, BC, using a hybrid format on October 28, 2023 at 9:30 am.

5.7 The following information reports were received by the Board:

- Project Management Office Update
- Board Attendance Summary
- Engineers and Geoscientists BC Road Map for 2022/2023

CO-23-45 FINANCIAL RESULTS AS AT FEBRUARY 28, 2023

Jennifer Cho, CPA, CGA , FEC (Hon.), FGC (Hon.) Chief Financial & Administration Officer spoke to this item and addressed any questions from the floor.

This information was for information only.

CO-23-46 AMENDMENTS TO THE BYLAWS OF ENGINEERS AND GEOSCIENTISTS BC

**MOTION:** It was moved that the Board pass the **Recommended Motion**, 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.

**Recommended Motion**

That the Board approve the following Bylaw amendments as set out in detail in Appendix A (Item 6.2 of the Board Agenda package):

1. **Changes to Annual Reporting and Continuing Education requirements, including:**
  - a) **Establish the Registrar’s authority to grant exemptions from AR requirements and set an application deadline for AR Exemption Requests**
  - b) **Set an application deadline for late fee exemption, reduction, deferral, or refund;**
  - c) **Adjust approval authorities and application deadlines for CE exemptions, and remove the CE late CE exemption fee;**

- d) Harmonize the collection of late fees;
- 2. Suspension/Cancellation for Failure to Comply with Regulatory Requirements, and Reinstatement Rules, including
  - a) amendments to the Bylaws on suspension and cancellation for failing to
    - i) pay fees or a special assessment,
    - ii) complete or provide proof of completion of CE requirements,
  - b) addition of new Bylaw provisions to suspend and cancel Registrants for failing to
    - i) participate in a compliance audit,
    - ii) cooperate with a practice review;
  - c) reinstatement rules for former individual Registrants cancelled for failure to participate in a compliance audit or cooperate with a practice review;
- 3. Schedule C: Increase of examination re-read fee;
- 4. Minor amendments;
- 5. Housekeeping changes;

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-23-47     ENGINEERS AND GEOSCIENTISTS BC DRAFT FY2024 BUDGET SUMMARY

**MOTION:**     It was moved that the Board approve:

- a) the ancillary fees for both individual and firm registrants for FY2024 remain the same as FY2023; and
- b) Scenario C of the draft FY2024 Engineers and Geoscientists BC Operating and Capital Budget with a \$50 fee increase to the Professional Registrants (P. Eng and P. Geo and combination) and \$10 inflationary fee increase to Trainees (EIT and GIT).

**CARRIED**



CO-23-48     RECOMMENDATIONS FOR THE 2023 ENGINEERS CANADA ANNUAL MEETING OF MEMBERS

**It was moved that:**

**MOTION 1: That the Board instruct its Member representative (i.e. the Engineers and Geoscientists BC Board Chair or designate) to vote to accept that the proposed 2025 Per Capita Assessment Fee, would remain at \$8 per registrant at the Engineers Canada AGM in May 2023.**

**MOTION 2: That the Board instruct its Member representative (i.e. the Engineers and Geoscientists BC Board Chair or designate) to vote to accept the proposed Engineers Canada By-Law Amendment at the Engineers Canada AGM in May 2023.**

*Let the record reflect that Motions 1 & 2 were passed as an omnibus motion.*

CO-23-49     MULTI-JURISDICTIONAL ONLINE EXAM PILOT

Jason Ong, Director Registration and Michelle Cheng, Manager, Examinations and Geoscience provided the Board with a backgrounder on the Online Academic Exams Pilot, a 3-year pilot partnership with APEGA and PEO to provide virtually proctored exams for exam candidates applying through any one of these jurisdictions. They then proceeded to inform the Board of the success of the pilot program since implementation and next steps for the future.

After the presentation, staff opened the floor for questions. This information was for information only.

CO-23-50     CEO REPORT (OPEN SESSION)

Heidi Yang, P.Eng., Chief Executive Officer spoke to this item and updated the Board on several current operational projects and initiatives within the Organization. She then opened the floor for discussion and answered all questions from the Board.

There was no motion associated with this item.

**END OF OPEN SESSION**

The meeting ended at 3:25 p.m.



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## OPEN SESSION

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### ITEM 6.3

DATE	May 29, 2023
REPORT TO	Board for Decision
FROM	Governance Sub-committee
SUBJECT	AGM Rules of Order
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To review and approve the 2023 AGM Rules of Order
Motion	That the Board approve the 2023 AGM Rules of Order.

## BACKGROUND

In accordance with Bylaw 3.1 (3), the Board may establish policies, procedures, or rules of order, for the purpose of regulating the conduct of a general meeting. AGM rules of order are intended to facilitate progress at the meeting, include registrants in orderly debate and decision-making, and ensure fairness, equality, and common sense.

At the Board meeting on April 21, 2023, the Board approved the AGM be held using a hybrid format. To facilitate a hybrid AGM, the rules have been updated to reflect both in person and virtual attendance.

The Rules were reviewed and endorsed by the Governance Sub-committee.

## DISCUSSION

As we continue our transition to a regulatory body, many of our processes, including the AGM will continue to evolve. However, fundamentally, the AGM serves as a primary engagement opportunity with registrants. The meeting allows registrants to hear from the Board and senior staff on the organization's strategic progress, key initiatives, and financial standing and provides an opportunity for registrants to ask questions and debate any submitted motions for the Board's consideration.

The agenda for the AGM will be brought forward for approval by the Board in September, but generally includes the following components:

- Greetings from national bodies (Engineers Canada and Geoscientists Canada)
- Chair's Report
- CEO's Report
- Financial Report
- Registrant Motions
- Results of the 2023 Board Election

Registrant voting will be limited to any motions that are submitted by registrants by the deadline.

In establishing the rules for the conduct of the meeting, the drafting considered both pre-COVID in-person AGM rules and COVID-era virtual rules, a goal of simplification and ensuring flexibility for the Chair to appropriately manage the meeting. Some details that are already covered in Bylaw were removed from the rules and will be reinforced through pre-AGM communication with Registrants (e.g. who is entitled to vote, what to expect when submitting a motion).

The rules were developed in consultation with our external Parliamentarian, who serves as our advisor for the Annual General Meeting, to ensure the meeting rules provided adequate structure to facilitate a productive meeting.

While the virtual technology that will be used is still in the process of being finalized, registrants will continue to have opportunities to engage – in person or virtually, by asking/submitting questions during questions periods and to debate on any motions presented, as well as vote on any registrant motions submitted.

The proposed 2023 AGM Rules of Order can be found in **APPENDIX A**.

As the rules contain substantive changes for simplification purposes, a track change version has not been included. However, for reference, a copy of the 2022 AGM Rules of Order can be found in **APPENDIX B**.

## RECOMMENDATION

It is recommended that the Board approve the 2023 AGM Rules of Order.

## MOTION

That the Board approve the 2023 AGM Rules of Order.

## **APPENDIX A – 2023 AGM Rules of Order**

## **APPENDIX B – 2022 AGM Rules of Order**



## ANNUAL GENERAL MEETING RULES OF ORDER

SATURDAY, OCTOBER 28, 2023, 9:30 AM to 12:30 PM

In accordance with Bylaw 3.1(3), the EGBC Board may establish policies, procedures, or rules of order for General Meetings. The AGM rules of order below were approved by the EGBC Board. They are intended to facilitate progress, include Registrants in debate and voting, and ensure fairness, equality and common sense.

1. The meeting will be run in accordance with the relevant provisions of the *Professional Governance Act* (PGA), the EGBC Bylaws, and directions given by the EGBC Board. Where the above documents are silent, the latest edition of Robert's Rules Order Newly Revised (RONR) will apply.
2. This AGM will be conducted using a hybrid format. Registrants are required to register for the AGM by a deadline of 12:00 PM on October 19, 2023 and indicate whether they wish to attend the AGM **in person** or **virtually**. Limited late registrations will be accepted, as space permits.
3. The agenda for the AGM will be as approved by the Board and published in advance of the meeting.
4. **Registrant motions** will only be considered at the AGM if they were submitted **by the deadline set by the Board**, were subsequently reviewed by EGBC's advisors for compliance with the EGBC Bylaws and RONR, and were subsequently provided with the agenda before the meeting. Registrant motions are advisory and non-binding.
5. A Registrant who attends the AGM **in person** and wishes to ask a question or to introduce a pre-submitted motion (that complied with rule 4), or to debate a motion, must approach a microphone and wait for the Chair's recognition before speaking. A Registrant who participates **virtually** will follow the process for virtual participation as explained at the start of the AGM.
6. On each issue or motion, a Registrant will be entitled to speak up to two times, for no longer than **two (2) minutes** each time.
7. A Registrant who wishes to speak a second time on an issue or motion must wait until those who wish to speak on it for the first time have done so. A Registrant who asked a question may ask up to one follow-up question within the same 2 minute time slot.
8. Debate must be related to the pending motion or agenda item. The Chair may alternate between proponents and opponents to a pending motion, if needed. The Chair will have discretion to manage the meeting time and allocate time as appropriate for questions and debate.
9. Whether speaking or whether communicating virtually, Registrants must observe decorum, must avoid personal attacks and disorderly or discourteous behaviors, and are expected to help maintain **a safe, respectful and inclusive meeting environment**.
10. The Chair may interrupt a Registrant who does not adhere to a meeting rule when, in the Chair's assessment, such conduct can erode the safety of the meeting environment or undermine the principles of fairness, equality and common sense.
11. Minutes of the AGM will be made available following the AGM and will be open for review and comment for 30 days from the date of publication. At the close of that period, the Board will make any requisite changes to the minutes and approve them for the final record.



# ANNUAL GENERAL MEETING RULES

OCTOBER 15, 2022

In accordance with Bylaw 3.1 (4), Council may establish policies, procedures, or rules of order, for the purpose of regulating the conduct of a general meeting. The following Rules of Order were approved by Council on June 17, 2022 to govern the Annual General Meeting.

*The Annual General Meeting rules of order set out below are intended to facilitate progress at the meeting, include registrants in orderly debate and decision-making, and ensure fairness, equality and common sense.*

## General

1. Registrants attending the Annual General Meeting (AGM) will be required to pre-register for the AGM by 5 PM on October 10, 2022 in order to establish secure voting credentials for registrants with voting rights. Log-in credentials will be emailed to participants in advance of the AGM.
2. The meeting will be run in accordance with the relevant provisions of the *Professional Governance Act*, Bylaws and the Rules of Order established by Council. Where the *Act*, Bylaws and Rules of Order are silent, the current edition of Robert's Rules of Order Newly Revised (RONR) will apply.
3. The AGM Agenda will be approved by Council, and will be published in advance of the meeting.
4. The meeting shall conclude by 12:00 pm.
5. Only registrants in good standing (Engineers and Geoscientists BC registered practicing, non-practising or retired professional engineers (P.Eng.), professional geoscientists (P.Geo.), professional licensees (P.L.Eng, P.L.Geo.) and/or trainees (EIT, GIT) are entitled to make or second motions, comment on motions, and vote.
6. The proceedings will be conducted via webcast.
7. Registrants will have the opportunity to submit questions online during the meeting.
8. Questions will be read on behalf of the registrant during the designated Question Period.

## Registrant Motions

9. To be considered, registrant motions must be submitted in writing to the CEO no later than 5:00 PM on September 14, 2022.
10. All submitted motions will be reviewed by the CEO, to ensure they are in order (as per Robert's Rules)<sup>1</sup> for consideration by the meeting.
11. All registrant motions must be written as advisory for the consideration of Council.
12. The mover and seconder of a registrant motion must be in attendance when the motion is considered.

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<sup>1</sup> In essence, Roberts Rules of Order require that a motion will be considered to be out of order if, amongst other things, it is beyond the objects and business of the Association, or is absurd, discourteous or uses language that reflects on a member's conduct or character.

13. Submitted motions may not include a preamble that is part of the motion. However, after the motion, the written statement may include a brief rationale that is not part of the motion.
14. If the submitted motion is in order for consideration by the meeting, the registrant making the motion will be provided with an opportunity to pre-record a 2 minute or less audio introduction to their motion in advance of the meeting. The recording will be played during the meeting.

#### **Debate/ Questions**

15. Registrants may submit questions or make comments during designated Question Periods. A registrant who wishes to submit a question or make a comment during the meeting must type the question or comment by using the Question feature.
16. Each Question Period will be allotted 10 minutes.
17. Registrants must observe decorum, and must avoid personal attacks in questions submitted.
18. Only questions germane to the topic or pending motion will be addressed.
19. Questions not addressed at the meeting may be emailed to [agmquestion@egbc.ca](mailto:agmquestion@egbc.ca) for follow up after the meeting.

#### **Voting**

20. Only registrants in good standing (Engineers and Geoscientists BC registered practicing, non-practising or retired professional engineers (P.Eng.), professional geoscientists (P.Geo.), professional licensees (P.L.Eng, P.L.Geo.) and/or trainees (EIT, GIT) are entitled to vote on motions.
21. Only registrants in good standing (Engineers and Geoscientists BC registered practicing, non-practising or retired professional engineers (P.Eng.), professional geoscientists (P.Geo.), professional licensees (P.L.Eng, P.L.Geo.) and/or trainees (EIT, GIT.) will be able to access polls to cast their vote on motions, provided they have registered for the AGM by October 10, 2022.

#### **Minutes**

22. Minutes of the AGM will be made available following the AGM and will be open for review and comment for 30 days from the date of publication. At the close of that period Council will make any requisite changes to the minutes and approve them for the final record.
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**RECORD OF A BOARD RESOLUTION DECIDED BY ELECTRONIC MEANS**

Mark Adams, P.Eng., Board Chair, proposed the following motion via electronic means (email) pursuant to the Organization's Bylaw 2.4(10). The email with the following proposed motion was sent to all members of the Board on April 28, 2023 with the requested deadline for response by May 3, 2023:

**MOTION: That the Board re-appoint Kevin Riederer, P.Eng., Struct.Eng. in the role of Vice-Chair of the Credentials Committee until November 30, 2024.**

**This proposed motion was forwarded to all voting members of the Board:**

Michelle Mahovlich, P.Eng., P.Geo.	Vice Chair
Suky Cheema, CPA, CA	Board Member
David Wells, JD	Board Member
Leslie Hildebrandt, ICD.D., LL.B	Board Member
Emily Lewis, CPA, CMA	Board Member
Mahsoo Naderi-Dasoar, P.Eng.	Board Member
Karen Ling, P.Eng.	Board Member
Jens Weber, P.Eng.	Board Member
Mark Porter, P.Eng., Struct.Eng.	Board Member
Jessica Steeves, P.Eng.	Board Member

**Results of the Electronic Vote:**

Nine board members responded by the deadline and all nine board members unanimously voted in the affirmative on the proposed motion.

Based on the response, the proposed motion is adopted and approved by the Board (CO-23-51).

**I personally reviewed the responses from the Board on the proposed motion and I certify the above record is correct.**



Mark Adams, P.Eng.  
Board Chair

## OPEN SESSION

### ITEM 6.4.2

DATE	May 30, 2023
REPORT TO	Board 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 the Board on PMO activity and the progress of strategic projects.
Motion	No motion required. 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

Ongoing PMO activity is categorized into three areas: PMO Development, Strategic Support, and Project Support.

## **PMO Development**

Development of the PMO has continued since the last update to the Board. The following bullet points provide highlights of PMO development areas:

- Capacity Building
  - PMO continues to work with a consultant to help guide and assist the development of PMO tools, methods, and processes.
  - PMO is now actively recruiting for two positions that will allow for increased capacity to support organization project management and change management functions.
- Focus on the foundation
  - PMO kicked off a renewed communications and change management approach to staff at the April all staff meeting. PMO outlined the roadmap of expected PMO implementation steps, and what types of information that staff can expect to be made available at each point in that roadmap.
  - PMO developed and issued a process for staff to identify whether they have projects, and a classification approach to guide the level of PMO involvement in organization projects.
  - As part of change management best practice, PMO initiated a liaison group with staff from throughout the organization to provide an avenue for feedback and input into PMO communications, and to help identify if there are information gaps needing to be filled.

## **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.

Work has commenced to facilitate the development of project charters for projects that are planned to start in the upcoming fiscal year. These charters are expected to be completed throughout June, July and August in advance of project commencement.

## **Project Support**

### *Aligning to Strategy Summary*

Aligning to Strategy work in this reporting period has continued to focus on planning for upcoming related tasks. “Aligning What We Do” preparations continue to focus on the activity evaluation exercise. In parallel, the organization has kicked off its departmental planning process to coordinate alignment of department-level activities with our strategic vision.

PGA Integration Status Summary

Project Name	PGA Integration	Reporting Period:	April - May 2023	
Associated Strategic Pillar(s):	Process			
Project Scope/Objectives Summary:	1. To establish and develop new programs and processes within the organization so that it can implement the PGA effectively, by <ol style="list-style-type: none"><li>Initiating and adapting key regulatory programs – Individual and firm audit and practice reviews, mandatory learning, annual reporting</li><li>Adding, modifying or eliminating policies and organizational stances to achieve compliance with the PGA – Advocacy review, temporary licenses and interprovincial mobility, understanding of “Reserved practice”, and approach to federally regulated industries.</li><li>Implementing business processes to support PGA-related logistics – OSPG coordination meetings, PGA advisory group meetings, declarations.</li></ol>			
Project Lead:	Mark Rigolo	Executive Sponsor:	David Pavan	
Scope Stability Status:	On track	Budget Status:	On track	
Schedule Status:	On track	Overall Status:	On track	
Notable achievements during reporting period:				
<ul style="list-style-type: none"><li>All activity level charters complete.</li><li>Continuing Education and Annual Reporting program enhancements deployed.</li><li>Key materials and resources for audit and practice review programs developed and procured.<ul style="list-style-type: none"><li>Individual and Firm Practice Reviews commenced, Individual Audits to commence in July 2023</li></ul></li><li>Defined plan for cancellation of PGO mobility agreement.</li></ul>				
Significant open risks:				
	Description	Likelihood	Potential Impact	Overall
Risk 1	None presently.			

## Data Governance Status Summary

Project Name	Data Governance - Initiation	Reporting Period:	April - May 2023	
Associated Strategic Pillar(s):	Process			
Project Scope/Objectives Summary:	1. Assess and define change management approach. 2. Implement prioritized recommendations from prior data governance consultation. 3. Create plan for FY24			
Project Lead:	Liza Aboud / Dan Rankin	Executive Sponsor:	Liza Aboud	
Scope Stability Status:	On track	Budget Status:	On track	
Schedule Status:	On track	Overall Status:	On track	
Notable achievements during reporting period:				
<ul style="list-style-type: none"><li>Completed mission and vision statements.</li><li>Completed key terms and definitions.</li><li>Completed definition of Data Classification levels</li><li>Completed definition of change and communications goals.</li></ul>				
Significant open risks:				
	Description	Likelihood	Potential Impact	Overall
Risk 1	None presently			

### Key:

	Performing to expectations, no significant concerns for delivery
	Under-performing, issues or risks can be addressed, limited impacts to project
	Significant issues or risk, project in danger of failing or underdelivering if issue or risk not resolved / mitigated

### MOTION

No motion required. For information only.



## OPEN SESSION

### ITEM 6.4.3

DATE	May 31, 2023
REPORT TO	Board for Information
FROM	Liza Aboud, MBA, ABC, ICD.D, Chief Operating Officer
SUBJECT	Implementation of 2023 Strategic Plan Renewal Process
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To inform the Board of the implementation of the 2023 Strategic Plan Process and what that entails.
Motion	No motion required. For information only.

## BACKGROUND

Engineers and Geoscientists of BC (“EGBC”) embarked on a comprehensive strategic implementation process, starting with our 5-year strategic plan's initial creation in 2022. Shifting from a tactical organization to a strategy-driven organization requires an iterative, inclusive, and thoughtful approach to strategy implementation. As we move through the years, fundamentally our strategy will not change, but it is essential that our strategy remains responsive, relevant, and directionally correct given the changes occurring around us. The landscape in which EGBC operates is complex and dynamic; it is critical to remain agile and have a strategy that supports this approach.

## DISCUSSION

To ensure our strategy continues to reflect the realities and complexities of our world, we will implement a yearly Strategic Renewal Process. As we officially start Year 2 and begin to think about Year 3 of the plan, this is our opportunity to set the right process in motion. The Strategy Renewal Process will enable the organization to reflect on what has been accomplished, understand our current state, and ensure we are equipped for the future. It is imperative to have the perspectives and considerations of the Leadership Team, Executives, and the Board, as well as external perspectives (as needed). These perspectives will enable a more fulsome picture of our

external and internal landscape to ensure our strategy remains relevant while continuing to foster enterprise ownership of the strategy.

Below outlines in more detail the proposed Strategic Renewal Process. This process is iterative and builds on considerations at each step of the process. At the conclusion of this process, EGBC will have a Strategic Renewal Framework that will be a tool to guide the organization with a strategic planning cadence and enable the organization to use the strategy effectively as a driver of enterprise success.

## STRATEGIC RENEWAL PROCESS

The process outlined below reflects the core components of the Strategic Renewal Process that will be accomplished in 2023:

- *Outreach with Executives and external stakeholders (June)*
- *Leadership Team Session (July/August)*
- ***Board Strategy Session (September)\****
- *Executive Team Session (October/November)*
- *Strategic Renewal Framework (November)*
- *Bringing strategy to life with a focus on Year 3 (November onward)*

The Board's perspectives and considerations are critical to the Strategic Renewal Process. The intent for the September Board Session is to: present learnings and accomplishments from Year 1; present learnings and progress from the first few months of Year 2; gather considerations for Year 3 of the Strategic Plan, and gain perspectives on key external factors and any risks that must be considered.

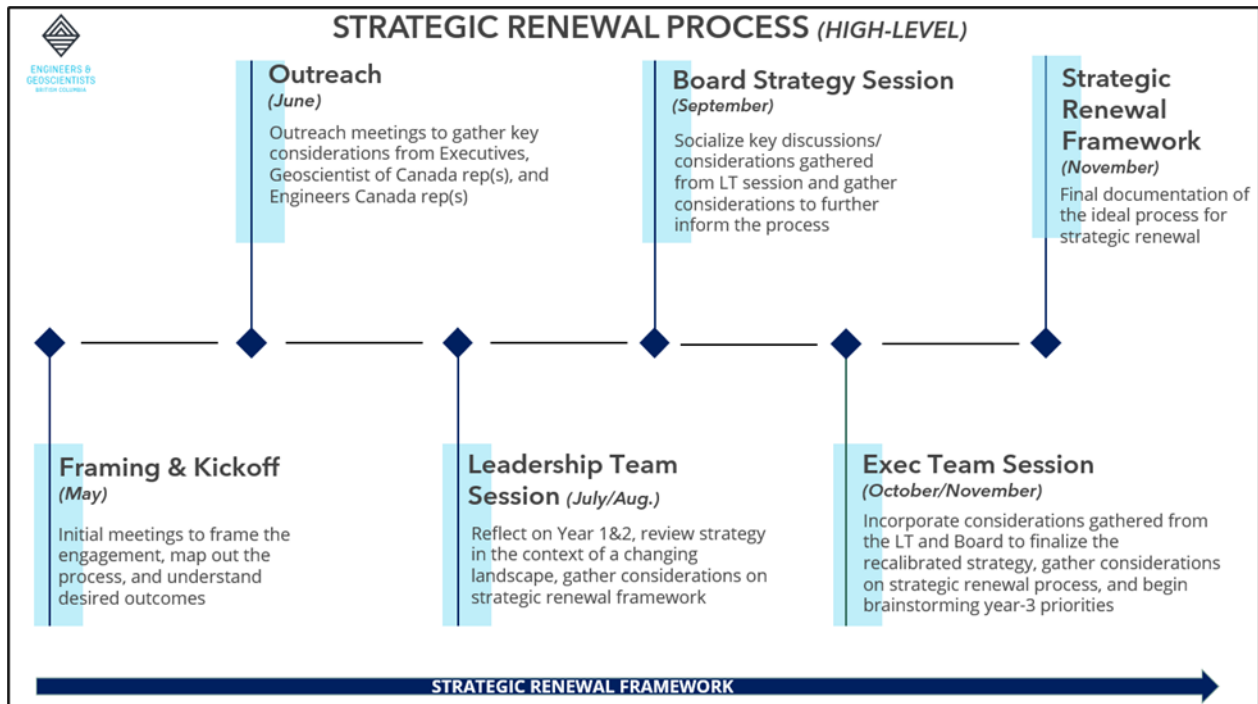
Please refer to **Appendix A** for a more detailed summary of the components identified above.

## MOTION

For information only.

## APPENDIX A – Strategic Renewal Process/Timeline

## STRATEGIC PLAN RENEWAL PROCESS / TIMELINE





OPEN SESSION

ITEM 6.4.4

DATE	May 29, 2023
REPORT TO	Board 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 the Board with the current status of the actionable items listed on the Board 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 the Board during the 2022/2023 term. The items are aligned with the Strategic Plan and assist the Board 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 June 16, 2023**

Please note that the items on the Work Plan noted below have been cancelled or carried forward to a future meeting:

- *Practice Approval Guidelines:* This item was removed from the Board Workplan as there are no Practice Guidelines currently available for approval by the Board.
- *Budget & Budget Guideline Approval:* This item was removed from the Board Workplan because it was approved by the Board at the February & April 2023 meetings.
- *Annual Update from Higher Education Institute:* This item was removed from the Board Workplan agenda due to the inability to secure a presenter(s). Alternatively, we asked if the September Board meeting would be a more suitable date but nothing has been confirmed to date.

- *Regulated & Reserved Practice Discussion Update:* A brief update on this topic will be provided to the Board by Heidi Yang during the In-Camera session as there is nothing material to report and no meetings with ASTTBC and the OSPG have occurred post April 21, 2023.

## **APPENDIX A – Board Road Map (as of June 16, 2023)**

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



## OPEN SESSION

### ITEM 6.4.5

DATE	May 31, 2023
REPORT TO	Board for Information
FROM	Harshan Radhakrishnan, P.Eng., Manager, Climate Change and Sustainability Initiatives Dr. Malcolm Shield, P.Eng., Chair, Engineers and Geoscientists BC Climate Change Advisory Group Peter Mitchell, P.Eng., Director, Professional Practice Standards and Development
SUBJECT	Progress Update: Climate Change Action Plan Implementation + Developing Engineers and Geoscientists BC's Organizational Climate Strategy
LINKAGE TO STRATEGIC PLAN	Social Responsibility: We have a positive impact on the world – by advancing EDI, reconciliation with Indigenous Peoples, and climate action.

Purpose	To provide an update on the implementation of the Engineers and Geoscientists BC Climate Change Action Plan and the Development of an Organizational Strategy on Climate Action for Engineers and Geoscientists BC.
Motion	No motion required. For information only.

## BACKGROUND

At the November 2020 Council meeting, Engineers and Geoscientists BC's Council unanimously approved a Climate Change Action Plan (the Plan) which was subsequently released in March 2021. At the time Council also directed staff and advisory groups to:

- initiate the implementation of the Plan,
- provide a yearly update to Council on the implementation activities, and
- identify whether additional budget and resources are needed on a yearly basis.

The Plan includes 10 priority actions that we are taking to support registrants in their professional practice and respond to climate change issues proactively, rather than reactively. Since the time of the last update to the Board in June 2022, there has been significant progress made in relation to the implementation actions identified in the Plan, most notably, the inclusion of climate action as one of the pillars under the strategic imperative of Social Responsibility in Engineers and Geoscientists BC's Strategic Plan.

The purpose of this memo is to provide an overview summarizing climate actions taken to date and identify the opportunities for future actions. It will also provide a brief update on the Project Proposal to develop an organizational strategy for climate action for Engineers and Geoscientists BC.

## UPDATE

Since the June 2022 climate action update to Council, significant progress has been made in delivering the action items identified in the Plan. Progress on each is addressed in the table below, while the attached overview of the Climate Change Action Plan provides additional details on the actions referenced. The column titled June 2023 Update includes ongoing and planned activities related to climate and sustainability since the last update, with linkages, where appropriate, to what actions are needed over the longer term.

Action	Examples of Existing Programs/Recent Initiatives	Programs/Initiatives: June 2023 Update
1. Leadership	<p>Engineers and Geoscientists BC was invited to engage with other Constituent Associations regarding the development of climate change programs and initiatives. Engineers and Geoscientists BC continues to include climate action-related content through its communication channels and via annual reporting.</p> <p>Last year, staff presented the Plan at Engineers Canada's Virtual Panel Event coinciding with National Engineering Month, at Engineers Geoscientists Manitoba's Ingenium Annual Conference, PGO's Annual Symposium, and PEO's Branch Event.</p>	<ul style="list-style-type: none"> <li>Engineers and Geoscientists BC's Plan continues to be influential in spurring action at a constituent association level with EGMB, PEO, APEGS and other regulators engaging us to either consider or actively integrate climate change into their strategic plans.</li> <li>Through our ongoing engagement with Engineers Canada, we have articulated the importance of including climate action as a key priority within its upcoming strategic plan.</li> <li>Engineers and Geoscientists BC was provided the opportunity to provide input into developing Canada's National Adaptation Strategy. Through the Federal Infrastructure and Buildings Working Group, we have played a key role in the development of the soon-to-be-released "National Infrastructure and Buildings Climate Change Adaptation State of Play Report".</li> </ul>

Action	Examples of Existing Programs/Recent Initiatives	Programs/Initiatives: June 2023 Update
<p><b>2. Collaboration</b></p>	<p>Engineers and Geoscientists BC collaborates with the BC Energy Step Code Council, the federal government's Infrastructure and Buildings Working Group, the International Building Performance Simulation Association's BC Chapter, BC Housing's Mobilizing Building Adaptation and Resilience Project, and BC Ministry of Environment Climate Action Secretariat's funded Adaptation Learning Network. Engineers and Geoscientists BC routinely participates in the development of codes of standards by CSA and provincial government stakeholders. In the past, Engineers and Geoscientists BC supports external events and conferences such as Understanding Risk BC, Adaptation Canada, BC Water and Wastewater Association, and others that have programming related to climate change.</p> <p>Last year, Engineers and Geoscientists BC has been able to leverage the opportunities for sponsorship to continue to support climate action discussions at Canada's Green Building Council Conference, the Building Officials Association of BC's conference, BCWWA conference (for the 2<sup>nd</sup> year running), and the Understanding Risk BC 2021 Regional Resilience Roundtable.</p> <p>Last year, staff were able to collaborate with other professional associations and regulators to develop a chapter on the role of professional associations in climate change adaptation and disaster risk reduction, which was included in the Resilience Pathways Report, a knowledge-sharing initiative led by Natural Resources Canada.</p>	<ul style="list-style-type: none"> <li>Engineers and Geoscientists BC is identified as one of the Co-Chairs of the Federal PIEVC Committee, which is run by the PIEVC Alliance to share information and knowledge about climate risk assessment and adaptation decision-making (PIEVC is a protocol developed by Engineers Canada to assist engineers in factoring climate change impacts into plans for design, operation, and maintenance of public infrastructure). The alliance is made up of the Institute for Catastrophic Loss Reduction, the Climate Risk Institute, and GIZ, a German federal public-benefit (non-profit) enterprise.</li> <li>Engineers and Geoscientists BC sponsored and co-chaired the Global Forum on Climate Risk that took place in Vancouver this April. This forum was well attended by infrastructure and climate change risk professionals from Canadian and international governments, development agencies, NGOs, and the private sector.</li> <li>We are working closely with the BC Ministry of Environment Climate Change Strategy for support with mainstreaming their soon-to-be-released Climate Resilience Standards and Framework for Public Sector Buildings. Through our work with the Buildings and Safety Standards Branch, we continue to play a critical role in supporting the mainstreaming of the opt-in Carbon Pollution Standard that has been integrated into the BC Building Code, effective May 1, 2023.</li> <li>This year yet again, we are expected to have a significant presence by either helping shape the agenda or presenting at</li> </ul>

Action	Examples of Existing Programs/Recent Initiatives	Programs/Initiatives: June 2023 Update
		BCWWA, CaGBC, and URBC conferences to name a few in relation to climate change.
3. Applicants	<p>Competency assessments currently include references to climate change to varying degrees. Strengthening the climate change competencies in these assessments would be an effective way to ensure all new registrants meet a minimum standard of knowledge.</p> <p>Discussions between Professional Practice and Registration departments have taken place to include climate change related content into relevant Engineers and Geoscientists BC offerings (e.g., Professional Engineering and Geoscience Practice in BC online seminar for applicants). The mandatory training now has linkages to the expectations that the regulator has and the support it provides in relation to climate change and sustainability.</p> <p>We continue to sponsor the UBC Student Conference on Sustainability in Engineering, and we have hosted UBC Student and Industry event with reps from our CCAG engaging students on climate-focused careers.</p>	<ul style="list-style-type: none"> <li>We have responded to the report commissioned by Engineers Canada's focused on Regulating Energy Engineering as a Discipline under Engineering with an offer of support for the development of a framework to assess the competency of energy engineers. We have requested EC to facilitate the discussion on the development of indicators for the energy engineering discipline by engaging the CEQB, academia, and the constituent associations.</li> <li>We have been in contact with Universities like SFU which has a dedicated engineering program called "Sustainable Energy Engineering" program to ensure that graduates from the program can meet the academic requirements for the P.Eng. designation in BC (the program became accredited by CEAB as of February this year which means that graduates from this program would be considered academically qualified for EIT).</li> <li>Over the longer term, Engineers and Geoscientists BC could update resources for mentors that enable them to better support trainees in their pathway to registration with Engineers and Geoscientists BC. Updated resources could include those that support trainees pursuing emerging areas of practice including climate change-focused careers.</li> <li>Over the longer term, Geoscience Canada will need to be engaged in discussing changing the competency assessments for geoscience.</li> </ul>
4. Areas of Practice	<p>Engineers and Geoscientists BC has more than 250 areas of practice with several existing practice areas like GHG Calculation and Energy Use Assessment that relate to climate change mitigation.</p> <p>Roughly 290 registrants have declared "Climate Risk Management" and "Climate Science" as their areas of practice, with more engineers declaring climate risk management as their area of practice</p>	<ul style="list-style-type: none"> <li>The two new areas of practice are in addition to existing climate and sustainability-related practice areas like "energy use assessments", "GHG calculation" and "Sustainability". There is an opportunity for Engineers and Geoscientists BC to monitor the uptake in new practice areas through its Annual Information Reporting Program.</li> <li>Over the long term, there is an opportunity to consider how we can best connect with those in areas of practice that we</li> </ul>

Action	Examples of Existing Programs/Recent Initiatives	Programs/Initiatives: June 2023 Update
	and a larger proportion of geoscientists declaring climate science as one of their practice areas.	historically have not connected with, or who do not have good climate change action or guidance provided. This can help identify where we can likely have the most impact and focus our resources. This can be carried out parallelly as a part of the Areas of Practice "scan" or "health check" under the "Integration of Emerging Practice Areas" project.
<b>5.</b> <b>Basic Education</b>	<p>Engineers and Geoscientists BC routinely offers over 30+ continuing education events focused on climate change every year.</p> <p>Last year, Engineers and Geoscientists BC offered, in partnership with BC Hydro, ongoing continuing education opportunities by hosting a series of five continuing education events on the topic of "Deep Energy and Emissions Retrofit for Existing Buildings". Last year, we also offered a continuing education event on Natural Asset Management. All climate change continuing education events have been recorded and made available to registrants under Engineers and Geoscientists BC "Knowledge Centre".</p>	<ul style="list-style-type: none"> <li>Engineers and Geoscientists BC is working on offering a mandatory regulatory learning module (to be launched in July this year) on Climate Change and Sustainability. This would explain its regulatory role, the resources it hosts to support registrations and the duties and obligations that registrants must meet in practice. We are working with a leading engineering firm and audit learning experts to develop the script for the module.</li> <li>There is interest within the advisory groups to explore the provision of CE on "Best Available Technology Economically Achievable" in relation to the Strategic Assessment of Climate Change required to be carried out under Canada's Impact Assessment Act. We will undertake the effort to organize this CE in the next fiscal year.</li> </ul>
<b>6.</b> <b>Advanced Education</b>	<p>Engineers and Geoscientists BC cross promotes training from the Climate Change Adaptation Community of Practice, Canada's Adaptation Platform, and from Fraser Basin Council on a wide variety of climate change topics. Engineers and Geoscientists BC supported the development of a series of training offerings by the Climate Risk Institute through participation in the advisory committee for course development and offered access to Engineers and Geoscientists BC registrants through its external events portal.</p> <p>Through posting in the external events portal, Engineers Geoscientists BC also enabled registrants to attend webinars hosted by the Pacific Climate Impacts Consortium, Environment</p>	<ul style="list-style-type: none"> <li>This work is ongoing. Engineers and Geoscientists BC continues to leverage the use of its external events portal to provide opportunities to registrants to access the latest training offered by governments, regulators, and technical societies in relation to climate change.</li> <li>Engineers and Geoscientists BC is represented in the Stewardship Committee of the Infrastructure Resilience Professional (IRP) Credentialling Program designed to help practitioners strengthen the knowledge and core competencies required to advance climate-resilient approaches for infrastructure planning, design and management. This work is expected to be a key means of enabling those who have</li> </ul>



Action	Examples of Existing Programs/Recent Initiatives	Programs/Initiatives: June 2023 Update
	and Climate Change Canada and others on a wide range of climate change topics.	declared “climate risk management” or “climate science” as one of their areas of practice to continue to keep themselves current and to satisfy the CE requirements imposed by Engineers and Geoscientists BC.
<b>7. Knowledge Sharing</b>	<p>Engineers and Geoscientists BC routinely hosts panel events in collaboration with the Branches on topics related to climate change and sustainability. Engineers and Geoscientists BC’s volunteers provide input into and facilitate knowledge exchange sessions.</p> <p>Last year, we hosted a Sustainability Panel event in May 2022 with the Vancouver Branch, Peace River Branch, and the Sustainability Advisory Group (attended by 125+ registrants) bringing experts from diverse fields and backgrounds to share their knowledge on the concept of a “just transition” to a low carbon resilient future.</p>	<ul style="list-style-type: none"> <li>We are working with our collaborators to have a significant climate change-related continuing education yet again at the 2023 Engineers and Geoscientists BC Annual Conference.</li> <li>This year, yet again, we hosted Spring Sustainability Panel Event in collaboration with the Vancouver Branch and the Sustainability Advisory Group. The theme for this year’s event is “climate and disaster preparedness and community resilience”.</li> </ul>
<b>8. Practice Guidance</b>	<p>Developing professional practice guidance that addresses both climate change mitigation and adaptation and ensuring that relevant climate considerations are incorporated when guidelines are revised and updated.</p> <p>Last year, Engineers and Geoscientists BC released the Practice Advisory on Climate Change Considerations for Building Enclosure Engineers. We also published two practice advisories relating to decarbonizing existing buildings and one in relation to considerations in the estimation of dam hydrologic loading.</p>	<ul style="list-style-type: none"> <li>Engineers and Geoscientists BC is working closely with the City of Vancouver and the Structural Engineers Association of BC to develop a Practice Advisory on Accounting for Embodied Carbon in Building Construction. This is expected to be released in June (in time for when the embodied carbon regulatory requirements imposed by the city will take effect).</li> <li>Engineers and Geoscientists BC is working collaboratively with the BC Institute of Agrologists, and the College of Applied Biology to develop a set of Professional Practice Guidelines on Erosion and Sediment Control – these guidelines are expected to significant content on climate risk and resilience as it relates to the topic at hand.</li> <li>Engineers and Geoscientists BC published its revised and updated set of Professional Practice Guidelines on Sustainability. The current revision is meant to achieve the following: <ul style="list-style-type: none"> <li>incorporate content relevant to the <i>Professional Governance Act</i>,</li> <li>outline evolving sustainability considerations (e.g., equity, diversity and inclusion,</li> </ul> </li> </ul>

Action	Examples of Existing Programs/Recent Initiatives	Programs/Initiatives: June 2023 Update
		<p>reconciliation, and climate action), and</p> <ul style="list-style-type: none"> <li>○ identify linkages and responsibilities related to the Code of Ethics under <i>PGA</i>.</li> </ul>
<p>9.</p> <p>Climate Change Information Portal</p>	<p>The portal is frequently updated with resources relating to adaptation and mitigation as it pertains to the building sector. The portal is well utilized and referenced by stakeholders and in other guidelines.</p> <p>Last year, a new sub-page under the Climate Change Information Portal has been developed on BC-specific resources related to extreme precipitation and flood data to support the determination of hydrologic loading on dam reservoirs.</p>	<ul style="list-style-type: none"> <li>• Work on developing the portal sub-page to better reflect climate change mitigation (emissions reduction) is completed and has been published on the Engineers and Geoscientists BC climate change information portal. We carried out significant engagement to help inform the development of this sub-page. The release of this webpage represented a communications opportunity both to close the loop with those who engaged on this front and to share these resources more broadly with registrants.</li> </ul>
<p>10.</p> <p>Support for Firms</p>	<p>The <i>Professional Governance Act</i> introduced the requirement to regulate engineering and geoscience firms in BC. All entities that engage in the practice of professional engineering or professional geoscience in BC are required to register for a Permit to Practice. Last year, the Joint Budget Guidelines for Engineering Services – Buildings, developed in partnership with ACEC-BC, was revised to include Engineers and Geoscientists BC resources on climate change. It also includes a note about the scope of work and design costs associated with climate-considered design elements.</p>	<ul style="list-style-type: none"> <li>• Currently, there is no requirement from Engineers and Geoscientists BC for firms to report on their sustainability or climate change-related initiatives. The initial focus with respect to firms will be on raising awareness of Engineers and Geoscientists BC's existing resources related to climate change and sustainability.</li> <li>• The recently released revised and updated Professional Practice Guidelines on Sustainability builds expectations outlined for registrants to also apply to registrant firms.</li> <li>• Over the longer term, Engineers and Geoscientists BC could seek to collate information to begin and build on the information compiled to develop reports or other resources for firms.</li> </ul>

Through a transfer agreement with BC Ministry of Health, Engineers and Geoscientists BC will also be carrying out consultation with stakeholders in the water sector to help identify and develop practice resources related to managing water system risks that fall within the scope of work done by Engineers and Geoscientists. Through an internship funding from the Pacific Institute of Climate Solutions, we have hired an Intern to carry out research and coordination work related to the development of Professional Practice Guidelines on Water System Risk Management Planning. Work in relation to the existing BC Hydro Partnership Agreement is continuing this year

with a renewed focus on carrying out an environmental scan on the engagement of engineers in the retrofit of existing buildings following up with an assessment of regulatory approaches to support the achievement of the Government of BC CleanBC Policy direction.

## SUMMARY AND NEXT STEPS

Over the last couple of years, staff have achieved significant progress in 8 out of the 10 actions in the Plan. The two actions that need further work are:

- Action 3: Applicants and the incorporation of climate change into the Professional Engineering and Geoscience Practice competencies, and
- Action 10. Support for Firms (expectations for firms to meet in relation to addressing climate change and sustainability).

Engineers and Geoscientists BC's Regulatory Learning Module on climate change and sustainability will be launched in July and we will monitor the feedback. Over the next year, we will continue to engage other engineering and geoscience regulators across Canada as well as those regulated included in the *PGA* on the Regulatory Learning Module and Engineers and Geoscientists BC's proactive approach to supporting professional practice as it relates to climate change and sustainability.

The introduction of Climate Action within the Social Responsibility Imperative of the 2022 - 2027 Strategic Plan presents an important opportunity to leverage the learnings and achievements of the Climate Change Action Plan to deliver on this imperative and to inform the organization's activities over the coming years. There is an opportunity to develop an organization-wide clarity on the work completed to date and the de facto regulatory stance on climate change to assess the impact of our work, assess our capacity to act, and confirm our regulatory role and approach.

To deliver on this work, staff are working on the development of a project plan to develop Engineers and Geoscientists BC's Organizational Strategy on Climate Action starting next fiscal. The purpose of this work is to:

1. Develop a summary of Engineers and Geoscientists BC climate action to develop an organization-wide (internal to Engineers and Geoscientists BC) understanding of the work completed to date.
2. Undertake a critical review of Engineers and Geoscientists BC operations, policies, and practices and identify areas of action for including a climate lens to them in consideration of the social responsibility imperative.
3. Carry out stakeholder engagement to clarify and confirm Engineers and Geoscientists BC's regulatory role regarding climate change and to close the loop on the Engineers and Geoscientists BC's Climate Change Action Plan.

The outcome of this work will enable us to:

- develop the organizational capacity;
- engage with stakeholders purposefully and effectively; and
- develop an organizational strategy that seamlessly integrates climate action into Engineers and Geoscientists BC's regulatory and operational activities in consideration of the imperative of social responsibility.

Hiring for staff resources (a Climate Strategist) is actively underway and we are aiming to have the position filled over the summer months. Staff will continue to work with the advisory groups and endeavor to engage the Board on the development of the Engineers and Geoscientists BC's organizational climate strategy and to provide yearly updates on the implementation of this work.

## **APPENDIX A – Overview of the Engineers and Geoscientists BC Climate Change Action Plan**

# SUMMARY OF THE CLIMATE CHANGE ACTION PLAN

## GOALS

### Adapting to Climate Change

Support the effective assessment and management of climate risk in the practice of professional engineering and geoscience in BC.

### Reducing Greenhouse Gas Emissions

Support registrants to develop and implement solutions to reduce greenhouse gas emissions.

## OBJECTIVES AND ACTIONS

### Leadership and Collaboration

Lead the engineering and geoscience professions' response to climate change in BC and collaborate with others to leverage resources and enhance impact.



#### Action 1: Leadership

Continue to raise awareness and demonstrate the need to act on the impacts of climate change and professional responsibilities.

#### Action 2: Collaboration

##### Engineers Canada, Geoscientists Canada and other provincial/territorial regulatory bodies:

Collaborate on all climate change issues of inter-provincial/territorial and national relevance.

##### Regulatory and standard-setting bodies:

Provide input on the updating of regulations, codes and standards used by engineering and geoscience professionals to incorporate climate change.

##### Professional and industry associations:

Share relevant guidance and information, and partner on educational and/or professional events.

##### Organizations that provide climate data, expertise and training:

Partner to access the latest information, tools and experts for educational events (e.g. Pacific Climate Impacts Consortium).

### Registration and Competency

Update the registration process for professional engineers and geoscientists to incorporate climate change competencies.



#### Action 3: Applicants

Work with Engineers Canada and Geoscientists Canada to ensure climate change is adequately addressed within competency assessments as part of applications for professional registration.

Incorporate climate change into the Professional Engineering and Geoscience Practice in BC online seminar for applicants.

#### Action 4: Areas of Practice

Explore adding new areas of practice to recognize new areas of competency.

### Education and Knowledge Sharing

Build registrants' knowledge and capacity to consider climate change in their professional practice.



#### Action 5: Basic Education

Provide free or low-cost continuing education sessions on climate change as part of the ethical and/or regulatory learning offerings established through the Continuing Education Program.

#### Action 6: Advanced Education

Expand Engineers and Geoscientists BC's course offerings and offerings through other channels to support registrants in developing more advanced skills and knowledge for adapting to a changing climate and reducing greenhouse gas emissions.

#### Action 7: Knowledge Sharing

Support and actively encourage registrants to network and share knowledge on the challenges and opportunities that climate change brings to professional practice.

### Practice Resources

Provide registrants with practical and relevant practice resources to help them deliver appropriate responses to a changing climate and reduce GHG emissions.



#### Action 8: Practice Guidance

Provide guidance (e.g. practice guidelines, practice advisories) on adapting to climate change and/or reducing greenhouse gas emissions in a manner that is relevant for specific professional practice applications (e.g. guidance on specific hazards or emission sources).

#### Action 9: CC Information Portal

Promote and continue to develop Engineers and Geoscientists BC's Climate Change Information Portal.

#### Action 10: Support for Firms

Provide firm registrants and their professional employees with guidance and/or training on adapting to climate change and/or reducing greenhouse gas emissions with respect to the practice of professional engineering and professional geoscience.

Note: "GHG" = greenhouse gas "CC" = climate change



## OPEN SESSION

### ITEM 6.4.6

DATE	May 26, 2023
REPORT TO	Board for Information
FROM	Ailene Lim, Associate Director, Programs and Professional Development
SUBJECT	Conference Attendance Guideline 2023
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	Provide information on the Conference Attendance Guideline for 2023
Motion	No motion required. For information only.

## BACKGROUND

Engineers and Geoscientists BC hosts a conference every year in October, which features continuing education sessions, keynote speakers, networking, social events, and concludes with the organization's Annual General Meeting. The event provides an opportunity for the organization and its staff to connect with registrants and build relationships with other regulators and industry groups.

The conference was last hosted in person in 2019. It moved to a virtual model in 2020 during the COVID pandemic but will be returning to an in-person setting from October 26-28, 2023, in Whistler, BC.

In the four years since the conference was last hosted in person, a lot has changed for Engineers and Geoscientists BC. This has included new legislation and a revised mandate that restricts the organization from pursuing advocacy activities and has led to a large growth in staff numbers. These changes have caused the organization to re-examine its attendance and special guest policies for the Annual Conference. While these policies have existed for many years and suited the organization when it was smaller and could engage in both regulatory and advocacy activities, they no longer serve a regulatory body of this size and complexity.

The organization has replaced the outdated Special Guest Policy with a Conference Attendance Guideline.

## DISCUSSION

The main changes to the Conference Attendance Guideline are the removal of the spousal package, the removal of the packages to USA regulatory associations and the creation of guidelines on staff attendance at conference, as follows.

**Spousal Package:** Complimentary spousal packages will no longer be provided. This subsidy has been offered to some special guest categories and extended complimentary tickets and coverage of expenses for spouses. This practice is not aligned with our regulatory mandate and can reinforce the association or club mentality. Spousal packages were previously extended to board members, senior staff, and invited guests from other regulatory bodies and associations. These guests are still welcome to attend at their own expense.

**USA Regulatory Associations:** USA Associations have been invited annually however only one or two have attended. We will stop providing complimentary packages to this group due to low attendance and limited interactions with this group of stakeholders. The process to determine who to invite each year also requires additional staff administration time to facilitate.

**Staff Attendance:** Attendance at conference by some staff members has been required and some assumed or expected. Former attendance standards have varied, creating a lack of clarity on staff attendance. Attendance guidelines for staff have been created to provide clear and transparent standards to all staff so that the process can be applied consistently. These include guidelines on staff working at the conference, staff presenting, staff interested in attending to fulfill continuing education requirements and attendance by senior leadership.

## RECOMMENDATIONS

A communications plan, including key messages, has been developed to share the changes of the Conference Attendance Guidelines with the various stakeholders involved.

Staff will be receiving guidelines on their attendance at conference and senior staff will be provided guidance on the new process so that it is consistent throughout the organization.

The conference program and registration will be launched at the end of June 2023. Board members will receive a personalized invitation in late July which will provide them with directions on how to register. This will include a registration option for guests paying their own way. This will allow board members to register for the full conference package and will provide details on the various events that they are invited to attend and the purpose of each event. They will also receive details on travel and accommodation arrangements.

## MOTION

No motion required. For information only.



## OPEN SESSION

### ITEM 6.4.7

DATE	May 30, 2023
REPORT TO	Board for Information
FROM	Heidi Yang, P. Eng., FEC, FGC (Hon.), Chief Executive Officer
SUBJECT	CEO Report to Board

Purpose	This report highlights some of the activities of Engineers and Geoscientists BC related to policy work, implementation of the Strategic Plan and ongoing Regulatory duties since the April 21, 2023 meeting of the Board.
Motion	No motion required. For information only.

## 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.

## STRATEGIC PLAN AND ORGANIZATIONAL GOALS UPDATE

Year 1 of our Strategic Plan was a transition year recognizing a period of tremendous change for the organization and an opportunity to set foundation and re-shift our focus towards our new Vision. Three organizational goals were established to guide the organization and as Year 1 of our Strategic Plan comes to a close, we have much to celebrate!

### 1. Building capacity by balancing workload

- 12 of the 13 new positions to support critical resource gaps have been hired and onboarded
- Lean/agile methodologies were introduced to all staff – 7 artifacts were identified and updated to create efficiencies and remove waste in our day-to-day work
  - Additional resources and tools are being offered so that the methodology can be used across all areas



- 3 staff will be identified to be Lean Green Belt certified and support process improvement across the organization

## 2. **Aligning the organization's resources to effectively deliver our vision and mandate**

- Leadership Team focused on aligning what we do as an organization to the strategy
- Our organizational values have been brought to life through a number of engaging workshops with all staff
- A new department planning process was initiated to help teams prioritize their work and support the practice of strategy cascade – from defining what initiatives from the Strategic pillars we will be working on, that cascades to Department Plans that then cascades to individuals goals and objectives for all staff
- A new corporate calendar has been developed to optimize the organization's forward planning cycle
- The Project Management Office has been strengthened with new resources to come to centralize and manage strategic projects.
- A new yearly strategic renewal process has been initiated to ensure the strategy stays relevant and continues to reflect realities and the changing landscape

## 3. **PGA Integration**

- The scope and objectives of the PGA Integration Project were aligned and clearly documented in project charters for each sub-activity within the project.
- The PGA Integration project is on track to meet all critical objectives within the charter-defined timeframes. In particular, the programs for Individual Audit, Individual Practice Review, and Firm Practice Review are on track to be in operation by July 2023.

### Year 2

Looking ahead, management have worked together to define the strategic initiatives that will be prioritized for Year 2. This list has been developed with careful consideration of organizational capacity and resources.

- Data Governance
- Volunteer Program
- Modernizing Work Environment
- Process Improvement (voluntary)

- PGA Integration (carry over from year 1)
- Aligning to Strategy (carry over from year 1)
- External Communications Strategy (carry over from year 1)

Four other initiatives have been identified as capacity permitting – if organizational capacity is available, they may begin in Year 2. The four capacity permitting projects are Business System Audit, Policy Project, Succession Planning and Climate Strategy.

## KPI UPDATE

The Board reviewed and endorsed the Key Performance Indicators framework (KPIs) as presented in November 2022. Following that discussion, Engineers and Geoscientists BC enlisted the help of a third party, Sentis (<https://thesentisgroup.com/>) to confirm that our KPI approach was appropriate and to help develop the underlying metrics that measure the organization's performance for each KPI.

Over April and into May 2023, Sentis held a series of facilitated discussions with relevant performance area owners and contributors. Following these discussions, Sentis, with the benefit of their subject matter expertise, experience of developing outcome-based indicators, and knowledge of how metrics can support decision-making, are in the process of drafting a series of recommended metrics, targets, and reporting frequency.

As the metrics are being developed, the following considerations are being taken into account:

- **Focus on outcomes:** metrics should represent outcomes that indicate the extent to which the organization can fulfill its mission.
- **Data sources and validation:** metrics will be based on two types of data sources – internal data reflecting business outcomes and survey data reflecting perceptions of stakeholders.
- **How metrics can support decision-making:** metrics derived from both types of data sources can support decision-making in cases where targets are not met, after appropriate follow-up work to diagnose why performance has dropped.

The culmination of this work will be presented to the Board at the September 2023 meeting.

## PPSD UPDATES

### Seismic Retrofit Guidelines Workshop

On May 12 we held the first in-person/hybrid SRG workshop since 2017. There were more than 150 people in attendance. During the session, Buildings, Safety and Standards Branch made an announcement that they will now be accepting use of SRG on low rise building stock in BC. This is a major step in the direction of making BC more seismically resilient.

### **Ethics Continuing Education**

On May 11, the PPSD and LEC departments delivered a joint webinar on Ethics in Contractual Agreements. This session is aligned with our commitment to deliver free ethics training to support registrants in meeting their CE requirement on ethical learning. There were more than 700 attendees at this event and the feedback was very positive.

### **Practice Guidance Update**

Since the last Board meeting, one Professional Practice Guideline has been published, the revised Sustainability Guidelines.

Staff are working with the Ministry of Emergency Management and Climate Readiness to develop a Professional Practice Guideline (PPG) on Landslide Hazard and Risk Mapping in BC. This will complement the existing PPG on Landslide Assessments in BC.

### **Update on CE/AR Compliance**

The current compliance rates for both AR and CE are tracking similarly to the compliance rates at this point last year. Based on data from last year, we expect compliance rates to increase significantly within the last two weeks of June.

We have made several changes and enhancements to the program this year which should lead to greater compliance by June 30, these include adding a registrant dashboard with pertinent information, using multiple communications avenues to increase awareness, removal of CE requirements for Non-Practising Registrants and removal of AR reporting for Life Members.

### **Update on Firm Audit Program**

From July 1, 2022 through to April 30, 2023, the audit team has completed and issued audit 207 reports for 207 firm audits. These audits identified:

- 6 Major Non-Conformances, which are sent to the Audit and Practice Review Committee for determination of remedial requirements,
- 251 Corrective Action Requests (formerly referred to as Minor Non-Conformances), for which the Firm must submit a Corrective Action Plan, and comply with follow up actions to confirm resolution, and
- 747 Opportunities for Improvements, which are nonbinding recommendations.

### **Update on Individual Audit Program**

The individual Audit Program will begin in July. We will be randomly selecting approximately 250 registrants in several batches throughout the year to audit. These audits are a general compliance check of an individual registrant's practice and will review their continuing education/competency,

quality management practices and ethics. Audits are intended to be an educational and remedial process to support registrants in practicing professionally and ethically.

### **Update on Practice Review Program**

Practice Reviews for both individual and firm registrants have commenced. To date 7 practice reviews on individual registrants have been initiated and 2 have been initiated on Firm registrants.

## **REGISTRATION UPDATE**

### **Potential Expansion of the Competency-Based Assessment Tool**

On May 10, 2023, EGBC Registration and Information Systems staff met with representatives of Engineers Nova Scotia to commence discussions regarding the possible adoption of the Pan-Canadian Competency-Based Assessment Tool for their jurisdiction. Should they decide to sign on, they will be joining the regulators from PEI, Saskatchewan, Manitoba, Newfoundland and Labrador, New Brunswick, Ontario, and BC in utilizing our platform.

### **Addition of Canadian Work Environment Experience Competencies to the Competency-Based Assessment Tool**

Engineers and Geoscientists BC is working with Geoscientists Canada to add the Canadian Work Environment Experience Competencies (CWEECs) to the competency-based assessment tool for geoscience applicants. Testing will occur throughout the summer months with an anticipated go-live date of later this fall. The intent of the CWEECs mirrors the intent of the existing Canadian Environment Competencies used by engineering applicants. Once they are active, Professional Geoscientist (P.Geo.) applicants will have the opportunity to use internationally gained experience to attempt to demonstrate achievement of the CWEECs at the required entry-to-practice level.

### **Discontinuation of the Geoscience Mobility Agreement**

The temporary practice mobility agreement between Engineers and Geoscientists BC and Professional Geoscientists Ontario is no longer in effect since the introduction of the *Professional Governance Act* on February 5, 2021. This agreement allowed professional geoscientists registered with either regulatory body to practice in the other jurisdiction for 45 days without registering with the local regulator.

Communications were sent to the OSPG, our registrants, registrants of Professional Geoscientists Ontario, and the Geoscientists Canada's CEO over the last few weeks.

A small number of professional geoscientists may have used this agreement in the past, so we do not expect many inquiries.

## **Online Academic Exams**

The spring/summer online academic examination session commenced on May 1, 2023 with the largest cohort to date. 1,437 individuals representing nine engineering and geoscience jurisdictions have registered. We are anticipating another record-breaking examination session in the fall of 2023.

## **Changes at Professional Engineers Ontario**

On May 15, 2023 Professional Engineers Ontario (PEO) launched their new license application process to help ensure their compliance with recent amendments to the *Fair Access to Regulated Professions and Compulsory Trades Act* (FARPACTA). Information outlining the changes can be viewed on PEO's website [here](#). We will monitor how these changes will impact Engineers and Geoscientists BC.

## **LEGISLATION, ETHICS AND COMPLIANCE**

### **Investigation and Discipline File Statistics**

The year-end report concerning the investigation & discipline statistics for the entire fiscal year will be provided in September.

### **Consent Order – Zhao Guan, P.Eng.**

In the April 13, 2023 Consent Order, Zhao Guan, P.Eng., admitted that he demonstrated unprofessional conduct by failing to design a retaining wall to the reasonable standard expected of a professional engineer. Mr. Guan's registration with Engineers and Geoscientists BC is suspended for a period of three months starting on April 30, 2023. Following the conclusion of the suspension period, Mr. Guan will be subject to direct supervision by a professional engineer who is a registrant of Engineers and Geoscientists BC for a minimum of one year.

### **Extraordinary Action Proceeding – David Dwyer, P.Eng.**

On May 18, 2023 an Extraordinary Action Panel of the Discipline Committee issued an oral ruling (with written reasons delivered May 29, 2023) that Mr. Dwyer was immediately suspended and is not permitted to engage in the reserved practice of professional engineering until the earlier date that a Consent Order is made, the disciplinary process is concluded or the Discipline Committee subsequently determines that the suspension is no longer needed. The discipline matter concerns for separate on-site sewerage files including related conduct issues.

## **Unauthorized Practice and Misuse of Title File Statistics**

From April 1 to April 30, 2023:

10 new files were opened;

13 files closed (as the targets brought themselves into compliance);

222 total files open as of April 30, 2023.

Because of a new position approved by the Board that provided additional capacity, we will break our previous record for file closures in a single fiscal year. The year-end report for the entire fiscal year will be provided in September.

## **Proactive Enforcement**

The LEC Enforcement team is undertaking its first proactive campaign related to cancelled registrants who were not compliant with last year's annual reporting or continuing education requirements. These individuals were suspended, then cancelled because of inaction (the "Cancelled Registrants").

The LEC Enforcement team compiled a list of 120 Cancelled Registrants who, despite being cancelled were still listed on a firm roster. A summer law student is currently reviewing publicly available materials, including websites and social media profiles, to identify any Cancelled Registrants who may be misusing title or engaging in unauthorized practice in order to open new enforcement files.

## **ACTIVITIES WITH STAKEHOLDERS**

### **Induction Ceremony**

Our first in-person Induction Ceremony in over two years was held on April 25 at the Fairmont Hotel in Vancouver. Invitations were sent to over 3,900 registrants who received their designation over the past few years to register online for the event. The event sold out in an hour with 182 newly registered people attending. Over 200 friends and relatives also attended to celebrate with these new registrants. Over 30% of our registrants at this Induction Ceremony were women which is a positive sign for our 30 by 30 initiative. The focus of this event was meant to emphasize our regulatory mandate and we changed the format to reflect that with our Registrar, David Pavan, leading the recitation of the obligation of our registrants. We also emphasized volunteerism and set up a volunteer information and sign-up booth at the event which has provided us with several names of potential volunteers. The next Induction ceremony is planned for later this year.

### **OSPG and Life Sciences BC Update on Biomedical engineering**

Monthly meetings continue with the OSPG and LSBC on the discussion of regulating Biomedical Engineering Firms. At the May meeting, Carol Park – Executive Director – Lower Mainland Biomedical Engineering, presented on experience with the firm registration process and the Permit to Practice requirements. Kelly Daymond presented on the current number of firm registrants that self-declare as biomedical engineering with 30 having this designation and 50% being sole practitioners. A comparison of the EGBC's Firm Audit program and Health Canada's voluntary requirement of ISO-13485 is scheduled to be presented in June.

### **GOVERNMENT RELATIONS UPDATE**

#### **Meeting with Minister Robinson**

On April 27, EGBC staff David Pavan and Efrem Swartz met with Selina Robinson the Minister of Post-Secondary Education and Future Skills regarding the RidgeView Place (formerly Danbrook One) building in Langford BC. The Minister called the meeting to better understand the current situation and the role of EGBC as a regulatory body and the City of Langford (COL) as the authority having jurisdiction. The Minister was provided background information on EGBC's regulatory involvement, the investigations of the two engineers involved, and an outline of the steps EGBC took leading up to the most recent evacuation of the building. It was shared with the Minister the regulatory function of EGBC and the roles and responsibilities of the COL and the permitting process, reinforcing that EGBC regulates registrants and not buildings, and the Municipality (COL in this case) is responsible to ensure a building is safe to occupy. The Minister was very pleased with the discussion and indicated that if any more information was required her office would reach out.

#### **OSPG update/audit**

The Office for the Superintendent of Professional Governance (OSPG) is in the process of conducting a performance review for all the regulatory bodies under the *Professional Governance Act (PGA)*. OSPG's focus this year are:

- Examining how regulatory bodies manage registration of applicants with foreign credentials.
- Reviewing our complaints and investigations caseload, with a specific interest in timeliness and transparency.

EGBC submitted its report by the February 15, 2023, deadline. We anticipate that OSPG will circulate a draft report by the end of May, with a formal report to CEOs in early June. This report will be private to the respective organizations, although the OSPG will release an anonymized report containing broad observations and recommendations at the conclusion of the performance review. The review and follow-up for complaints and investigation will happen in late summer.

## HIGHLIGHTS FROM ENGINEERS CANADA MEETINGS

The Engineers Canada Annual General Meeting, and the Annual Meeting of the Members was held in Halifax the week of May 23<sup>rd</sup>. Key highlights:

- **Mike Wrinch** was inducted as the President Elect for Engineers Canada. He will be President for the 2025-2026 year. Congratulations Mike!
- Engineers Canada's first 30x30 Conference, themed as "Championing Change in the Workplace" was well attended with sessions covering Democratizing Justice, Allyship, EDI and Social Justice Panel, and the Technical Case for EDI.
- AGM highlights:
  - CEQB Products approved
    - New Guideline for engineers and engineering firms on Indigenous consultation and engagement
    - Feasibility study on alternative methods of academic assessment for non-CEAB applicants
    - Revised Guideline on good character
  - There will be a review the role of Observers in EC Board meetings as part of a larger Governance review
  - Board Policies approved - including guiding principles, code of conduct, board, committee and volunteer expenses, CEAB Chair term length increased, CEQB member term length increased. Note that a motion to increase the term length of the president to 2 years was defeated.
- Meeting of Members (regulator representatives) highlights:
  - The 2025 per Capita Assessment Fee to be set at \$8/registrant was defeated
  - The motion for the Bylaw amendment to the "2/3-60% Majority" was pulled from the agenda and not voted on. Instead, a recommendation to have this reviewed as part of a larger governance review with the next Strategic Plan was supported by the Members
  - Eight Engineers Canada Board Directors were appointed from Alberta, Northwest Territories and Nunavut, Ontario and Quebec. Of those 8, 50% are returning directors.

## TRIENNIAL REVIEW UPDATE (KEVIN)

The 2022 Triennial Compensation Review is now complete with results applied in alignment with recommendations presented to the Board at the April 21, 2023 Board Meeting.

Adjustments to salary bands and any applicable employee salaries have been applied retroactively to July 1, 2022. Planned annual increases to salary bands will take place on July 1, 2023. The next scheduled Triennial Compensation Review will occur with results being effective July 1, 2025.



## FINANCIAL SYSTEMS UPDATE - MICROSOFT DYNAMICS 365 BUSINESS CENTRAL (JEN/ALICIA)

During the last Audit Sub-Committee meeting, the topic of financial systems emerged for discussion. The sub-committee recommended that the Board be provided with more information regarding our new financial systems, Microsoft Dynamics 365 Business Central (BC), and its implementation.

Until three years ago, EGBC relied on Great Plains (GP) and iMIS to serve our financial system needs – GP provided two financial modules, general ledger (GL) and accounts payable (AP), and iMIS provided all other billing and membership management functionalities. These systems were minimally integrated with iMIS, and no detailed information was available with GP to reconcile a transaction. Reconciling or reviewing transactions was a time-consuming multi-system manual process, and no unified reporting provided a single view of our financial data or a definitive transaction audit trail.

In late 2019, the Finance and Information Systems departments embarked on our journey to modernize our financial systems foundation. The project goals were to: implement a full-featured financial system with modern capabilities (BC) and to replace iMIS with interfaces that provided BC with full details of all transactions.

In August 2020, the full suite of BC's financial modules, general ledger (GL), accounts payable (AP), accounts receivable (AR), job/project costing, Bank, Fixed Asset, customer data, detailed product/item data, budgeting and forecasting, Payroll, and financial reporting were implemented. These financial modules included integrated role-based security to ensure the organization's financial information was appropriately managed. The initial implementation of BC still depended on GL feeds from iMIS.

Since the original implementation of BC, the EGBC team has eliminated the dependency on iMIS and replaced the GL-only transactional feeds with interfaces that provide BC with fully detailed transactions. For example, all transactions with the public or individual/firm registrants now result in BC having account details for the person or firm completing the transaction and AR invoice and receipt details. BC is now the system of record for all financial detail. Having BC as the one version of financial truth with a rich suite of financial services has resulted in more efficient business processes and enhanced customer experiences. Integrated business processes include all registration processes for individuals and firms, interim billing and annual renewals for individuals and firms, career ads, and purchases made in the knowledge centre.

As a result of these efforts, we have seen significant improvements in the processes within the finance department, reducing inefficiencies, unnecessary manual human interventions, and greater visibility of financial details, which all help to reduce the risk of errors and enhance audit trails and internal financial controls.

The BC project has transformed how EGBC handles financial transactions and has paved the way to further enhance our financial management capabilities through continuous improvement, scalability, and data analytics.

## FISCAL YEAR 2023 FINANCIAL PROJECTION (JEN/ALICIA)

As we approach our fiscal year-end, EGBC projects a surplus around \$3 Million for FY2023. This estimate is \$1M higher than the previous forecast presented to Board in February 2023, mainly due to:

- lower legal costs related to disciplinary and investigation files due to timing of files and settlement rate (~540K)
- higher revenues and cost savings from programs and professional development due to more offerings and higher attendance than expected (~180K)
- unused contingency fund (100K)
- lower administrative and office expense (~50K)
- lower spending overall including travel, events, and contract services (~130K)

As the world transitioned out of COVID-19 at the beginning of EGBC's fiscal year, the organization has been navigating various major changes in our environment that each brings certain level of fluidity which also contributed to our overall projected surplus for the fiscal year:

- first full-year of hybrid working environment combining work-from-home with in-office days
- transitioning back to in-person and new hybrid events;
- integration of PGA requirements, including first year of Continuing Education (CE) and Annual Reporting (AR) programs under the PGA;
- delay of individual audit and firm practice review programs;
- first year of our strategic plan;
- recruiting, onboarding, and integrating 13 new staff.

This update is a high-level estimate only. The full year-end financial report and analysis will be presented at the September board meeting.