

OPEN AGENDA

DATE	November 25, 2022
TIME	09:00 – 13:30 (followed by agenda overflow buffer of 15 mins if needed)
LOCATION	Hybrid Event Engineers and Geoscientists BC Office (Dan Lambert Boardroom) & Virtually Via Teams (<i>Meeting Link Sent Via Outlook Invitation</i>)

09:00 (10 mins)	4.0 OPEN SESSION – Welcome Greetings & Call to Order Chair: Mark Adams, P.Eng., President MOTION: That Council approve the Open Agenda in its entirety.	
09:10 (5 mins)	4.1 Declaration of Conflict of Interest	
09:15 (10 mins)	4.2 Safety Moment	
09:25 (5 mins)	5.0 OPEN CONSENT AGENDA MOTION: That Council approve all items (5.1 to 5.4) on the Open Consent Agenda.	
	5.1 November 3, 2022 Open Minutes MOTION: That Council approve the November 3, 2022 Open Meeting minutes as circulated.	<div>November 3, 2022 Open Minutes</div>
	5.2 Appointments Approval MOTION: That Council approve the recommended appointment and re-appointments to the Credentials Committee as presented. MOTION: That Council approve the recommended appointments and re-appointment to the Audit & Practice Review Committee as presented.	

	<p>MOTION: That Council approve the recommended re-appointment to the Investigation Committee as presented.</p> <p>MOTION: That Council approve the recommended re-appointment to the Canadian Engineering Accreditation Board as presented.</p>	
	<p>5.3 Professional Practice Guidelines – Sustainability, V. 2.0</p> <p>MOTION: Consistent with the authority granted under PGA 57 (1) (b) and Bylaw 7.3.1 (1), Council approves <i>Professional Practice Guideline – Sustainability, Version 2.0</i> to be published following editorial and legal review. Council's approval is based on confirmation that the criteria within the Council Policy CO-21-105 on Professional Practice Guidelines have been met.</p> <p><i>Harshan Radhakrishnan, P.Eng., Manager, Climate Change and Sustainability Initiatives</i></p>	Professional Practice Guidelines – Sustainability, Version 2.0
	5.4 Information Reports	
	<p>5.4.1 CEO Report (Open Session)</p> <p><i>Heidi Yang, P.Eng., FEC, FGC (Hon.) Chief Executive Officer</i></p>	CEO Report (Open)
	<p>5.4.2 Engineers and Geoscientists BC Road Map for 2022/2023</p> <p><i>Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer</i></p>	Council Road Map
09:30	6.0 OPEN REGULAR AGENDA	
09:30 (45 mins)	<p>6.1 Key Performance Indicator Development</p> <p>MOTION: That Council endorse the Key Performance Indicators as presented.</p> <p><i>Ollie Campbell, Acting Associate Director, Corporate Governance & Strategy</i></p>	Key Performance Indicator Development
10:15 (15 mins)	MORNING BREAK	
10:30 (45 mins)	<p>6.2 Transition from Council to Board – Selection of Board Chair</p> <p>For discussion.</p> <p><i>Deesh Olychick, Director, Corporate Governance & Strategy</i></p>	Transition from Council to Board – Selection of Board Chair

11:15 (15 mins)	6.3 Project Management Office Update For information only. <i>Ollie Campbell, Acting Associate Director, Corporate Governance and Strategy</i>	<div>Project Management Office Update</div>
11:30 (15 mins)	6.4 FY2023 Q1 Financial Results and Forecast Update MOTION 1: That Council receives the Engineers and Geoscientists British Columbia financial results as at September 30, 2022. MOTION 2: That Council receives the Engineers and Geoscientists British Columbia's latest financial forecast for fiscal year 2023. <i>On behalf of the Executive Sub-Committee, Jennifer Cho, CPA, CGA, Chief Financial and Administration Office</i> <i>Alicia Tan, CPA, CMA, Director, Finance</i>	<div>FY2023 Q1 Financial Results and Forecast Update</div>
11:45 (20 mins)	6.5 Amendments to the Bylaws of Engineers and Geoscientists BC MOTION: That Council approve the attached amended draft Bylaws and authorize staff to forward the amended Bylaws to the Office of the Superintendent of Professional Governance for filing with the Attorney General pursuant to section 37 of the Professional Governance Act. <i>Efrem Swartz, LLB, mMBA, Director, Legislation, Ethics & Compliance</i> <i>Klara Hillmann, Regulatory Officer</i>	<div>Amendments to the Bylaws of Engineers and Geoscientists BC</div>
12:05 (55 mins)	LUNCH BREAK	
13:00 (30 mins)	6.6 Council Composition For information only. <i>Deesh Olychick, Director, Corporate Governance & Strategy</i>	<div>Council Composition</div>
13:30	END OF OPEN SESSION	

13:30 (10 mins)	AGENDA OVERFLOW BUFFER
13:40 (20 mins)	BREAK BEFORE IN-CAMERA SESSION
14:00 (60 mins)	IN-CAMERA SESSION
15:00	ADJOURNMENT

MINUTES OF THE OPEN SESSION OF THE FIRST MEETING OF THE 2022/2023 COUNCIL of Engineers and Geoscientists BC, held on NOVEMBER 3, 2022 at the Engineers and Geoscientists BC Office (Dan Lambert Boardroom) and virtually via Teams.

Present

Council		
Mark Adams, P.Eng.		President (2022/2023)
Michelle Mahovich, P.Eng., P.Geo.		Vice President (2022/2023)
Carol Park, P.Eng.		Immediate Past President (2022/2023)
Leslie Hildebrandt, LL.B, ICD.D		Councillor (2022/2023)
Emily Lewis, CPA, CMA		Councillor (2022/2023)
Karen Ling, P.Eng.		Councillor (2022/2023)
Mahsoo Naderi-Dasoar, P.Eng.		Councillor (2022/2023)
Mark Porter, P.Eng., StructEng.		Councillor (2022/2023)
Jessica Steeves, P.Eng.		Councillor (2022/2023)
Jens Weber, P.Eng.		Councillor (2022/2023)
Regrets		
Suky Cheema, CPA, CMA		Councillor (2022/2023)
David Wells, JD		Councillor (2022/2023)
Staff		
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
Jennifer Cho, CPA, CGA		Chief Financial & Administration Officer
Deesh Olychick		Director, Corporate Governance & Strategy
Tracy Richards		Executive Assistant to CEO and to Council
Ros Siebert		Senior Policy and Governance Analyst

OPEN SESSION – CALL TO ORDER

Mark Adams, P.Eng., President and Chair called the Open Session to order at 08:30 a.m.

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

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

The Chair welcomed everyone to the meeting and announced that councillors Suky Cheema and David Wells send their regrets.

CO-23-01 OPEN AGENDA

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

CARRIED

CO-23-02 PRESIDENT'S REMARKS

Mark Adams, P.Eng., President and Chair, opened the meeting with a short introduction sharing his vision for the coming Council year.

CO-23-03 ROUNDTABLE SELF-INTRODUCTIONS OF COUNCIL AND STAFF

The Chair led a roundtable of Council and staff self-introductions.

CO-23-04 SIGNING OF THE OATH OF OFFICE

President Adams thanked Council for returning their executed Oaths of Office in advance of the meeting. He then invited David Pavan, R.P.H., Chief Regulatory Officer & Registrar to recite the Oath of Office aloud with Council swearing the same.

The Chair then advised that the Oaths of Office would be counter-signed by the Chief Regulatory Officer & Registrar following the meeting.

END OF OPEN SESSION

The Open Session ended at 08:55 a.m.

OPEN SESSION – CONTINUED

Mark Adams, P.Eng., President and Chair called the Open Session back to order at 10:15 a.m.

CO-23-09 **NOMINATION COMMITTEE APPOINTMENTS**

MOTION It was moved that Council approve the recommended appointment and re-appointments to the Nominating Committee as presented.

CARRIED

CO-23-10 **VICE PRESIDENT APPOINTMENT**

MOTION It was moved that Council appoint Michelle Mahovlich, P.Eng., P.Geo. to serve as the Vice President of Council for the 2022/2023 Council year.

CARRIED

CO-23-11 **APPROVAL OF APPOINTMENTS TO SUB-COMMITTEES OF COUNCIL AND NOMINATION COMMITTEE**

MOTION It was moved that Council approve the recommended appointments to Engineers and Geoscientists BC Council Sub-Committees and Nomination Committee as presented.

CARRIED

The list of appointments is as follows:

Executive Council Sub-Committee Membership: The Sub-Committee must be comprised of five members, appointed by Council consisting of: President, Vice-President, Immediate Past President, one member at large of Council who is not a Government Appointee and one member at large of Council who is a Government Appointee.			
Mark Adams, P.Eng., President	Mandated Chair	November 3, 2022	October 28, 2023
Michelle Mahovlich, P.Eng., P.Geo. Vice President	Mandated	November 3, 2022	October 28, 2023
Carol Park, P.Eng. Immediate Past President	Mandated	November 3, 2022	October 28, 2023
David Wells, JD (Gov't Appointee)	1 Year	November 3, 2022	October 28, 2023
Karen Ling, P.Eng. Councillor (Member at large)	1 Year	November 3, 2022	October 28, 2023

Governance Council Sub-Committee Membership: The Governance Council Sub-Committee must be comprised of between four and six members of Council and may include the Past President. Members ideally should have governance experience or an interest in governance. The Chair is to be appointed by the Sub-Committee.			
Leslie Hildebrandt, ICD.D, LLB, (Gov't Appointee)	1 Year	November 3, 2022	October 28, 2023
Jessica Steeves, P.Eng. Councillor (Member at large)	1 Year	November 3, 2022	October 28, 2023
Mahsoo Naderi-Dasoar, P.Eng. Councillor (Member at large)	1 Year	November 3, 2022	October 28, 2023
Mark Porter, P.Eng., StructEng. Councillor (Member at large)	1 Year	November 3, 2022	October 28, 2023
Jens Weber, P.Eng. Councillor (Member at large)	1 Year	November 3, 2022	October 28, 2023

Audit Council Sub-Committee			
Membership: The Audit Council Sub-Committee will be comprised of between four and six members of Council consisting of at least two non-elected members of Council. The remaining members must not be members of the Executive Council Sub-Committee. Members of the Sub-Committee will elect the Chair who is not a member of the Executive Sub-Committee by March 31.			
Suky Cheema, CPA, CA Non-Elected Member of Council	Mandated	November 3, 2022	October 28, 2023
Emily Lewis, CPA, CMA Non-Elected Member of Council	Mandated	November 3, 2022	October 28, 2023
Jessica Steeves, P.Eng. Councillor (Member at large)	1 Year	November 3, 2022	October 28, 2023
Jens Weber, P.Eng. Councillor (Member at large)	1 Year	November 3, 2022	October 28, 2023

Nomination Committee			
Membership: The Nomination Committee will be comprised of between five and seven members appointed by Council. The members of the Committee appointed by Council must include the immediate past president of Engineers and Geoscientists BC, who will serve as the Chair of the Nomination Committee.			
Carol Park, P.Eng. Immediate Past President	Mandated	November 3, 2022	October 28, 2023

CO-23-12 BRANCH/COUNCILLOR PAIRINGS

MOTION It was moved that Council approve the 2022/2023 Branch/Councillor pairings.

CARRIED

The list of Branch/Councillor pairings is as follows:

BRANCH	STAFF SUPPORT	COUNCILLOR	BRANCH CHAIR
Burnaby/New West	Quinton Lam Olivia Jay	Mark Porter, P.Eng., Struct.Eng., FEC	Jillian Cooke, P.Eng.
Central Interior	Quinton Lam Olivia Jay	Karen Ling, P.Eng.	Olaf Starck, P.Eng. (Ret) Dr. Natalie Linklater, EIT (co-chair)
East Kootenay	Quinton Lam Olivia Jay	Mahsoo Naderi-Dasoar, P.Eng.	Jeremy Zandbergen, P.Eng.
Fraser Valley	Quinton Lam Olivia Jay	Emily Lewis, CPA, CMA	Syed Ali, P.Eng.
Northern	Quinton Lam Olivia Jay	Jessica Steeves, P.Eng.	Jonathan Phelan, P.Eng.
Okanagan	Quinton Lam Olivia Jay	Karen Ling, P.Eng.	Helene Desrosiers, P.Eng.
Peace River	Quinton Lam Olivia Jay	Leslie Hildebrandt, ICD.D, LLB	Zhu (Ross) Luo, P.Eng.
Richmond/Delta	Quinton Lam Olivia Jay	Mark Porter, P.Eng., Struct.Eng., FEC	Damian Williams, P.Geo.
Sea to Sky	Quinton Lam Olivia Jay	David Wells, JD	Dr. Ghazal Nayyeri, P.Eng.
South Central	Quinton Lam Olivia Jay	Jessica Steeves, P.Eng.	Pattie Amison, P.Geo.
Tri-City	Quinton Lam Olivia Jay	Carol Park, P.Eng.	Dr. Mahmoudreza (Mitch) Mivehchi, P.Eng.
Vancouver	Quinton Lam Olivia Jay	Suky Cheema, CA, CPA	Manoj Sarma Madduri, EIT
Vancouver Island	Quinton Lam Olivia Jay	Jens Weber, P.Eng.	Ma Carmina Pascual, EIT
Victoria	Quinton Lam Olivia Jay	Michelle Mahovlich, P.Eng., P.Geo.	Daphne Sidaway-Wolf, P.Eng.
West Kootenay	Quinton Lam Olivia Jay	Mahsoo Naderi-Dasoar, P.Eng.	Marc Caruth, EIT

CO-23-13 REVIEW OF UPCOMING MEETINGS

The Chair walked Council through the upcoming events that Council has been requested to attend in the coming weeks.

END OF OPEN SESSION

The meeting ended at 10:35 a.m.

OPEN SESSION

ITEM 5.3

DATE	November 8, 2022
REPORT TO	Council for Decision
FROM	Harshan Radhakrishnan, P.Eng., Manager, Climate Change and Sustainability Initiatives
SUBJECT	<i>Professional Practice Guidelines – Sustainability, Version 2.0</i>
LINKAGE TO STRATEGIC PLAN	Enhance members' awareness and use of professional practice resources.

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

BACKGROUND

As per the *Professional Governance Act*, Engineers and Geoscientists BC is responsible for establishing, monitoring, and enforcing the standards of practice, conduct, and competence for Engineering/Geoscience Professionals. One way that Engineers and Geoscientists BC exercises these responsibilities is by publishing and enforcing the use of professional practice guidelines, as per Section 7.3.1 of the Engineers and Geoscientists BC Bylaws.

Each professional practice guideline describes expectations and obligations of professional practice that all Engineering/Geoscience Professionals are expected to have regard for in relation to specific professional activities.

Having regard for professional practice guidelines means that Engineering/Geoscience Professionals must follow established and documented procedures to stay informed of, be knowledgeable about, and meet the intent of any professional practice guidelines related to their area of practice. By carefully considering the objectives and intent of a professional practice guideline, an Engineering/Geoscience Professional can then use their professional judgment when applying the guidance to a specific situation. Any deviation from the guidelines must be documented and a rationale provided. Where the guidelines refer to professional obligations

specified under the *Professional Governance Act*, the Engineers and Geoscientists BC Bylaws, and other regulations/legislation, Engineering/Geoscience Professionals must understand that such obligations are mandatory.

DISCUSSION

These Professional Practice Guidelines were last revised and published in 2016. In 2021, Professional Practice, Standards and Development Department staff with input and direction from the Sustainability Advisory Group carried out a series of three focus groups engaging participants across various sectors and professions to help inform the revisions to these guidelines and to seek input into developing additional resources aimed at supporting registrants to better integrate sustainability into practice. An analysis of national and international sustainability-related guidelines published recently was also carried out to identify potential gaps that could be addressed during revisions. These revisions have sought to include the current knowledge on sustainability from the focus groups and gap analysis, references to updated Code of Ethics, relevant linkages from the *Professional Governance Act*, and include sustainability considerations for both individual registrants and firms (like the *Professional Practice Guidelines – Equity, Diversity and Inclusion*).

This current revision provides additional clarity through examples of actions that individual and firm Registrants can take to bring the “lens of sustainability” to their practice.

These guidelines describe the expectations and obligations in relation to sustainability as it relates to professional practice, with linkages to mandatory obligations specified under the *Act*, the Bylaws, and other regulations/legislation. These guidelines also serve to explain the responsibilities related to society and the environment (as listed in the Code of Ethics), and to provide advice and encouragement to Registrants in delivering more sustainable solutions. These guidelines are distinct from the more typical technical type of practice guidelines, in that they focus on social and cultural matters relevant to the professions. By carefully considering the objectives and intent of these guidelines, it is intended that Registrants can then use their professional judgment when applying the guidance to a specific situation.

REASON FOR INITIATION

- ☐ Demand-Based
- ☒ Practice-Based
- ☐ Strategic Based
- ☐ Reaction-Based

Additional Information:

Existing professional practice guidelines are reviewed five years following the most recent publication date to determine whether a revision is necessary. These guidelines were revised as per the typical revision cycle, but also based on feedback from registrants and industry.

WAS THE STANDARD DEVELOPMENT PROCESS FOLLOWED AS PER COUNCIL'S POLICY ON PROFESSIONAL PRACTICE GUIDELINES?

☒ Yes

☐ No

Additional Information: Information about the development of revisions to these guidelines was published in the November/ December 2021 issue of the *Innovation* Magazine. The Professional Practice Advisory Group was notified about the development of revisions to these guidelines at the project initiation. The author group which is the Sustainability Advisory Group commissioned a series of consultation groups, carried out a gap analysis of recent sustainability-related guidelines from around the world to identify gaps that could be filled during the process of revising these guidelines. The group followed a documented process for addressing comments received from the reviews and those consulted.

As per Council Policy CO-21-105, Council approval of professional practice guidelines is based on confirmation that the development and consultative process has been followed. As such, there is no expectation for Council members to review the specific content of each Professional Practice Guideline. Any Council members who would like to review this professional practice guideline prior to publishing may contact staff.

AUTHORS, REVIEWERS AND CONSULTATION

The revisions to these professional practice guidelines were coordinated and overseen by the members of the Engineers and Geoscientists BC Sustainability Advisory Group who provided ongoing and extensive input throughout the guideline revision process. The early draft of these guidelines was reviewed by the members of the Engineers and Geoscientists BC Climate Change Advisory Group, members of the Canadian Engineering Qualifications Board's Environment and Sustainability Committee, members from consulting firms, and the Engineers and Geoscientists BC's Director of Professional Practice Standards and Development Department.

The following groups were consulted on the revisions to these guidelines:

- Professional Practice Advisory Group
- ACEC-BC's Sustainability and Climate Committee
- Environmental Professionals Division

- Energy Efficiency and Renewable Energy Division
- Engineers and Geoscientists in the Resource Sector Division
- Municipal Engineers Division
- Professional Practice Staff

The Sustainability Advisory Group members reviewed all the feedback received from the reviewers and through the consultation process and provided input into finalizing the draft of these guidelines for endorsement by Engineers and Geoscientists BC Council.

RECOMMENDATIONS

That Council approves the *Professional Practice Guidelines – Sustainability*, Version 2.0 for final legal and editorial review prior to publication.

MOTION

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



OPEN SESSION

ITEM 5.4.1

DATE	November 8, 2022
REPORT TO	Council for Information
FROM	Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer
SUBJECT	CEO Report to Council

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

1. COMPLIANCE STATEMENT

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

2. AGM AND CONFERENCE HIGHLIGHTS

The Engineers and Geoscientists BC Annual General Meeting was held on October 15, 2022, and was the third AGM to be held remotely. With 50 registrants required for quorum, 113 registrants attended, with 31 guests.

The AGM agenda included a presentation from the Office of Superintendent of Professional Governance (OSPG). Paul Craven, the Superintendent, updated attendees on OSPG activities over the last twelve months, including improving broader regulation and updates to the Professional Governance Act, as well as an update on regulated and reserved practice and the development of descriptive materials.

Although no motions were submitted for the Annual General Meeting, there was a good level of engagement throughout the meeting, with the President and CEO responding to eight questions following the delivery of the annual reports.

As per the updated AGM Meeting Rules, the meeting minutes will be approved by Council; registrants have until December 5, 2022 to review the minutes and submit corrections. Council will be invited to approve minutes at a future Council meeting.

This year's annual conference was once again in a virtual format with over 1,000 attendees participating from across the province, the country and internationally. Up to 30 hours of Continuing Education (CE) featuring 54 presenters were available to attendees in the four areas of learning referenced in our CE program. The conference sessions are now available for purchase and access on-demand in our Knowledge Centre.

We received strong positive feedback from attendees who appreciated the variety of CE opportunities available, the ability to connect with other registrants, the activities and gamification, the virtual tradeshow and keynote program. Although attendees enjoyed the accessibility offered by a virtual format, the majority are wanting an in-person event next year.

3. **HIRING UPDATE**

The Human Resources Department have been busy recruiting for the 13 FTEs (full time equivalent) that were budgeted as part of the FY23 budget. We have 8 of the roles filled, 4 have been approved/posted and are in active recruitment, and 1 has not yet been approved/posted. We celebrate that three of the eight roles that have been filled so far are through internal hires, allowing for development and growth of our staff from within. Once recruits have been onboarded and trained to meaningfully contribute in their roles, Engineers and Geoscientists BC anticipates improved capacity in our departments.

Should you know anyone who would be a great fit for our organization and for these roles that are still being recruited for, please direct them to our website link [Jobs With Us \(egbc.ca\)](https://egbc.ca/jobs-with-us).

FILLED		OPEN	
<i>Role</i>	<i>Dept</i>	<i>Role</i>	<i>Dept</i>
Associate Director, Finance	FIN	Manager, Experience Assessment	REG
Manager, Human Resources	HR&F	Assessor 1 (Compliance Auditor)	PPSD
Investigation Manager	LEC	Assessor 1 (Compliance Auditor)	PPSD
Investigator 1	LEC	Privacy Analyst	LEC
Investigator 2	LEC	Associate Director, Communications	COMMS
Unauthorized Practice Intake Analyst	LEC		
Communications Specialist (Corporate)	COMMS		
Senior Developer Analyst	IS		

4. REGISTRANT SURVEY – CE/AR – KEY TAKEAWAYS

CE/AR Registrant Survey: Topline Results

Our late-summer survey about registrants' experience with the CE/AR reporting process saw above-average engagement with 4,480 completed surveys; this represents a 12% participation rate, indicating registrants wanted their feedback to be heard. The key challenge registrants encountered was understanding what the requirements were and how to meet them.

- **Awareness:** Communication was successful in raising awareness, especially amongst practising registrants. About a third felt the content/clarity of communication could be improved.
- **Understanding:** About 2/3 said they fully understood how to complete their ethical and regulatory CE requirements, but just 46% fully understood how to complete their CE Plan.
- Fewer than half fully understood how to complete their AR requirements; this was most acute for trainees (30%) and non-practising registrants (29%). Additionally, 63% did not understand CE and AR were different until they were in the system, were fined, or until they did the survey.
- Registrants who fully understood the requirements referred to more of our information and resources than their counterparts (especially the website, webinars, and video).
- **Timing:** About half (48%) prefer a schedule where everything is due at the end of the calendar year. Just 21% prefer the current schedule (CE/AR due in June, fees due at year end).
- **User experience:** In terms of the system, age played a factor in user experience. Trainees and shorter-term registrants experienced fewer issues than non-practising registrants and sole practitioners.
- **Customer service:** Overall, registrants felt we did a good job responding to calls and emails. Trainees and non-practising registrants were the least likely to say their issue was resolved and were the least satisfied with the outcome (they want more flexibility/exemptions and disagree with fines).
- **Sole practitioners:** Sole practitioners struggled more than their counterparts to understand and complete the requirements and were twice as likely to contact us to resolve an issue. This group has unique needs that stem from their more solitary work environment, age, and requirement to hold a permit to practice.

This insightful feedback will help frame what we will change for next year's process and our long term plans to improve the registrant experience and our internal processes.

5. CE/AR REPORTING PROCESS UPDATE

At the close of the CE/AR reporting process, we celebrate a compliance rate of 96%. Of our ~40,000 registrants, 1955 registrants were suspended for CE/AR non-compliance, and 1330 remain suspended. Of those who remain suspended, 62% were practicing registrants, 15% were non-practicing and 23% were trainees.

With the feedback we have received from the survey, we are working on a decision matrix to evaluate the suggested options for changes moving forward. As we are closing in on the next round of communications in late January for 2023 AR/CE the changes will likely be improvements to the communication strategy/plan, communication materials and possible IS solutions.

6. ENFORCEMENT UPDATE

There is strong activity in the enforcement of unauthorized practice and misuse of title. Sources brought to enforcement include concerns received from the public/registrants, Permit to Practice applicability reviews, media monitoring and proactive enforcement campaigns.

As of the end of Engineers and Geoscientists BC's fiscal year (July 2022), we have 224 files open, with 94 of those assigned to staff. The Triage Policy has proved very effective in helping the organization prioritize highest risk files to be worked on first. The recent hiring of the Unauthorized Practice Intake Analyst will help in addressing the lower risk files that make up the majority of the backlog (130 files). As the CE and AR reporting process completes with the suspension of ~2000 registrants, it is anticipated that there will be an increase in enforcement files, as a recent spot check of those registrants suspended continue to use the title.

7. REGISTRATION UPDATE

Application volumes continue to trend upwards, with higher volume of applications from internationally trained professionals. We anticipate up to 10,000 trainees by next year.

With consultation of the Geoscience SubCommittee, a number of key steps have been taken to improve the Geoscience application backlog (August 2022 - 113 applications, some with wait times >200 days) to 45 applications with wait times at 120 days or less.

The recent backfill of a Senior Policy Analyst has allowed the Registration department to focus on revising critical admissions policies and procedures such as the Guideline on Certified Identification Documents and the Policy on the Low-Risk Assessment of Geoscience Applications.

On the national front, multi-jurisdictional Online technical exam pilot is in its Fall/Winter session, projecting to have 137 exam topics and 941 candidates, while the Pan-Canadian Competency-Based Assessment (CBA) system is being evaluated by Professional Engineers Ontario as a possible option for them.



OPEN SESSION

ITEM 5.4.2

DATE	November 10, 2022
REPORT TO	Council for Information
FROM	Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer
SUBJECT	2022/2023 Workplan
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

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

BACKGROUND

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

ATTACHMENT A – Council Road Map (as of November 25, 2022)

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



OPEN SESSION

ITEM 6.1

DATE	November 10, 2022
REPORT TO	Council for Discussion
FROM	Ollie Campbell, Acting Associate Director, Corporate Governance & Strategy
SUBJECT	Key Performance Indicator Development
LINKAGE TO STRATEGIC PLAN	Process – We have efficient and effective systems in place to enable modern regulation

Purpose	To update Council on the Key Performance Indicator development, and introduce Council to proposed KPIs.
Motion	That Council endorse the Key Performance Indicators as presented.

BACKGROUND

A key performance indicator (KPI) is a measurable value (metric) or insight (from several metrics) that demonstrates how effectively the organization is achieving its desired results. The aim of an enterprise wide KPI is to provide a holistic view of the performance and impact of an organization's strategic plan, driven by departmental functions and strategic priorities. KPIs typically drive business behavior, results, and the organization's culture.

There are a significant number of metrics that can be utilized to indicate a measure of performance. For the purposes of this discussion, Council are being asked to review and endorse the enterprise (or organization wide) KPIs. Enterprise KPIs are the high-level metrics that are used to assess whether our strategic plan is on track, and achieving the desired results. The departmental metrics are the specific targets and goals for each department, and will contribute to our enterprise KPIs. This report will not discuss departmental KPIs.

At the Council strategy session on April 21, 2022, Council established a number of Key Performance Questions (KPQs) to be addressed through KPIs. These Key Performance Questions are as follows:

Area	Key Performance Questions
Regulatory Mandate	How well are we performing our regulatory mandate?
Organizational Sustainability	How well have we aligned our resources, both human and financial, to meet our mandate now and into the future?
Internal Business Systems	Do we have all the necessary business systems in place? To what extent are our business systems effective and efficient?
Learning and Growth	How well are we improving employee engagement (well-being, work/life balance, satisfaction, development, career progression)
	How well are we improving volunteer engagement? (recruitment and retention, pipeline)
Stakeholders	To what extent do we have stakeholders' confidence and trust that we are fulfilling our mandate?
Social Responsibility	How well are we fulfilling our role in advancing EDI, T&R and Climate action?

Following confirmation of the Key Performance Questions, staff used the following steps as a framework for the KPI development process.

Steps	Status
Key Performance Questions – what is strategically important to us	Complete
Objective Setting – what are we trying to achieve that supports what is important to our organization Includes Council direction on key performance questions	Complete
Measurement Methodology and Data Selection – what data can we use to characterize performance surrounding those objectives Includes Council endorsement of KPIs	Complete by June 30, 2023
Benchmarking - what constitutes success within the selected framework	Complete by June 30, 2023
Measurement and Evaluation – collect and evaluate the data against the benchmark	Anticipated first report not before Sep 2023

Staff sought guidance from external consultants and facilitators, (including Ignite Management and KPMG) to review the process and ensure that the proposed outcomes were aligned with best practice from similar organizations. Staff discussed KPIs with the OIQ (engineering regulator in Quebec) and received feedback on their system of KPI reporting. Staff also engaged the wider EGBC leadership team through a series of collaboration group discussions.

Since the previous update to Council, staff have taken on recommendations from consultants and the Executive Team and simplified the approach. This simplified approach includes removing weighting, as well as reporting on elements of the KPIs, rather than providing an overall score for the KPI.

DISCUSSION

Staff have proposed the following KPIs to address the KPQ's established by Council. Metrics have been added as examples only, and staff will undertake further work with department leads to identify / refine metrics:

1. **Regulatory Mandate:** How well are we performing our regulatory mandate?

KPI	Description	Potential Metrics	Justification
OSPG Audit Result	Evaluates the organization's performance against the OSPG annual audit	<ul style="list-style-type: none"> Number of non-conformances / areas of improvement 	Formal feedback from our key stakeholder (OSPG) provides an important independent evaluation of our regulatory performance
Registration Process Effectiveness	Examines the throughput, efficiency, and quality of execution of registration processes	<ul style="list-style-type: none"> Time to first decision for individuals Number of applications processed Number of registration interviews conducted 	Effective registration processes enable a strong, sustainable flow of new, qualified registrants into the professions
I&D / Enforcement Process Effectiveness	Examines the throughput, efficiency, and quality of execution of I&D / Enforcement processes	<ul style="list-style-type: none"> Mean age of open cases Mean age of cases closed in past 12 months 	Effective I&D processes are a key element in our regulatory mandate.
Audit and Practice Review Effectiveness	Throughput and efficiency of our audit/PR processes Effect that the audit/PR program has on individual/firm compliance	<ul style="list-style-type: none"> Rate of non-conformances found during audits Number of audits conducted Rate of referrals to I&D 	An effective audit and practice review program enables application of regulatory expertise for the benefit of continued quality improvement in the professions
Guidance Document Effectiveness	Examines the effectiveness of our guidance documents in communicating the standards, expectations, and obligations that apply to our Registrants	<ul style="list-style-type: none"> Measure adherence to internal standards for review and update of such documents Mean age since revision for guidance documents Number of issues / ideas for improvement raised against guidance documents Comprehensive (TBD) measurement of the quality of guidance documents 	Effective guidance documents make clear the standards, expectations, and obligations associated with the professions to registrants and the public alike.

2. **Organizational Sustainability:** How well have we aligned our resources, both human and financial, to meet our mandate now and into the future?

KPI	Description	Potential Metrics	Justification
Headcount: Actual vs Desired	Reports the ratio between the actual staff headcount and the number of open positions	<ul style="list-style-type: none"> Number of position filled / number of open positions. Completed on monthly basis 	Measuring this ratio enables us to understand how well we have aligned labour requirements with recruitment, true capacity at any given point in time and gives us flexibility to hire temporary help to fill gaps where recruitment may take longer.
Financial Health Index	Examines the ratio of revenues to expenditures	<ul style="list-style-type: none"> Revenue / expenditure 	Balancing revenues with expenditures is a key goal for a non-profit organization; monitoring this ratio provides direct intelligence regarding the alignment of our financial resources

3. **Internal Business Systems:** Do we have all the necessary business systems in place? To what extent are our business systems effective and efficient?

KPI	Description	Potential Metrics	Justification
Project Performance: Business Process Gap Analysis and Maturity Measurement	Evaluates performance of projects related to Business Process Gap Analysis and Maturity Measurements	<ul style="list-style-type: none"> Project performance metrics (scope / schedule / budget) related to: <ul style="list-style-type: none"> Business Process Gap Analysis Development of Maturity Measurements 	Work is required to obtain a comprehensive understanding of the maturity of our business systems; monitoring the progress of that work is a key indicator
Business Process Maturity Score	Captures an annual assessment of our business process maturity within the organization	<ul style="list-style-type: none"> TBD – output of project described above 	Measurement of business process maturity allows us to understand that the effectiveness and efficiency of our business systems

4. **Stakeholders:** To what extent do we have stakeholders trust and confidence?

KPI	Description	Potential Metrics	Justification
Public Trust Score	Survey or Net Promoter Score (NPS) asking public regarding trust/confidence in EGBC	<ul style="list-style-type: none"> Survey results measured against established baseline 	Survey directly measures engagement of the subject group
Registrant Trust Score	Survey or NPS asking registrants regarding trust/confidence in EGBC	<ul style="list-style-type: none"> Survey results measured against established baseline 	Survey directly measures engagement of the subject group
Other Stakeholder Trust Score	Survey, NPS or focus groups asking other stakeholders (other regulators, local governments, etc.) regarding trust/confidence in EGBC	<ul style="list-style-type: none"> Survey results measured against established baseline 	Survey / focus groups directly measures engagement of the subject groups

5. **Learning and Growth:** How well are we improving employee engagement? (well-being, work/life balance, satisfaction, development, career progression). How well are we improving volunteer engagement? (recruitment and retention, pipeline)

KPI	Description	Potential Metrics	Justification
Volunteer Engagement Score	Survey or NPS asking volunteers regarding their engagement with EGBC	<ul style="list-style-type: none"> Survey results measured against established baseline 	Engaging directly with volunteers will enable reporting of indicators of volunteer engagement
Staff Engagement Score	Survey or NPS on staff regarding their engagement	<ul style="list-style-type: none"> Survey results measured against established baseline 	Engaging directly with staff will enable reporting of indicators on staff engagement

6. **Social Responsibility:** How well are we fulfilling our role in advancing EDI, T&R and Climate action?

KPI	Description	Potential Metrics	Justification
Social Responsibility Project Execution Score	Evaluates project outcomes and success factors related to work performed within the social responsibility pillar, such as climate action, development of a R&R strategy:	<ul style="list-style-type: none"> Project performance metrics (scope / schedule / budget) related to: Climate Action project Presentation of EDI / Reconciliation PD opportunities to registrants Development of an EDI strategy 	As we continue to develop meaningful SR plans and strategies, measuring project outcomes enables measurement and reporting on progress associated with this pillar of
Social Responsibility Scorecard	A Social Responsibility Scorecard will report out on a range of social responsibility areas	<p>Social Responsibility Scorecard might include:</p> <p>Leadership Diversity Index</p> <ul style="list-style-type: none"> Candidate metrics may include those related to 50/30 challenge: % of those identifying as female % of those identifying as equity deserving (LGBTQ2S+, racialized/POC, indigenous, disabilities, etc.) <p>Social Responsibility Training</p> <ul style="list-style-type: none"> Number of SR-related training opportunities offered Completion rate for SR-related training <p>Firm Audit EDI Compliance</p> <ul style="list-style-type: none"> Candidate metrics could include rate of EDI-related non-conformances found during audits <p>Climate Change Strategy</p> <ul style="list-style-type: none"> TBD 	<p>Measuring our leadership diversity allows us to track that we reflect the diversity of the public we serve, as well as underlines transparency of our commitment to diversity</p> <p>This measurement shows that we make progress by continually educating ourselves regarding social responsibility considerations</p> <p>EDI audit compliance allows us to assess how well our Registrant Firms are embodying meaningful action related to social responsibility, and measures the impact of our strategy on externally – i.e. on registrants</p>

REPORTING OUTCOMES – POTENTIAL EXAMPLE

Council will receive a memo on a quarterly basis, which will contain a dashboard-type report, with the format TBC. This report and dashboard will draw data and information from a spreadsheet that will be based around an excel-based framework, with each area featured in a separate tab. This spreadsheet will show the relationship between the KPIs and associated metrics.

NEXT STEPS

Staff will continue to develop the metrics that make up each KPI. Staff will also develop the initial benchmarking, as well as the target setting. The intent is to have the KPIs, associated metrics and benchmarking built out by June 30, 2023, which will allow for measurement to begin at the start of FY 2023-2024. Depending on reporting frequency, the initial report to Council will take place no earlier than September 2023. Staff will also continue to develop the dashboard that will form the basis of the report to Council.

RECOMMENDATIONS

That Council endorse the proposed KPIs.

MOTION

That Council endorse the Key Performance Indicators as presented.

OPEN SESSION

ITEM 6.2

DATE	November 17, 2022
REPORT TO	Council for Decision
FROM	Deesh Olychick, Director, Corporate Governance & Strategy
SUBJECT	Transition from Council to Board – Selection of Board Chair
LINKAGE TO STRATEGIC PLAN	Our talent, tools and work environment create an engaged organizational culture

Purpose	To consider how future Board Chairs are to be elected, in light of terminology change from Council to Board.
Motion	To be determined.

BACKGROUND

The *Professional Governance Act* (PGA) was amended in April 2022. Among the changes introduced is new terminology for Councils. This change will be brought into force through regulation scheduled for April 2023 to ensure all regulatory bodies under the PGA have the time to make the necessary bylaw changes.

Beginning this Spring, Council will be renamed the Board, the President will be renamed as Chair and the Vice President will be renamed as Vice Chair. The PGA does not define whether Councillors will be renamed board members or board directors, but we expect that there will likely be a preference for consistency amongst the PGA regulators.

While this change to the PGA is in terminology only, it has been introduced to align with best practice for regulatory bodies and to further cement the role of regulatory bodies under the PGA. Terms such as President and Vice President are generally associated with membership-based organizations rather than regulatory bodies, which is contrary to the intention of the PGA.

DISCUSSION

While no changes are being introduced into the function and role responsibilities of the Council and its leadership, due to the organization's dual roots as a regulatory and professional association, Council will need to consider this change in the wider context, what it means to Engineers and Geoscientists BC and its practices, and ensure clarity of Engineers and Geoscientists BC's regulatory role. Part of this consideration will involve continued change management for the organization and its registrants.

While a broader discussion with Council will be needed, one decision is being brought forward to Council ahead of the terminology change. Under Engineers and Geoscientists BC's current governance structure, the President is elected by registrants. This is a common system for some associations but not a governance best practice of regulatory bodies.

Council made a governance change in 2019, which came into effect in 2021, to allow the Council to select its own Vice President, rather than through a vote by registrants. While one of the primary drivers of this change was to allow for a more even staggering of councillor terms, the change also supported greater continuity on Council and followed governance best practice.

The Council decision was supported by a recommendation by a Council appointed advisory group and research of other regulatory bodies under the Health Professions Act (College of Physicians and Surgeons of BC, College of Dental Surgeons of BC, BC College of Nurses and Midwives, and others) where the board selects a board Chair and a board Vice Chair. The Council of the Architectural Institute of British Columbia (soon to come under the PGA), Chartered Professional Accountants of BC and the College of Veterinarians of BC also have similar structures.

Updated comparative data is included in **Appendix A**.

THE CASE FOR CHANGE

The changes in terminology scheduled for April 2023 provide Council with an opportune time to consider modernizing its governance structure. The current system whereby Engineers and Geoscientists BC registrants select the Board Chair is not aligned with governance best practice; it continues to reinforce linkages to Engineers and Geoscientists BC's association past. Best practice is for registrants to elect board directors and for the board to select its own leadership.

The fundamental responsibility of the Chair is to manage the effective performance of the Board and to lead the Board as it governs the strategy and work of the organization to ensure it fulfills its mandate. The expectations of the Board Chair are evolving from having technical skills and industry experience to considerations of governance expertise, ethics, and soft skills such as teambuilding, creating and promoting inclusive cultures, managing interpersonal dynamics, and using facilitation techniques to promote meaningful dialogue. These soft skills are best observed in practice which is why board directors are better positioned to assess these skills and why governance best practice is for board directors to select their own leadership.

Watson Advisors, leading governance consultancy in Vancouver, provided the following commentary.

There are many different paths to the chair role. In some regulatory bodies, the chair is elected by the council. In others, registrants elect the chair. In some situations, a vice chair or chair-elect automatically becomes chair through a ladder leadership structure. In WATSON's view, it is best practice for the chair to be elected by the council as opposed to registrants - councillors better understand the chair role and the skills and attributes needed for success.

It is difficult to have a high-performing council without a great board chair. Therefore, part of building and sustaining an effective council requires that the council:

- *Acknowledge the importance of the chair role*
- *Recognize that being a chair is a job, and not a reward*
- *Understand what makes a value-adding chair*
- *Invest in chair development*
- *Proactively plan for chair succession*
- *Develop a thoughtful process for chair selection*

For reference, a copy of the position description of the President is included as **Appendix B**.

WHY NOW?

The new terminology for Council will take effect in Spring 2023, and Council is being asked to consider any governance changes that would impact the 2023 Council nomination cycle. The Nomination Committee will begin its recruitment in January 2023. To inform the committee and its work, should Council wish to pursue a change, a decision is required at the November 2022 meeting of Council. This decision will determine the number of registrant councillor vacancies and whether the Nomination Committee will recruit presidential candidates to be placed on the 2023 election ballot.

OPTIONS FOR CONSIDERATION

While having a board select its Chair and Vice Chair is a recommended governance best practice, there may be other options that Council wishes to consider. A few of those options are presented below. Council's discussion of the options will inform management on next steps.

Option 1: Maintain Status Quo for the 2023 Council Election

With this option, the Nomination Committee would continue to recruit for Board Chair nominees to be placed on the ballot for the 2023 Council Election. Registrants would elect the Board Chair. Council can choose to have a broader discussion on its governance structure ahead of the 2024 election. This broader discussion could also include consideration of terms for both the Vice Chair and Chair positions which are currently set at one year. The PGA permits terms up to three years.

Option 2: Move to a system whereby the Board Chair is elected by the Board from amongst registrant board directors, effective for the 2023/24 Council year

With this option, the Board Chair would be elected by Council using a similar format to the current Vice Chair selection process. This option aligns with governance best practice.

Should Council support this change, staff would bring forward an updated bylaw as part of the bylaw package in April 2023, which will include the change in terminology. Staff would inform the Nomination Committee of this change effective for the 2023/24 Council year and no presidential candidate would be placed on the ballot for 2023.

Option 3: Move to a system whereby the Board Vice Chair automatically ascends to the position of Board Chair

Succession planning is a priority for all boards and ensuring greater continuity on Council has been an important consideration of Council. Currently, Council selects its own Vice President. Should Council wish to consider a ladder leadership structure, additional policy work would be needed to ensure it is appropriately considered and implemented. Should Council be interested in further exploring this option, staff can bring it forward for a future Council discussion. No change would be implemented for the 2023 Council Election.

Questions for Council:

- Are there other options that Council would want considered?
- Which option is right, either now or in the future for Engineers and Geoscientists BC?
- Should Council want a broader discussion on its governance structure, what information would be helpful to Council?

MOTION

To be determined.

APPENDIX A – Comparative Data

APPENDIX B – President Role Description



PGA REGULATORS

Regulator	President/Chair Selection Process	President/Chair Term Length	Vice President/Vice Chair Selection Process	Vice President/Vice Chair Term Length	Automatic Ascension of Vice Chair to Chair	Comments
BC Institute of Agrologists	Board Members	2 years	Board Members	1 year	Y	
College of Applied Biologists of BC	Automatic ascension from VP	1 year	Registrants	1 year	Y	
Architectural Institute of BC	Council	1 year	Council	1 year	Y*	*Informal Process where the VP usually ascends to Presidency
BC Forest Professionals	Automatic ascension from VC	1 year	Registrants*	1 year	Y	*Almost always election by acclamation as Chair candidates limited to those who are currently serving on Council or have recently served

OTHER BC REGULATORS

Regulator	President/Chair Selection Process	President/Chair Term Length	Vice President/Vice Chair Selection Process	Vice President/Vice Chair Term Length	Automatic Ascension of Vice Chair to Chair	Comments
Law Society of BC	Automatic Ascension from First VP	1 year	Automatic Ascension from 2nd VP*	1 Year	Y	*Members elect the Second VP each year
Chartered Professional Accountants of BC	Board Members	3 years	Board Members	3 years	N	

REGULATORS UNDER HEALTH PROFESSIONS ACT

There are 30 practitioner groups overseen by the Health Professions Act in BC including the BC College of Oral Health Professionals, College of Physicians and Surgeons of BC, BC College of Nurses and Midwives, and the BC College of Pharmacists.

Regulator	President/Chair Selection Process	President/Chair Term Length	Vice President/Vice Chair Selection Process	Vice President/Vice Chair Term Length	Automatic Ascension of Vice Chair to Chair	Comments
Applies to All Regulators*	Board Members	1 year	Board Members	1 year	N	All HPA regulators use the same election language found in the HPA

ENGINEERING AND GEOSCIENCE REGULATORS

Regulator	President/Chair Selection Process	President/Chair Term Length	Vice President/Vice Chair Selection Process	Vice President/Vice Chair Term Length	Automatic Ascension of Vice Chair to Chair	Comments
Professional Engineers and Geoscientists of Newfoundland & Labrador	Automatic ascension from VC	1 year	Registrants	1 year	Y	

Professional Engineers Ontario	Registrants	1 year	1 by registrants; 1 by Council	1 year	N	2 VPs are elected; 1 by Council, 1 by Registrants
Engineers Nova Scotia	Registrants	1 year	Registrants*	1 year	N	*Usually VP is only candidate for Pres.
Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists of BC	Registrants	2 years	Registrants elect 2 VPs	VP1: 2 years, VP2: 1 year*	N	*VP candidate who receives the most votes is given 2-year term, second candidate a 1-year term
Ordre des ingenieurs du Quebec	Council	2 years*	No VP**	N/A	N	* Presidents can have 3 terms, for 6 years total **Another councilor is named acting president when President is unavailable
Professional Engineers and Geoscientists New Brunswick	Automatic ascension from VP	1 year	Registrants	1 year	Y	

Association of Professional Engineers and Geoscientists of Alberta	Automatic ascension from VP	1 year	Registrants elect 2 VPs*	1 year	Y	*2 VPs are elected, with the first (highest votes) being made President-elect and automatically ascends to Pres.
Engineers Geoscientists Manitoba	Council	1 year	Council	1 year	Y	
Engineers PEI	Registrants	1 year	Registrants	1 year	Y*	*VP becomes Pres if they agree to it
Association of Professional Engineers and Geoscientists of Saskatchewan	Council*	1 year	Registrants	1 year	Y	*Bylaws stipulate that Council nominates a president-elect (traditionally the VP) who will then ascend to Presidency
Engineers Yukon	Registrants	1 year*	Registrants	2 years**	Y***	*Technically 1 year, but Nominating Committee will renominate for second term **Unclear if term is 1-year and re-upped at the same time as Pres. Term ***Unwritten policy that VP will become Pres.



PRESIDENT'S ROLE AND RESPONSIBILITIES

OVERVIEW

As the leader of the Council, the President of Engineers and Geoscientists BC plays an essential role in safeguarding the public and ensuring the integrity of the professions of engineering and geoscience in BC. This role is a unique opportunity to make a difference, leading the Council as it governs the work of the organization at the highest level, playing an essential role in ensuring Engineers and Geoscientists BC fulfills its mandate and lives its values.

The President provides leadership in managing the Council's work and represents Council on communications with the Council, CEO and other stakeholders.

The role of President is distinct and separate from that of the CEO and there is a clear division of responsibilities with the President leading the Council and the CEO leading and managing the organization day to day.

The President should have leadership experience; a commitment to good governance; strong interpersonal and communications skills; and the time and energy to commit to the role. Specific leadership competencies and attributes that are important to this role are set out below.

Tone at the Top: The President should set the right “tone at the top” through ethics, transparency, and adherence to high governance standards in keeping with the organization's mission and values. An element of humility and authenticity is important.

Solid Business Experience: The President should bring Council leadership experience including, a degree of financial literacy, knowledge of the profession, together with analytical thinking, strategic perspective and mature business judgment. The President, and the Council as a whole, should have credibility with the profession and broader stakeholder groups.

Governance Leader: The President should be an experienced leader who takes governance seriously, promotes the highest standards of corporate governance and continues the tone at the top in respect of a thoughtful and sound approach to governance. The President should have an understanding of the organization's business model and its context. The President should also be able to establish and maintain an excellent working relationship with the CEO and management.

Long-Term, Strategic Perspective: In providing leadership to the Council, the President should exhibit the following:

- Function at a strategic level and help the Council and management focus on key problem and opportunity areas that will foster long term success;
- See the “big picture” in complex situations and help the Council make decisions in situations of uncertainty; and
- Bring a long-term view of success consistent with the organization’s values and strategic priorities.

Communication and Relationships: The President must have excellent interpersonal and communications skills and be able to establish and maintain an excellent working relationship with Councillors, the CEO, management, and all stakeholders, including government, registrants and the public.

Time, Energy and Commitment: It takes time, energy and commitment to carry out the expectations of good governance as President. The President must be passionate about Engineers and Geoscientists BC, committed to the role of President and have the time, energy and flexibility to do all that is required and expected.

ACCOUNTABILITY

The President is accountable to the Council.

TERM

The President serves a one-year term voted on annually by the registrants. Immediately after that term, the President will serve as immediate Past President for a one-year term.

KEY RESPONSIBILITIES

In addition to the key expectations and responsibilities outlined in the Councillor Position Description and Role Profile, the President has additional oversight roles and responsibilities relating to the functioning of the Council. The fundamental responsibility of the President is to manage the effective performance of the Council and to provide leadership to the Council in fulfilling its mandate. Within this context, specific responsibilities include:

COUNCIL DYNAMICS AND FUNCTIONING

- Build consensus and develop teamwork within the Council
- Set the tone at the top to promote constructive dialogue and engagement by all Councillors
- Facilitate Council deliberations in a way that promotes robust questioning and the candid expression of each Councillor’s opinion in a respectful and collegial spirit

- Provide leadership to the Council in fulfilling its governance responsibilities as set out in the Council Terms of Reference
- Foster ethical and responsible decision making by the Council and Councillors
- Encourage all Councillors to participate and contribute to the Council's deliberations
- In addition to managing the performance of Council, manage the performance of individual councillors, including intervention and feedback as required
- Ensure that the development needs of Councillors are identified and, with the Director, Corporate Governance and Strategy having a key role, that these needs are met
- Make themselves available to individual Councillors for questions, counsel and discussions relating to Engineers and Geoscientists BC
- Maintain an appropriate boundary and clarity between the Council and senior leadership responsibilities

KEY COUNCIL PROCESSES

- Ensure the Council is appropriately engaged in key business issues to discharge the Council's legal responsibilities, and to provide advice and leadership to the organization (e.g., strategy, risk management, corporate performance, CEO evaluation and succession, organizational culture, major decisions)
- Keep the Council up to date on all significant developments, both at and between meetings
- Entitled to vote only in the case of an equality of votes; in the event of an equality of votes, the President has the casting vote¹
- Have a working knowledge of the Council's Governance Policies
- Meet regularly with the Vice President to discuss respective roles and progress in furthering the work of the Council (in the absence of the President, the Vice President will perform the responsibilities of the President)
- Act as Chair of the Executive Sub-Committee

MEETINGS

- Chair Council meetings and ensure that Council responsibilities are effectively carried out
- Ensure productive meetings, including:
 - in concert with the CEO, review the Council meeting agendas

¹ By virtue of Bylaw, 2.4

- review pre-meeting information packages for completeness, with the goal of providing Councillors with sufficient background information to enable them to prepare for the meeting
- conduct Council meetings in an efficient, effective and focused manner and ensure adequate time to consider complex issues
- Oversee issues raised with respect to conflicts of interest
- Liaise with the CEO as necessary with respect to the implementation of Council decisions

RELATIONSHIP WITH THE CEO AND REGISTRAR AND MANAGEMENT

- Establish a close relationship of trust with the CEO; providing support and advice while maintaining independence and respecting executive responsibility
- Act as the principal liaison between the Council and CEO
- Liaise with the CEO with respect to the CEO's annual goals and lead the CEO evaluation and succession planning processes
- Manage the boundaries between Council and management responsibilities, ensuring that the Council is engaged at the right level
- Promote effective relationships and open communication between the Council and the senior leadership team
- Ensure adequate meeting preparation (agenda, topics, information, presentations)

REPRESENT THE COUNCIL EXTERNALLY

- Chair annual general meetings
- In collaboration with the CEO, engage with registrants at large and stakeholders on behalf of the Council to understand their issues and concerns and promote the effective operation of Engineers and Geoscientists BC's activities
- Promote Council's understanding of the views of the registrants through regular reporting to the registrants at large
- Receive concerns addressed to the Council from stakeholders and consult with management to determine appropriate responses
- In collaboration with the CEO, speak on behalf of the Council at official functions and represent the Council at meetings

OTHER

- Take such steps as are reasonably required to ensure that the Council fulfils its mandate and perform such other duties and responsibilities as may be delegated to the President from time to time
- Lead special projects and initiatives as assigned by the Council, such as policy development or implementation

ATTRIBUTES/EXPERIENCE/SKILLS

BASIC ATTRIBUTES

In addition to the attributes required as a Councillor and those set out in Section A (*Overview*) of this Position Description and Role Profile, the President should:

- Commit to the protection of the public interest within the mandate of Engineers and Geoscientists BC
- Have a high level of credibility with fellow Councillors, the CEO, registrants at large and key stakeholders
- Have a desire and ability to commit to the President and Past President role for 2 years
- Have a desire and ability to be accessible to the CEO, Councillors, and stakeholders as required or necessary

EXPERIENCE

The President should have:

- A minimum of 1-year experience serving as a Councillor or equivalent experience as determined by the Nomination Committee
- Former chair/ experience, and/or committee leadership, with proven experience successfully managing the work of the council/committee

SKILLS

The President should have:

- Ability to understand, mediate, and facilitate the resolution of divergent views
- Ability to facilitate discussion, draw out diverse and independent views, effectively manage the dialogue, build consensus, and constructively manage conflict
- Ability to manage the Council's work in an efficient and effective manner, including oversight of meeting planning and pre-reading information
- Ability to influence through facilitation, collaboration, consensus building, and modeling to achieve results
- Ability to manage complex relationships effectively
- Ability to maintain independence between the Council and management while fostering a positive relationship
- Sound knowledge of corporate governance

TIME COMMITMENT

The President should expect to spend a minimum of 215 hours per year on Council work for mandatory activities, plus preparation time (approximately 65 hours per year). Council meetings and Council sub-committee meetings are held in the Lower Mainland and travel time to attend meetings should be considered. The President is also encouraged to participate in other Council activities and may do so based on availability. This includes attendance at meetings of Engineers Canada and Geoscientists Canada which involves out of province travel.

OPEN SESSION

ITEM 6.3

DATE	November 2, 2022
REPORT TO	Council for Information
FROM	Ollie Campbell, Acting Associate Director, Corporate Governance and Strategy
SUBJECT	Project Management Office Update
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	To give the background and context of the PMO, update Council on the progress of strategic projects and introduce future reporting frameworks.
Motion	No motion, for information.

BACKGROUND

The organization's Project Management Office (PMO) was initiated in 2021 with the remit to support the successful execution of identified Strategic Initiatives. In deciding to stand up this organizational function, there was recognition that while our organization was successful in delivering projects, the process could be improved to ensure greater consistency in planning, execution, reporting and governance. Additionally, with an update to the organization's strategic plan on the horizon and in response to the increased demands related to the implementation of the PGA, there was a tacit understanding the projects were likely to get more complex.

To guide the start up of the PMO, the organization engaged an external consultant to identify PMO fundamental functions and objectives, as well to provide examples of tools that could support the project definition, management, and oversight processes. Those tools included templates for project proposals, project plans and project execution.

To help align intent for the PMO, eight guiding principles were identified to steer the implementation and continuous improvement of a project management process, including:

- **Efficiency:** A Project/Program Management framework to help us get projects done consistently and more efficiently.
- **Scalability:** The framework should be scalable to address needs appropriately from small projects up to large programs.

- **Clear Payoff:** The framework components should have a clear payoff. Benefits greater than effort required

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 Engineers and Geoscientists BC's Executive Team, and it provides the governance and oversight function of strategic projects.

DISCUSSION

With the first year of the Strategic Plan being a transition year, and considering the capacity of the organization, the Executive Team has taken a decision to concentrate on the detailed planning and continued execution of two projects – Aligning to Strategy and PGA Integration.

Both the Aligning to Strategy and PGA Integration projects have completed their project proposal documents and have moved on to the planning stage. The primary objective of the proposal activity is to confirm alignment of the project scope, with preliminary indications of the project schedule, resource needs, and deliverables. Once that plan is initiated the project will be tracked and reported on with respect to that established baseline. The following bullet points provide a high-level summary of the agreed scope for these projects.

Aligning to Strategy Scope Summary

- Aligning our people – includes cascading our strategy throughout the organization and engaging our People Leaders to support departmental conversations to bring the strategy to life.
- Aligning what we do – includes reviewing the existing set of activities we perform, determining how applicable those activities are to our future plans, and defining a transition plan to make desired changes.
- Aligning how we work – includes setting expectations of leaders, defining how we as an organization will live our values in the spirit of collaboration, and the work standard expected.

- Keeping Strategy Alive – considers how the organization will keep strategy front and centre and our process for yearly strategy renewal.

PGA Integration Scope Summary

- Initiate and adapt key regulatory programs – Individual and firm audit and practice reviews, mandatory learning
- Add, modify or eliminate policies and organizational stances to achieve compliance with the PGA – Advocacy review, temporary licences and interprovincial mobility, understanding of “Reserved practice”, and approach to federally regulated industries.
- Implement business processes to support PGA-related logistics – OSPG coordination meetings, PGA advisory group meetings, declarations.

The project plan follows the project proposal; the project plan provides confirmation of the key attributes of a project such as the resource needs, deliverables, and schedule/milestones, to facilitate monitoring and management. Project plans for both of the above projects are expected by January 2023.

As part of reporting on the strategic plan, Council will receive a regular update on the progress of strategic projects. Typically, this report will provide two separate but related types of updates:

- An update of projects under development, denoting projects in the proposal and planning stages of development; and
- An update of currently executing projects, including status regarding project performance against the project baseline established during the development phase.

As the two strategic projects for FY 2022/2023 have elements which have moved into the ‘execution’ phase, this report provides (at Appendix A & B) two examples of the reporting that Council can expect to receive regarding projects in the execution phase.

Attachment A presents the overview of the organization’s strategic initiative-related activities until the end of the 2022/2023 fiscal year. Council can anticipate a similar view in future reports, although as the number of projects increases, this view will need to be simplified.

Attachment B is an example of the project reporting once projects have reached the execution stage. The project progress status is based on performance against the established scope, schedule and budget baselines, and it will highlight key achievements, risks, or issues related to the project over the reporting period.

MOTION

No motion, information only.

ATTACHMENT A – Strategic Initiatives Overview

ATTACHMENT B – Project Status Summary - Example

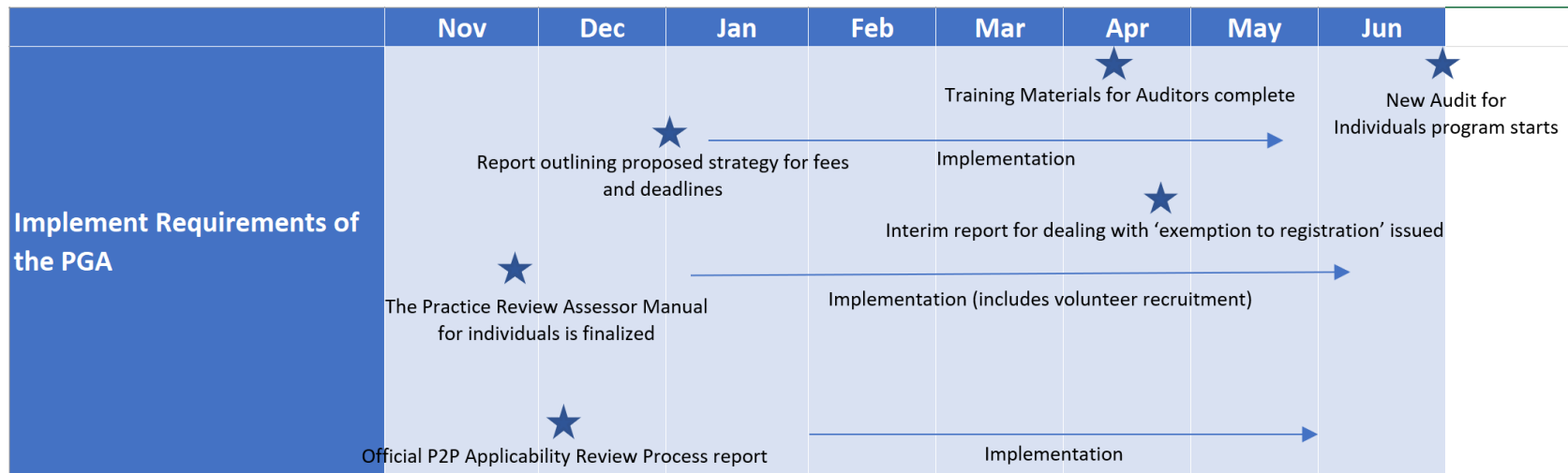


STRATEGIC INITIATIVES OVERVIEW

Note: These timings are currently tentative and reflect milestone dates as of late October. These dates will be refined as we move through the planning stage. Additionally, timings may shift as a result of the Aligning to Strategy project and associated prioritization as we align what we do and how we work.

	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Building Capacity		★ 11 of 13 FTE Hired		★ 13 FTE Hired				★ 5 FTE Hired to Support Strategy
			★ Staff Exercise - Removing Waste	Transition Plans to remove waste				

	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun
Align to Strategy		★ Activities Exercise Complete		★ Review of Organizational Activity		★		
			Transition Plan for Stopped/Delayed					
		★ Develop Work Standard		★ Prioritization Process Developed				
		★ Values Initiative Rolled Out	Implementation					





PROJECTS STATUS SUMMARY – EXAMPLE

Project Name		Example Project	Reporting Period:		Jun 2022 – Oct 2022	
Associated Strategic Pillar(s):		Process				
Project Scope/Objectives Summary:		To provide an example of a project status report				
Project Lead:		Dan Rankin	Executive Sponsor:		Liza Aboud	
Scope Stability Status:		No changes during reporting period	Budget Status:		On track	
Schedule Status:		On track	Overall Status:		On track	
Notable achievements during reporting period:						
Wrote this PMO report to provide an update to Council on recent PMO activities and included this status summary as an example.						
Significant open risks:						
	Description		Likelihood	Potential Impact	Overall	
Risk 1	If this status report is insufficient, then rework may be required to provide an improved revision of this artifact		Possible	Low		

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

OPEN SESSION

ITEM 6.4

DATE	November 8, 2022
REPORT TO	Council for Information
FROM	Executive Sub-Committee, Jennifer Cho, CPA, CGA Chief Financial and Administration Officer, Alicia Tan, CPA, CMA Director, Finance
SUBJECT	FY2023 Q1 Financial Results and Forecast Update
LINKAGE TO STRATEGIC PLAN	We have efficient and effective systems in place to enable modern regulation.

Purpose	For Council to review the first quarter financial results and forecast as at September 30, 2022.
Motion	1) That Council receives the Engineers and Geoscientists British Columbia financial results as at September 30, 2022. 2) That Council receives the Engineers and Geoscientists British Columbia's latest financial forecast for fiscal year 2023.

BACKGROUND

As approved by Council at the September 12, 2014 meeting, quarterly financial reports will be made to the Executive Sub-Committee for review. This is to ensure that the Sub-Committee is fully apprised of the financial and operational situation of the organization to enable the Sub-Committee in their work. The Executive Sub-Committee reviewed the financial results and forecast update on November 8th and recommends that Council approve all motions suggested in this memo. This information package includes:

- 1) highlight of the financial results for the first quarter (Q1) of fiscal year 2023 (FY2023) covering the period of July 1, 2022 to September 30, 2022 with comparisons to the budget for the same period, with a highlight on major variances; and
- 2) a forward-looking financial forecast update for FY2023 with highlight on key items compared to Budget.

FY2023 Q1 FINANCIAL RESULTS

SUMMARY STATEMENT OF REVENUE AND EXPENSES

Table 1		A	B	C*
		Q1 YTD Actual	Q1 YTD Budget	YTD Variance Actual vs Budget
Summary				
1	Revenue	6,879	6,285	594
2	Salaries and Benefits	3,376	3,745	369
3	Expenditures	1,462	1,763	301
4=(1-2-3)	Surplus (Deficit) Before Grants and External Projects	2,041	778	1,263
5	Surplus (Deficit) from Grants	9	58	(48)
6=(4+5)	Surplus (Deficit)	2,050	836	1,215

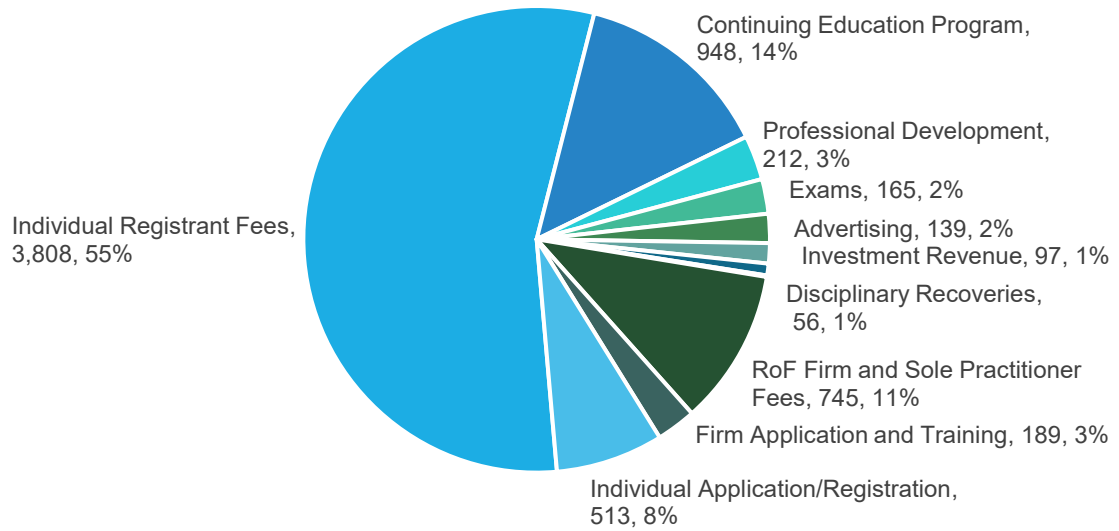
* Positive figures add to the surplus and negative figures reduce surplus.

The Q1 financial result as at end of September 30, 2022 ended with a year-to-date (YTD) surplus of \$2,050K (A6). This is \$1,215K higher than the budgeted YTD surplus of \$836K. A more detailed variance report is outlined in **Attachment A**.

YTD Revenues

YTD total revenue is \$6,879K (cell A1). Figure 1 below shows the distribution of this revenue by source.

Figure 1: FY2023 Q1 Revenue \$6,879K
Distribution by Source (in 000's)



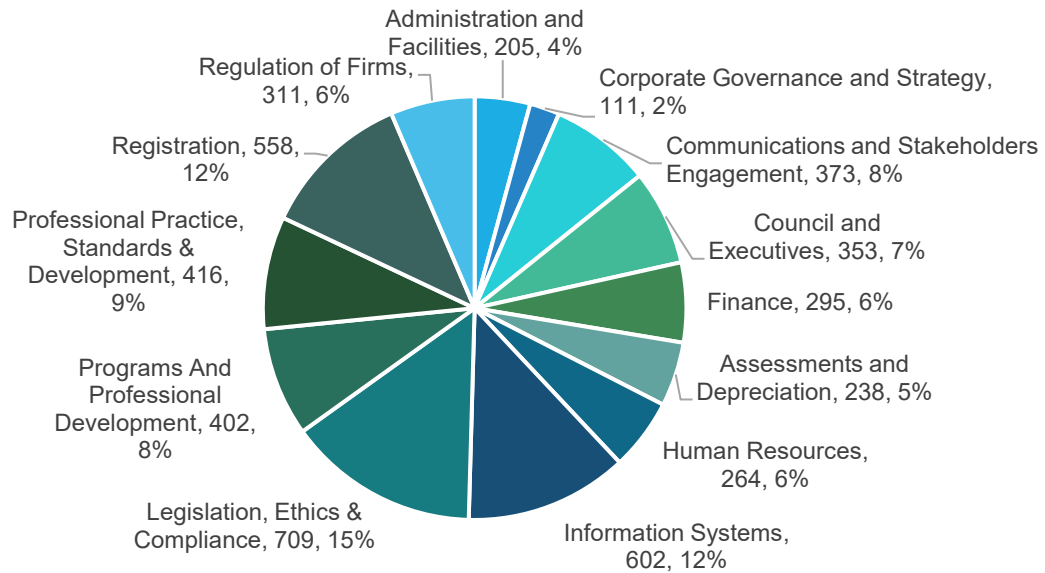
YTD revenue is \$594K (cell C1) higher than budget primarily due to:

- higher late fee (497K) related to Continuing Education Program (CE) and Annual Reporting (AR)
- higher investment revenue (72K) due to rising interest rates

YTD Expenditures

YTD total operating expenditure is \$4,838K (cell A2 and A3). Figure 2 below shows the distribution of this expenditure by function.

Figure 2: FY2023 Q1 Expenditures \$4,838K
Distribution by Function (in 000's)



YTD expenditure is \$670K (cell C2 and C3) lower than budget primarily due to:

- lower salaries and benefits expenses due to vacancies,
- lower legal expenses due to timing of spend on disciplinary files,

FY2023 FINANCIAL FORECAST

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

Table 2		A	B	C*
		FY2023 Forecast 1	FY2023 Budget	Forecast 1 vs Budget
Summary				
1	Revenue	26,963	26,235	728
2	Salaries and Benefits	15,705	15,761	56
3	Expenditures	10,441	10,426	(15)
4=(1-2-3)	Surplus (Deficit) Before Grants and External Projects	817	48	769
5	Surplus (Deficit) from Grants	110	102	8
6=(4+5)	Surplus (Deficit)	927	150	777

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

Engineers and Geoscientists BC is currently projecting a surplus in the range of \$1 Million for FY2023. As it is still early in the fiscal year, the next forecast (Q2 December Forecast) will be more reflective and closer to where the organization will land for year end. Assumptions have been made for first year strategic plan initiatives to be spent to budget but that will be further refined in the coming months as we move through the process.

Forecasted Revenue FY2023

Current forecast for total revenue is \$728K (cell C1) higher than budget, primarily due to:

- higher investment revenue due to significantly higher interest rate
- higher late fees related to CE and AR programs
- higher than expected registration and application volume
- offset by lower annual and sole practitioner firm fee revenue as number of firms plateaued after the first year of strong intake.

Forecasted Expenditures FY2023

Current forecast for total expenditure is \$41K (cell C2 and C3) below budget primarily due to:

- lower salaries and benefits expenses by \$56K mainly due to delay in filling vacancies
- lower overall contract services due to timing of projects and expenses
- offset by higher legal expenses and higher costs in office expenditures, ergonomic furniture, and in bank service charge.

A more detailed variance report is outlined in **Attachment B**.

RECOMMENDATION AND MOTION

- 1) That Council receives the Engineers and Geoscientists British Columbia FY2023 Q1 financial results as at September 30, 2022.
- 2) That Council receives the Engineers and Geoscientists British Columbia's latest financial forecast for fiscal year 2023.

FY2023 Q1 Statement of Revenue and Expenses Compared to Budget (in '000's)

	A	B	C*	D
	YTD Actual	YTD Budget	Variance	Comments
REVENUE				
1 Annual Registrant Fees - Individual	3,808	3,738	71	Due to higher than budgeted volume of new applicants
2 Annual Fees - Firm and Sole practitioner	934	1,028	(94)	Due to lower firms registering in the 2 nd year
3 CE and AIR late fee revenue	966	469	497	Higher late fees related to CE and AR program
4 Application, registration and certification fees	501	477	24	Higher registration/application volume
5 Professional and academic examinations, annual conference, and other	222	237	(15)	
6 Innovation magazine and investment revenue	235	163	72	Higher investment revenue due to increased interest rate
7 Professional Development Revenue	212	173	39	Higher volume of participation in PD events
8				
9 TOTAL REVENUE	6,879	6,285	594	
SALARIES AND EXPENSES				
10 Salaries and Employee Benefits	3,376	3,745	369	Due to vacancies
11 Contract and consulting services	388	422	33	Due to timing of projects and spend across organization
12 Legal	174	312	138	Due to timing of legal expense
13 Office, general and miscellaneous	611	679	67	Timing of actual expense vs budget
14 Premises and operating costs	95	116	21	
15 Events, travel and other	194	235	41	Less meeting, events and travelling
16 Total Salaries and Expenses before Grants	4,838	5,507	670	
17= (9-16) Surplus before Grants and External Projects	2,041	778	1,263	
18 Surplus (Deficit) from Grants and External Projects	9	58	(48)	Timing of grant progress
19= (17+18) Total Surplus (Deficit)	2,050	836	1,215	

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

FY2023 Financial Forecast Compared to Budget (in '000's)

	A	B	C*	D
	FY2023 Forecast 1	FY2023 Budget	Variance	Comments
REVENUE				
1 Annual Registrant Fees – Individual	15,890	15,723	167	Larger member base and higher interim fees due to more new applicants
2 Annual fee and sole practitioner fee – Firm	2,857	3,752	(895)	Lower number of permit to practice
3 CE and AIR late fee revenue	1,238	736	502	Higher CE & AR late fees
4 Application, registration and certification fees	2,110	1,907	203	Higher registration/application volume
5 Professional and academic examinations	1,036	881	155	More than expected attendee of academic examination from other jurisdiction
6 Affinity program, recoveries and other revenue	545	544	1	
7 Advertising, innovation magazine and investment revenue	1,603	1,076	526	Mainly due to higher investment revenue from rising interest rate
8 Professional Development Revenue	1,228	1,196	32	Higher PD offerings and attendees.
9 RoF other revenue	455	419	35	Higher firm training fee
10 TOTAL REVENUE	26,963	26,235	728	
SALARIES AND EXPENSES				
11 Salaries and Employee Benefits	15,705	15,761	56	Saving due to delay in filling vacancies
12 Contract and consulting services	3,753	3,815	62	Due to timing of projects and spend across organization
13 Office general, and examination	3,644	3,574	(70)	Increased back-to-office expenses and bank service charge
14 Legal	984	952	(32)	Due to more than expected legal case and complexity
15 Printing, publication, distribution, and premise and operating costs	1,023	1,035	11	
16 Events, travel and other	1,036	1,050	14	
17 Total Salaries and Expenses before Grants	26,146	26,187	41	
18= (10-17) Surplus before Grants and External Projects	817	48	769	
9 Surplus (Deficit) from Grants and External Projects	110	102	8	Timing of grant progress
20= (18+19) Total Surplus (Deficit)	927	150	777	

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

OPEN SESSION

ITEM 6.5

DATE	November 10, 2022
REPORT TO	Council for Decision
FROM	Efrem Swartz, LLB, mMBA, Director, Legislation, Ethics & Compliance and Klara Hillmann, Regulatory Officer
SUBJECT	Amendments to the Bylaws of Engineers and Geoscientists BC
LINKAGE TO STRATEGIC PLAN	PGA Implementation

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

BACKGROUND

Regulatory bodies are permitted to amend their Bylaws via Council motion, with final review and approval by the Office of the Superintendent of Professional Governance (the “OSPG”). This report contains some consequential amendments following the recent changes to the *Professional Governance Act* (the “PGA”). We are also proposing a series of amendments identified while implementing new processes. The OSPG has conducted a review of the proposed Bylaw amendments and has indicated that they will be approved by the OSPG following approval by Council. If these proposed amendments are approved by Council, the amended bylaws will be sent to the OSPG for filing with the Attorney General pursuant to the procedure set out in section 37 of the PGA.

DISCUSSION

Proposed Amendments

(1) Consequential Bylaw amendments following PGA amendments.

Amendments to the PGA came into force on June 2, 2022. The Bylaws require revision to ensure the bylaws reflect the amended PGA. At this time, three consequential Bylaw amendments are proposed to:

- a) incorporate the terminology change in the PGA from “inspector” to “investigator”;
- b) adjust the requirement for chairs of committees to be appointed in accordance with the merit-based selection principles, but not the same process as council members; and
- c) update references to amended or repealed PGA sections.

(2) Substantive Bylaw amendment to clarify the procedure for addressing “Conduct in Another Jurisdiction”.

This Bylaw amendment details the procedure for addressing a registrant’s conduct in another jurisdiction pursuant to section 76 of the PGA. The current Bylaws require that once Engineers and Geoscientists BC learns about discipline findings or decisions in another jurisdiction, a Discipline Hearing Panel must be appointed to decide whether to impose a similar discipline order on the registrant. However, in some cases, the issue is either relatively minor or there is little added benefit of Engineers and Geoscientists BC imposing a duplicate disciplinary order on the registrant. The Bylaw amendment modifies the approach by establishing a process under which the Investigation Committee reviews the issue to determine whether it is in the public interest to bring the discipline finding in another jurisdiction to the attention of the Discipline Committee, in the same manner that the Investigation Committee refers other cases to the Discipline Committee.

(3) Correcting two minor typographical errors and one misplaced conjunction.

See Appendix B for a description of these minor changes.

RECOMMENDED MOTION

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

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

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

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

BYLAWS OF ENGINEERS AND GEOSCIENTISTS BC

In Force Effective ~~September~~ November X49, 2022



ENGINEERS &
GEOSCIENTISTS
BRITISH COLUMBIA

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1 Definitions and Communications

1.1 Definitions

(1) In these Bylaws the following definitions apply:

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

“Accounting Records” means true accounts of

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

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

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

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

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

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

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

“Branch” means a geographical group of Registrants.

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

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

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



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

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

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

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

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

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

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

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

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

- (a) current area(s) of practice, including any anticipated future area(s) of practice, if the individual Registrant is a Professional Registrant, or
- (b) former area(s) of practice, if the individual Registrant is a non-practising Registrant or a life member or life limited licensee.

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

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

“Decision Maker” means

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



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

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

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

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

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

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

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

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

“Disciplinary Order” means any of the following:

- (a) an order made pursuant to section 9.7.2 of the Bylaws [*Suspension or Cancellation on the Basis of an Indictable Offence*];
- (b) an order made pursuant to section 67(1) of the PGA [*Extraordinary action*];
- (c) a consent or undertaking given pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*];
- (d) a consent order made pursuant to section 73(2)(a) or (b) of the PGA [*Consent orders*];
- (e) any agreement reached through the Alternative Complaint Resolution process pursuant to section 74 of the PGA [*Alternative complaint resolution*];
- (f) a determination made pursuant to sections 75(5)(b), 75(6), or 75(7) of the PGA [*Discipline hearings*], as applicable;

(g) an assessment of costs made pursuant to section 81(1) of the PGA [*Costs*].

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

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

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

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

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

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

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

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

“Executive Director” means the individual appointed by the Council 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*].

“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.

~~**“Inspector”** means the Registrar and any person appointed as an inspector pursuant to section 68 of the PGA [*Inspectors*].~~

“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*]. any of the following individuals:

- ~~(a) — a member of an Investigation Subcommittee;~~



~~(b) —an officer or an employee of EGBC or a contractor retained by EGBC who is authorized by the Investigation Committee to carry out an investigation pursuant to section 66(1)(a) of the PGA [Investigations];~~

~~(c) an Inspector appointed by the Investigation Committee pursuant to section 68(1) of the PGA [Inspectors].~~

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

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

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

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

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

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

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

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

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

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



“Non-Contentious Decision” means a decision which, pursuant to a policy approved by the Council, 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 Firm” means a Firm that is registered with EGBC as a Registrant.

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

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

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



“Regulatory Authority” means a licensing or certification body for regulating engineering or geoscience in Canada, or an institution in another country that is, in the opinion of the Council, 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) ~~Except as otherwise prescribed by the Lieutenant Governor in Council or provided in the Bylaws, Pursuant to section 32(7)(c) of the PGA,~~ the Council must appoint a chair of a Committee in accordance with the ~~process and~~ merit-based selection principles prescribed by the Lieutenant Governor in Council pursuant to section 25(1) of the PGA [*Selection principles and criteria*].
- (2) Except as otherwise prescribed by the Lieutenant Governor in Council or provided in the Bylaws, the Council may appoint a vice-chair of a Committee in accordance with the ~~process and~~ merit-based selection principles prescribed by the Lieutenant Governor in Council pursuant to section 25(1) of the PGA [*Selection principles and criteria*].
- (3) Any vice-chair appointed pursuant to subsection (2) may assume the role of chair in the following situations:
 - (a) whenever the chair is unavailable to act, but not for a term that is longer than the remainder of the term of the chair;
 - (b) whenever there is no chair appointed, until a chair is appointed by the Council or the term of the vice-chair expires.
- (4) At a meeting of a Committee, if neither the chair nor any vice-chair of the Committee attends the meeting in person or by Electronic Means at its appointed time, the Committee members may choose one of their number to chair the meeting.
- (5) The Council must appoint the members of each Committee.

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

2.3 Conduct of Committee Meetings

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

2.4 Conduct of Council Meetings

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

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

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

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

2.6 Accounting Records of EGBC

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

2.7 Financial Statements and Audit

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

2.8 Seal of EGBC

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

2.9 Branches

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

3 General Meetings

3.1 Conduct of General Meetings

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

3.2 Request for General Meetings

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

3.3 Notice of General Meetings

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

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

3.4 Chair of General Meetings

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

3.5 Quorum for General Meetings

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

3.6 Eligibility and Entitlement to Vote

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

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

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

3.7 Resolutions Proposed by Registrants

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

- (b) publish notice of the resolution, including the text of the resolution, on a public website maintained by EGBC.
- (5) The accidental omission to deliver written notice of a resolution to, or the non-receipt of written notice by, any Registrant entitled to receive notice does not invalidate the resolution.

3.8 Voting on Resolutions

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

3.9 Adjourning General Meetings

- (1) The chair of a general meeting may adjourn the general meeting from time to time and from place to place.
- (2) The only business that may be transacted at an adjourned general meeting is that business left unfinished at the meeting from which the adjournment took place.

- (3) When a general meeting is adjourned for less than 30 days, it is not necessary for EGBC to give notice of the adjourned general meeting, or of the business to be transacted at the adjourned general meeting.
- (4) When a general meeting is adjourned for 30 days or more, notice of the adjourned general meeting must be given by EGBC in the same manner as notice of the original meeting.

4 Nominations and Election of Council

4.1 Nomination Committee Composition

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

4.2 Powers of the Nomination Committee

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

4.3 Criteria for Nomination of Candidates

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

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

4.4 List of Candidates

- (1) The list of candidates nominated by the Nomination Committee must be
 - (a) signed by the chair of the Nomination Committee,
 - (b) accompanied by the written consent of all candidates,
 - (c) provided to the Executive Director, and
 - (d) published on a public website maintained by EGBC
 at least 90 days prior to the annual general meeting.

4.5 Election Procedures

- (1) The election of Registrant councillors, including the president of the Council, must be by paper ballot or electronic ballot, as determined by the Council.
- (2) The Executive Director must prepare a ballot containing the names of all candidates nominated by the Nomination Committee.
- (3) Voting must be closed at noon on the 15th day prior to the annual general meeting, and ballots received after that time must not be counted.
- (4) Voting for more than one president of the Council or more than the number of Registrant councillors to be elected will render the applicable part of the ballot invalid.
- (5) Voting for less than one president of the Council or less than the number of Registrant councillors 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) The candidate for the position of president of the Council who receives the most votes in the election is elected to that position.
- (8) The candidates for positions as Registrant councillors who receive the most votes in the election are elected to those positions.

- (9) If there are any vacancies in the Council to be filled because of an election, the candidate or candidates receiving the next highest number of votes must be elected for the unexpired term or terms to be filled.
- (10) If there is a tie vote between 2 or more candidates, the Executive Director must hold a random draw to determine the successful candidate.
- (11) The Executive Director must inform each candidate in the election of the results of the election as soon as practicable, and the results of the election must be announced at the annual general meeting.
- (12) The successful candidates for positions as Registrant councillors, including the position of president of the Council, must take office at the close of the annual general meeting.
- (13) The Executive Director must not authorize the destruction of any paper ballots or the deletion of any electronic ballots cast in an election until 3 months after the date on which the annual general meeting was held.

4.6 Term Lengths

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

5 Credentials and Registrants

5.1 Powers of the Credentials Committee

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

5.2 Powers of the Audit and Practice Review Committee

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

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

5.3 Powers of the Registrar

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

5.4 Categories of Registrants

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

Category of Registrant	Subcategory of Registrant	Bylaw Section
Trainee		5.5
	Engineer-in-Training	5.5.1
	Geoscientist-in-Training	5.5.2
Professional Engineer		5.6
	Designated Structural Engineer	5.6.1
Professional Geoscientist		5.7
Professional Licensee Engineering		5.8
Professional Licensee Geoscience		5.9
Life Member Prior to 1998		5.10
Honorary Life Member		5.11
Registrant Firm		5.12
	Public Sector Firm	5.12.1
	Private Sector Firm	5.12.2
Non-Practising Individual Registrant		5.13
Non-Practising Registrant Firm		5.14
Life Member or Life Limited Licensee		5.15
Honorary Member		5.16

5.5 Trainees

- (1) The category of Registrant called “Trainee” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) A Trainee must not serve as a Registrant councillor, 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 Council at the required level of competence established by the Council in a minimum of 4 years, and
- (G) demonstrates that the Applicant is competent to practise in British Columbia through achievement of Canadian environment competencies established by the Council at the required level of competence established by the Council, or by any alternative means established by the Council;
- (vi) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics, and professional practice issues, demonstrated by successful completion of

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

5.6.1 Designated Structural Engineer

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

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

5.7 Professional Geoscientist

- (1) The category of Registrant called “professional geoscientist” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) Only a Registrant who is designated a professional geoscientist may hold themselves out as a professional geoscientist and use the post-nominal “P.Geo.”.
- (3) A professional geoscientist may engage in the Reserved Practice.
- (4) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional geoscientist must provide the following to the Credentials Committee:

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

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

5.8 Professional Licensee Engineering

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

requirements related to practice that may be specified by the Credentials Committee;

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

Credentials Committee is satisfied that the Applicant cannot comply with the requirement in subsection (d)(viii)(F)(I),

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

5.9 Professional Licensee Geoscience

- (1) The category of Registrant called “professional licensee geoscience” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) On the coming into force of the PGA, individuals who held a limited licence to practise professional geoscience pursuant to the EGA are continued as professional licensees geoscience.
- (3) Only a Registrant who is designated as a professional licensee geoscience may hold themselves out to be a professional licensee geoscience and use the post-nominal “P.L.Geo.”.

- (3.1) A professional licensee geoscience may only use a title containing the word “geologist”, “geophysicist”, “geochemist”, or “geoscientist”, or any form or abbreviation thereof, if the designation “professional licensee geoscience” or “P.L.Geo.” is used in close proximity to the title and given the same or higher degree of prominence.
- (4) A professional licensee geoscience may only engage in the authorized area of the Reserved Practice that is specified on their licence.
- (5) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a professional licensee geoscience must provide the following to the Credentials Committee:
 - (a) a completed application for registration as a professional licensee geoscience;
 - (b) any applicable application, examination, interview, course, or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];
 - (c) a proposed authorized area of practice;
 - (d) evidence satisfactory to the Credentials Committee of the following:
 - (i) the Applicant’s identity and legal name;
 - (ii) that the Applicant is of good character and good repute;
 - (iii) that the Applicant has obtained the necessary level of competency in English to engage in the Regulated Practice in British Columbia;
 - (iv) that the Applicant understands the role and obligations of a professional licensee geoscience;
 - (v) that the Applicant undertakes to practise within the authorized area of practice approved by the Credentials Committee and in accordance with other requirements related to practice that may be specified by the Credentials Committee;
 - (vi) that the Applicant has a science degree in a discipline and from a university program approved by the Council, a degree or diploma in geoscience technology from an institution approved by the Council in a program approved by the Council, or other academic qualifications acceptable to the Council;
 - (vii) that the Applicant has completed any examinations assigned by the Credentials Committee;
 - (viii) that the Applicant has a minimum of 8 years of experience in geoscience that

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

achievement of Canadian environment competencies established by the Council at the required level of competence established by the Council, or by any alternative means established by the Council;

- (ix) that the Applicant has the requisite knowledge of the PGA, the Bylaws, the Code of Ethics and professional practice issues, demonstrated by successful completion of
 - (A) a course in law and ethics approved by the Council, and
 - (B) an examination in professional practice approved by the Council.
- (6) Despite subsection (5)(d), the Credentials Committee may accept the qualifications required by subsections (5)(d)(vi) to (5)(d)(ix) without further examination if the Applicant
 - (a) holds registration or licensure as the equivalent of a professional licensee geoscience in good standing with a Regulatory Authority for geoscience in another jurisdiction in Canada, and
 - (b) is not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.

5.10 Life Member Prior to 1998

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

5.11 Honorary Life Member

- (1) The category of Registrant called “honorary life member” is established only for honorary life members whose status had vested pursuant to the prior EGBC bylaw 10(c.2) [*Honorary Life Membership or Licensure*] pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

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

5.12 Registrant Firm

- (1) The category of Registrant called “Registrant Firm” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) A Registrant Firm may carry out the Reserved Practice and may have appropriately qualified individuals employed by or under contract with the Registrant Firm carry out the Reserved Practice on its behalf.
- (3) A Registrant Firm must not serve as a member of Council or any Committee.
- (4) Pursuant to section 47(1) of the PGA [*Admission and reinstatement of registrants*], an Applicant for registration as a Registrant Firm must provide the following to the Audit and Practice Review Committee:
 - (a) the names of
 - (i) the Applicant’s Responsible Officer,
 - (ii) the Applicant’s Responsible Registrant(s), and
 - (iii) all individual Registrants employed by or under contract with the Applicant;
 - (b) the number of individuals employed by or under contract with the Registrant Firm who are registrants of each regulatory body under the PGA other than EGBC;
 - (c) a completed declaration by each of the Applicant’s Responsible Registrant(s), in the form set out in Schedule D;
 - (d) a completed declaration by the Applicant’s Responsible Officer, in the form set out in Schedule E;
 - (e) all names, both registered and unregistered, under which the Applicant does or has done business over the past 10 years within Canada;

- (f) the Applicant's industry or industries of practice and area(s) of practice;
- (g) if the Applicant is a corporation:
 - (i) the Applicant's incorporation number;
 - (ii) the date of the Applicant's incorporation;
 - (iii) a copy of the Applicant's certificate of incorporation, certificate of amalgamation, certificate of continuation, or equivalent, from the home jurisdiction of the Applicant;
 - (iv) any certificate of name change or certificate of restoration, if applicable;
 - (v) a copy of the Applicant's shareholder register, unless the Applicant is a publicly traded corporation, in which case the Applicant is exempt from this subsection;
 - (vi) a copy of the Applicant's register of directors and officers;
- (h) if the Applicant is a partnership:
 - (i) the Applicant's registered business name, if applicable;
 - (ii) a copy of the register of partners;
- (i) if the Applicant is a sole proprietorship:
 - (i) the Applicant's registered business name, if applicable;
 - (ii) the name of the owner of the sole proprietorship;
- (j) a statement confirming whether EGBC or a Different Governing Body has ever cancelled, suspended, or restricted the ability to engage in the Regulated Practice of the Applicant or another person with a direct or indirect ownership interest in the Applicant as the result of a disciplinary process;
- (k) the addresses of all of the Applicant's offices in British Columbia, or, if the Applicant does not have any offices in British Columbia, all of the business location(s) in British Columbia where Professional Registrants will be engaged in the Regulated Practice on behalf of the Applicant;
- (l) any applicable application fees and annual fees specified in section 6.1(1) of the Bylaws [*Application Fees*], sections 6.4(2) and(5) of the Bylaws [*Annual Fees*], and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;
- (m) any additional information or documentation

- (i) regarding indirect ownership of the Applicant, or
 - (ii) that may otherwise be requested by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee.
- (5) A Registrant Firm must designate at least one individual as a Responsible Registrant for each area of practice engaged in by the Registrant Firm.
- (6) A Responsible Registrant may be designated for more than one area of practice at a Registrant Firm.
- (7) An individual designated as a Responsible Registrant of a Registrant Firm pursuant to subsection (5) must be a Professional Registrant who is employed by or under contract with the Registrant Firm and who has the ability to engage in the Reserved Practice.
- (8) An individual designated as a Responsible Registrant of a Registrant Firm pursuant to subsection (5) must submit a completed declaration to EGBC in the form set out at Schedule D.
- (9) A Responsible Registrant must ensure that, within the areas of practice to which the Responsible Registrant is designated pursuant to subsection (5), the Registrant Firm meets all of the requirements set out in the Bylaws, including ethical, quality management, and continuing education requirements.
- (10) If all Responsible Registrants designated for an area of practice at a Registrant Firm cease to meet any of the criteria set out in subsections (7) and (8), the Registrant Firm must immediately designate at least one new Responsible Registrant for that area of practice.
- (11) If a Registrant Firm fails to comply with subsections (5) or (10), the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee must place a condition on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such time as the Registrant Firm has complied with subsections (5) or (10).
- (12) An individual may act as a Responsible Registrant for more than one Registrant Firm.
- (13) A Registrant Firm must designate one individual as the Responsible Officer of the Registrant Firm, who may also be a Responsible Registrant.
- (14) An individual designated as the Responsible Officer of a Registrant Firm pursuant to subsection (13) must be an individual who is employed by or under contract with the Registrant Firm.
- (15) If an individual designated as the Responsible Officer by a Registrant Firm pursuant to subsection (13) is also a Registrant, the individual must be a Registrant In Good Standing who is employed by or under contract with the Registrant Firm.

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

5.12.1 Public Sector Firm

- (1) The subcategory of Registrant called "Public Sector Firm" is established under the category of Registrant Firm pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) Pursuant to section 42(2)(d) of the PGA [*Categories of registrants and bylaws for categories of registrants*], the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may designate a Registrant Firm as a Public Sector Firm where the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee is satisfied that
 - (a) the Registrant Firm is a Government Registrant, or
 - (b) the Registrant Firm is a local public body as defined in schedule 1 of the *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, c. 165.
- (3) If a decision is made pursuant to the PGA or the Bylaws to suspend or cancel the registration and Permit to Practice of a Public Sector Firm, or to put a condition on a Public Sector Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice, then
 - (a) EGBC must notify the Superintendent of Professional Governance of the decision,

- (b) any suspension, cancellation, or condition on a Public Sector Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice must take effect no earlier than 10 days after the notice pursuant to subsection (a) has been provided, and
- (c) publication of the decision must be delayed until the earlier of
 - (i) 10 days after the notice pursuant to subsection (a) has been provided, or
 - (ii) the date on which a decision of the Lieutenant Governor in Council with respect to exercising the power at section 83 of the PGA [*If registration of firm as registrant suspended or cancelled*] becomes known to the public.
- (4) The Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may change the subcategory of a Registrant Firm from Public Sector Firm to Private Sector Firm if the Registrant Firm no longer meets the criteria set out in subsection (2).

5.12.2 Private Sector Firm

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

5.13 Non-Practising Individual Registrant

- (1) The category of Registrant called "non-practising individual Registrant" is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) Any Professional Registrant In Good Standing may apply to the Registrar to change their category of registration to non-practising.
- (3) A non-practising individual Registrant must not engage in the Reserved Practice.

- (4) A non-practising individual Registrant must annually commit to the Council not to engage in the Reserved Practice until released from the commitment by the Council in writing.
- (5) A non-practising individual Registrant must only use the following professional designation(s), as applicable:

Engineers

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

Geoscientists

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

Licensees

- (i) Professional Licensee Engineering (Non-Practising);
 - (j) P.L.Eng. (Non-Practising);
 - (k) Professional Licensee Engineering (Retired);
 - (l) P.L.Eng. (Retired);
 - (m) Professional Licensee Geoscience (Non-Practising);
 - (n) P.L.Geo. (Non-Practising);
 - (o) Professional Licensee Geoscience (Retired);
 - (p) P.L.Geo. (Retired).
- (6) A non-practising individual Registrant who applies to reinstate status as a Professional Registrant must

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

5.14 Non-Practising Registrant Firm

- (1) The category of Registrant called “non-practising Registrant Firm” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) Any Registrant Firm In Good Standing may apply to the Audit and Practice Review Committee to change its category of registration to non-practising.
- (3) A non-practising Registrant Firm must not engage in the Reserved Practice and must not authorize any individual Registrant to engage in the Reserved Practice on behalf of the non-practising Registrant Firm.
- (4) A non-practising Registrant Firm must annually commit to the Council not to engage in the Reserved Practice until released from the commitment by the Council in writing.
- (5) A non-practising Registrant Firm must not advertise or hold itself out as providing any services related to or requiring the application of the Reserved Practice.
- (6) A non-practising Registrant Firm must
 - (a) clearly and visibly include the designation “non-practising” after the Registrant Firm’s name or Permit to Practice Number wherever it is used in any way related to the Regulated Practice, and
 - (b) expressly advise of the Registrant Firm’s non-practising status in any oral communications on behalf of the Registrant Firm that are in any way related to the Regulated Practice.
- (7) A non-practising Registrant Firm must continue to meet all requirements set out in the PGA, regulations, and the Bylaws, except where expressly exempted from such requirements, and nothing in this section postpones or defers the deadlines or requirements set out in the PGA, regulations, and Bylaws.
- (8) A non-practising Registrant Firm that applies for reinstatement of status as a Registrant Firm must demonstrate compliance with the requirements for reinstatement of status as a Registrant Firm set out in section 5.24 of the Bylaws [*Reinstatement of Status as a Practising Registrant Firm*].
- (9) If a non-practising Registrant Firm does not have its status as a Registrant Firm reinstated within 2 years of the date on which the Registrant Firm’s status was changed to non-

practising, the non-practising Registrant Firm's registration and Permit to Practice must be cancelled.

5.15 Life Member or Life Limited Licensee

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

Engineers

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

Geoscientists

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

(h) P.Geo. (Retired);

Licensees

(i) Professional Licensee Engineering (Non-Practising);

(j) P.L.Eng. (Non-Practising);

(k) Professional Licensee Engineering (Retired);

(l) P.L.Eng. (Retired);

(m) Professional Licensee Geoscience (Non-Practising);

(n) P.L.Geo. (Non-Practising);

(o) Professional Licensee Geoscience (Retired);

(p) P.L.Geo. (Retired).

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

(a) pay the applicable fees as set out in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and

(b) demonstrate compliance with the requirements for reinstatement of status as a Professional Registrant set out in section 5.23 of the Bylaws [*Reinstatement of Status as a Practising Professional Registrant*].

5.16 Honorary Member

(1) The category of Registrant called “honorary member” is established only for honorary members whose status had vested pursuant to the prior EGBC bylaw 10(d) [*Honorary Membership*], pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].

(2) No individuals other than those described in subsection (1) may be granted registration in the category of Registrant called “honorary member”.

(3) An honorary member whose status had vested pursuant to the prior EGBC bylaw 10(d) [*Honorary Membership*] retains honorary status with EGBC without the payment of fees.

(4) Honorary status is a ceremonial designation and does not on its own accord confer any rights or responsibilities under the PGA or the Bylaws.

- (5) An honorary member's status continues at the pleasure of the Council and may be revoked at the Council's discretion without prior notice to the honorary member.

5.17 Registration and Exemptions from Registration as a Registrant Firm

- (1) Subject to the PGA, associated regulations, and subsection (3), every Firm that engages in the Regulated Practice and is owned by or employs at least one Professional Registrant must register as a Registrant Firm and obtain a Permit to Practice from EGBC.
- (2) If the Audit and Practice Review Committee learns that a Firm is registered as a Registrant Firm, but does not, or at the time of registration did not, engage in the Regulated Practice or meet any one of the other requirements for registration pursuant to section 5.12 of the Bylaws [*Registrant Firm*], the Audit and Practice Review Committee must cause a condition to be placed on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until the necessary requirements are met.
- (3) A Firm may apply in writing to the Audit and Practice Review Committee for an exemption from the requirement to register as a Registrant Firm and obtain a Permit to Practice from EGBC if any of the following apply:
 - (a) EGBC has an agreement in place with another regulatory body that exempts the Firm from registration with EGBC;
 - (b) the Firm is solely conducting research or providing education.
- (4) An application for an exemption submitted by a Firm pursuant to subsection (3) must include:
 - (a) a clear indication of how the Firm qualifies for an exemption;
 - (b) any evidence that supports the Firm's application for an exemption; and
 - (c) a declaration confirming that if the Firm no longer qualifies for the exemption, the Firm will submit an application for registration pursuant to the Bylaws.

5.18 Decisions Regarding Applications for Enrolment, Admission, and Reinstatement

- (1) On receiving an application for enrolment, admission, or reinstatement of status in any of the categories of individual Registrants pursuant to sections 5.5 to 5.11 of the Bylaws,
 - (a) the Credentials Committee may
 - (i) grant the application,
 - (ii) grant the application subject to conditions or limitations on the registration, or
 - (iii) reject the application, with written reasons,

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

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

- (1) The Credentials Committee may order a credentials hearing be conducted by the Registrar before the Registrar makes a decision pursuant to section 5.18(1)(b) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, and Reinstatement*] if the Credentials Committee determines that there is a serious concern that an individual Applicant does not meet the requirement to be of good character and good repute.
- (2) A credentials hearing must be conducted in accordance with the procedure set out in Schedule B of the Bylaws, unless otherwise directed by the Registrar.
- (3) If a decision is posted publicly following a credentials hearing held pursuant to subsection (2), the Registrar may anonymize or redact any identifying, personal or sensitive information of
 - (a) a person other than the Applicant/Respondent, if the Registrar determines the disclosure of such information is not necessary to satisfy the public interest, or
 - (b) the Applicant/Respondent if the Applicant/Respondent suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs the Applicant's/Respondent's ability to practise.

5.20 Rejection of Application on the Basis of an Indictable Offence

- (1) If the Credentials Committee is satisfied that an individual Applicant has been convicted of an indictable offence, the Credentials Committee may summarily reject the application pursuant to section 66(2)(a)(ii) of the PGA [*Investigations*].
- (2) If the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee is satisfied that an Applicant for registration as a Registrant Firm has been convicted of an indictable offence, the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may summarily reject the application pursuant to section 66(2)(a)(ii) of the PGA [*Investigations*].
- (3) Before proceeding pursuant to subsections (1) or (2), the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, must be satisfied that the nature of the indictable offence or the circumstances under which the offence was committed give rise to concerns that the Applicant has displayed
 - (a) Professional Misconduct,
 - (b) Conduct Unbecoming a Registrant, or
 - (c) Incompetent performance of duties undertaken while engaged in the Regulated Practice.
- (4) Before proceeding pursuant to subsections (1) or (2), the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, must provide written notice to the Applicant that
 - (a) action may be undertaken pursuant to section 66(2)(a)(ii) of the PGA [*Investigations*], and
 - (b) the Applicant may, by a specified date, make written submissions to the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable.
- (5) The Credentials Committee may order a credentials hearing by the Registrar for an individual Applicant, in the place of or in addition to the written submissions referred to in subsection (4)(b).
- (6) If an Applicant is an Applicant for registration as a Registrant Firm, the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may order that oral submissions be made in place of or in addition to the written submissions referred to in subsection (4)(b), which are to be made in accordance with the procedures set out in Schedule B of the Bylaws unless otherwise directed by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee.

- (7) Despite subsections (4), (5), and (6), if the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, considers it necessary to protect the public interest, the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, may proceed pursuant to subsections (1) or (2) without
 - (a) providing notice to the Applicant,
 - (b) providing the Applicant with an opportunity to make written submissions to the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable, or
 - (c) in the case of an individual Applicant, providing the Applicant with the opportunity to have a credentials hearing by the Registrar.
- (8) The Credentials Committee or the Audit and Practice Review Committee, as applicable, may approve policies and procedures for summarily rejecting the application of an Applicant pursuant to this section of the Bylaws.
- (9) Any policies and procedures for summarily rejecting the application of an Applicant that are approved by the Credentials Committee or the Audit and Practice Review Committee pursuant to subsection (8) must be published on a public website maintained by EGBC.

5.21 Reconsideration of a Decision of the Credentials Committee

- (1) Within 30 days of receipt of a decision of the Credentials Committee made pursuant to section 5.18(1)(a) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, and Reinstatement*], an individual Applicant may apply in writing to the Credentials Committee for a reconsideration.
- (2) An application for a reconsideration submitted by an individual Applicant pursuant to subsection (1) must include all of the following:
 - (a) a clear indication of the decision of the Credentials Committee;
 - (b) the position of the Applicant suggesting the decision of the Credentials Committee was flawed;
 - (c) any evidence that was not previously before the Credentials Committee that the Applicant wants to be considered; and
 - (d) the relief sought by the Applicant.
- (3) An application for a reconsideration submitted by an individual Applicant pursuant to subsection (1) must be accompanied by all applicable reconsideration fees as set out in section 6.3(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*].

- (4) After considering an application for a reconsideration, the Credentials Committee must, with written reasons,
 - (a) confirm the original decision of the Credentials Committee, or
 - (b) substitute the original decision of the Credentials Committee.
- (5) The Credentials Committee may approve policies and procedures for the conduct of reconsiderations pursuant to this section of the Bylaws.
- (6) Any policies and procedures for the conduct of reconsiderations that are approved by the Credentials Committee pursuant to subsection (5) must be published on a public website maintained by EGBC.
- (7) No Applicant for registration as a Registrant Firm may apply for a reconsideration pursuant to this section of the Bylaws.

5.22 Review on the Record

- (1) Within 30 days of receipt of a decision of the Credentials Committee made pursuant to section 5.18(1)(a) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, or Reinstatement*] or section 5.21(4) of the Bylaws [*Reconsideration of a Decision of the Credentials Committee*], or a decision of the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee made pursuant to section 5.18(2) of the Bylaws [*Decisions Regarding Applications for Enrolment, Admission, or Reinstatement*], an Applicant may apply in writing to the Registrar for a review on the record.
- (2) An application for a review on the record submitted by an Applicant pursuant to subsection (1) must set out all of the following:
 - (a) a clear indication of the decision(s) of the Credentials Committee, Audit and Practice Review Committee or officer appointed by the Audit and Practice Review Committee;
 - (b) the position of the Applicant suggesting the decision of the Credentials Committee, Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee was flawed; and
 - (c) the relief sought by the Applicant.
- (3) An application for a review on the record submitted by an Applicant pursuant to subsection (1) must be accompanied by all applicable review on the record fees as set out in section 6.3(2) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*].
- (4) A review on the record must be conducted in writing unless otherwise directed by the Registrar.

- (5) The Registrar may only consider evidence that was not previously before the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee if the Registrar determines that all of the following special circumstances exist which make it necessary to consider evidence that was not previously before the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee:
 - (a) the evidence is such that the applicant, through the exercise of reasonable due diligence, could not have discovered and submitted it before the decision was made by the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee;
 - (b) the evidence is relevant in the sense that it bears upon a decisive or potentially decisive issue in the matter;
 - (c) the evidence is credible in the sense that it is reasonably capable of belief;
 - (d) the evidence is such that, if believed, it could reasonably, when taken with the other evidence that was before the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee, be expected to have affected the decision of the Credentials Committee, the Audit and Practice Review Committee, or officer appointed by the Audit and Practice Review Committee.
- (6) To request that the Registrar consider evidence that was not before the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee the Applicant must, in the application for a review on the record,
 - (a) specify what evidence the Applicant wants to be considered, and
 - (b) set out how the criteria set out in subsections (5)(a) to (d) are met.
- (7) Following a review on the record, the Registrar must, with written reasons,
 - (a) confirm the decision of the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee, or
 - (b) substitute the decision of the Credentials Committee, the Audit and Practice Review Committee, or the officer appointed by the Audit and Practice Review Committee, including any conditions or limitations on the registration of the Applicant.
- (8) The Council may approve policies and procedures for the conduct of reviews on the record pursuant to this section of the Bylaws.

- (9) Any policies and procedures for the conduct of reviews on the record approved by the Council pursuant to subsection (8) must be published on a public website maintained by EGBC.

5.23 Reinstatement of Status as a Practising Professional Registrant

- (1) An Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee:
- (a) an application for reinstatement of status as a practising Professional Registrant;
 - (b) any applicable application, examination, interview, course or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;
 - (c) evidence satisfactory to the Credentials Committee
 - (i) of Applicant's identity and legal name, if not previously submitted,
 - (ii) that the Applicant is of good character and good repute, including a declaration that the Applicant is of good character and repute, and
 - (iii) that the Applicant has provided the information required by section 5.29(1) of the Bylaws [*Information Collected Annually and Published on the Register*] and section 5.30(1) of the Bylaws [*Information Collected Annually and not Published on the Register*].
- (2) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide proof that the Applicant has complied with all applicable continuing education program requirements for practising Professional Registrants as set out in section 7.6 of the Bylaws [*Continuing Education Program*] if
- (a) the Applicant's registration as a Professional Registrant has lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for 6 months or less, or
 - (b) the Applicant is
 - (i) in good standing and has the right to practise with a Regulatory Authority, and
 - (ii) not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.
- (3) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee, if the Applicant's registration as a practising Professional Registrant has

lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for between 6 months to 18 months:

- (a) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant;
 - (b) a declaration that the Applicant has read and is familiar with applicable standards, policies, plans, and practices established by the government or by EGBC, including applicable professional practice guidelines and advisories that are relevant to the intended practice of the Applicant;
 - (c) proof that the Applicant has complied with all applicable continuing education program requirements for Professional Registrants as set out in section 7.6 of the Bylaws [*Continuing Education Program*].
- (4) In addition to the requirements pursuant to subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee if the Applicant's registration as a Professional Registrant has lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for between 18 months to 3 years:
- (a) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant;
 - (b) a declaration that the Applicant has read and is familiar with applicable standards, policies, plans, and practices established by the government or by EGBC, including applicable professional practice guidelines and advisories that are relevant to the intended practice of the Applicant;
 - (c) a letter of explanation as to how the Applicant has maintained practice competency, including through the completion of continuing education;
 - (d) professional references, in number satisfactory to the Credentials Committee and who are able to attest to the Applicant's good character, good 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 Council has previously been completed by the Applicant;
- (g) evidence of the successful completion of an examination in professional practice approved by the Council;
- (h) at the discretion of the Credentials Committee, evidence of completion of
 - (i) assigned experience under the Direct Supervision of a Professional Registrant for a period of time and on such terms as set by the Credentials Committee, and provision of a reference from that Professional Registrant, and
 - (ii) continuing education on such terms as set by the Credentials Committee.

5.24 Reinstatement of Status as a Practising Registrant Firm

- (1) A non-practising Registrant Firm applying for reinstatement of status as a practising Registrant Firm must provide the following to the Audit and Practice Review Committee:
 - (a) an application for reinstatement of status as a practising Registrant Firm;
 - (b) any applicable fees specified in section 6.2(3) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and any outstanding amounts owing to EGBC;

- (c) the names of all individual Registrants employed by or under contract with the non-practising Registrant Firm;
- (d) a completed declaration by each of the non-practising Registrant Firm's Responsible Registrant(s), as set out in Schedule D;
- (e) a completed declaration by the non-practising Registrant Firm's Responsible Officer, as set out in Schedule E;
- (f) if the non-practising Registrant Firm is a corporation:
 - (i) the non-practising Registrant Firm's incorporation number;
 - (ii) the date of the non-practising Registrant Firm's incorporation;
 - (iii) a copy of the non-practising Registrant Firm's certificate of incorporation, amalgamation, certificate of continuation, or equivalent from the home jurisdiction of the non-practising Registrant Firm;
 - (iv) any certificate of name change or certificate of restoration, if applicable;
 - (v) a copy of the non-practising Registrant Firm's shareholder register, unless the non-practising Registrant Firm is a publicly traded corporation, in which case it is exempt from this subsection; and
 - (vi) a copy of the non-practising Registrant Firm's register of directors and officers;
- (g) if the non-practising Registrant Firm is a partnership:
 - (i) the non-practising Registrant Firm's registered business name, if applicable; and
 - (ii) a copy of the register of partners; and,
- (h) if the non-practising Registrant Firm is a sole proprietorship:
 - (i) the non-practising Registrant Firm's registered business name, if applicable; and
 - (ii) the name of the owner of the sole proprietorship;
- (i) written notice of any changes to the information set out in section 5.28(3) of the Bylaws [*Register of Registrant Firms*], and updated information as applicable, to be published on the Register.
- (2) In granting a non-practising Registrant Firm's application for reinstatement of status as a practising Registrant Firm, the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may require

- (a) the reinstated Registrant Firm to undergo a compliance audit pursuant to section 8.7 of the Bylaws [*Compliance Audit Program for Registrant Firms*], either
 - (i) immediately on being granted reinstatement of status as a practising Registrant Firm,
 - (ii) within 12 months of being granted reinstatement of status as a practising Registrant Firm,
 - (iii) at the time the reinstated Registrant Firm would have next undergone a compliance audit if it had not changed its category of registration to non-practising Registrant Firm, or
 - (iv) within any other timeframe as determined by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee, and
- (b) any Responsible Registrant(s) of the reinstated Registrant Firm to undertake the Regulation of Firms Training Program pursuant to section 7.7.1 of the Bylaws [*Regulation of Firms Training Program*], either
 - (i) within 12 months of being granted reinstatement of status as a practising Registrant Firm,
 - (ii) at the time the Responsible Registrant(s) of the reinstated Registrant Firm would have next been required to undertake the Regulation of Firms Training Program if the reinstated Registrant Firm had not changed its category of registration to non-practising Registrant Firm, or
 - (iii) within any other timeframe as determined by the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee.
- (3) Upon being granted reinstatement of status as a practising Registrant Firm, a reinstated Registrant Firm must have an up-to-date Professional Practice Management Plan in place that meets the requirements set out in sections 7.7.3(1) and (2) of the Bylaws [*Professional Practice Management Plan*].

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

- (1) An individual whose enrolment as a Trainee has lapsed or been cancelled must provide the following to the Credentials Committee to apply for reinstatement as a Trainee:
 - (a) an application for reinstatement;

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

5.26 Ceasing Status as a Registrant

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

5.27 Register of Individual Registrants

- (1) The Registrar must maintain a Register of all current and former individual Registrants and Recent Historical Members.
- (2) A former individual Registrant or Recent Historical Member must be listed on the Register for 10 calendar years after the calendar year in which the former individual Registrant or Recent Historical Member ceased to be registered with EGBC.
- (3) Despite subsection (1), the Register must not include former Trainees.
- (4) For a currently registered individual Registrant, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:
 - (a) the individual Registrant's professional designation;
 - (b) if an individual Registrant is a professional licensee engineering or a professional licensee geoscience, the authorized area of practice identified on the individual Registrant's licence;
 - (c) the original discipline of the individual Registrant's registration;
 - (d) for all Registrants with the right to engage in the Reserved Practice, the individual Registrant's self-declared industry or industries of practice and area(s) of practice;
 - (e) the municipality, province or state, and country in which the individual Registrant is based;
 - (f) if applicable, the name of the individual Registrant's employer;
 - (g) for all Registrants with the right to engage in the Reserved Practice, as well as Trainees, business contact information for the individual Registrant, which may be provided by way of the individual Registrant's
 - (i) business email address,
 - (ii) business telephone number,
 - (iii) business mailing address, or
 - (iv) business website, if the business website contains any of the business contact information for the individual Registrant that is listed in subsections (g)(i) to (iii);
 - (h) the later of the date on which the individual Registrant was first granted
 - (i) enrolment as a Trainee, or

- (ii) registration as a Registrant other than a Trainee;
 - (i) the start date of the individual Registrant's current registration as a Registrant or enrolment as a Trainee;
 - (j) the expiry date of the individual Registrant's current registration as a Registrant or enrolment as a Trainee;
 - (k) the date(s) of any:
 - (i) expiration(s) of the individual Registrant's registration;
 - (ii) cancellation(s) of the individual Registrant's registration; or,
 - (iii) suspension(s) of the individual Registrant's registration;
 - (l) any Disciplinary Order(s) respecting the individual Registrant.
- (5) For a former individual Registrant, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:
- (a) the former individual Registrant's former professional designation(s);
 - (b) if the former individual Registrant was a professional licensee engineering or a professional licensee geoscience, the authorized area of practice that was previously identified on the former individual Registrant's licence;
 - (c) the original discipline of the former individual Registrant's registration;
 - (d) the municipality, province or state, and country in which the former individual Registrant was based;
 - (e) the date on which the former individual Registrant was first granted registration;
 - (f) the date(s) of any
 - (i) expiration(s) of the former individual Registrant's registration;
 - (ii) cancellation(s) of the former individual Registrant's registration; or,
 - (iii) suspension(s) of the former individual Registrant's registration;
 - (g) any Disciplinary Order(s) respecting the former individual Registrant.
- (6) For a Recent Historical ~~Member~~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 Recent Historical Member's former professional designation(s);
 - (b) if the Recent Historical Member held a limited licence to practise professional engineering or geoscience pursuant to the EGA, the authorized area of practice identified on the Recent Historical Member's former licence;
 - (c) the original discipline of the Recent Historical Member's registration;
 - (d) the date on which the Recent Historical Member was first granted registration with EGBC;
 - (e) the date(s) of any:
 - (i) expiration(s) of the registration or membership of the Recent Historical Member;
 - (ii) cancellation(s) of the registration or membership of the Recent Historical Member; or,
 - (iii) suspension(s) of the registration or membership of the Recent Historical Member;
 - (f) any Disciplinary Order(s) respecting the Recent Historical Member.
- (7) An individual Registrant may apply in writing to the Registrar to have the information listed in subsections (4)(e) to (g) omitted from the Register if the publication of such information would reasonably threaten the safety of the individual Registrant or another person.
- (8) The information listed in subsections (4)(k), (4)(l), (5)(e), (5)(f), (6)(e), and (6)(f) must appear on the Register for as long as a Registrant is listed on the Register pursuant to subsections (1) and (2).

5.28 Register of Registrant Firms

- (1) The Registrar must maintain a Register of all current and former Registrant Firms.
- (2) A former Registrant Firm must be listed on the Register for 10 years after ceasing to be a Registrant Firm.
- (3) For a currently registered Registrant Firm, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:
 - (a) the Registrant Firm's Permit to Practice Number;
 - (b) the Registrant Firm's self-declared industry or industries of practice and area(s) of practice;

- (c) the municipality, province or state, and country in which the Registrant Firm's main office is located;
- (d) the business location(s) in British Columbia where Professional Registrants will be engaged in the Regulated Practice on behalf of the Registrant Firm;
- (e) the names of the Responsible Registrant(s) and the Responsible Officer of a Registrant Firm;
- (f) the area(s) of practice to which each Responsible Registrant of the Registrant Firm is designated;
- (g) the business contact information of the Responsible Registrant(s) and the Responsible Officer of the Registrant Firm, which may be provided by way of each Responsible Registrant's and the Responsible Officer's
 - (i) business email address,
 - (ii) business telephone number
 - (iii) business mailing address, or
 - (iv) business website, if the business website contains any of the business contact information listed in subsections (i) to (iii) for the Responsible Registrant(s) or Responsible Officer.
- (h) the date on which the Registrant Firm was first granted registration as a Registrant Firm;
- (i) the start date of the Registrant Firm's current registration as a Registrant Firm;
- (j) the expiry date of the Registrant Firm's current registration as a Registrant Firm;
- (k) the date(s) of any:
 - (i) expiration(s) of the Registrant Firm's registration and Permit to Practice;
 - (ii) cancellation(s) of the Registrant Firm's registration and Permit to Practice;
 - (iii) suspension(s) of the Registrant Firm's registration and Permit to Practice;
 - (iv) condition(s) on the Registrant Firm's registration and Permit to Practice prohibiting the Registrant Firm from engaging in the Regulated Practice;
- (l) any Disciplinary Order(s) respecting the Registrant Firm.

- (4) For a former Registrant Firm, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:
- (a) the former Registrant Firm's Permit to Practice Number;
 - (b) the municipality, province or state, and country in which the former Registrant Firm's main office was located;
 - (c) the names of the Responsible Registrant(s) and the Responsible Officer of the former Registrant Firm;
 - (d) the area(s) of practice to which each Responsible Registrant of the former Registrant Firm was designated;
 - (e) the date on which the former Registrant Firm was first granted registration as a Registrant Firm;
 - (f) the date(s) of any:
 - (i) expiration(s) of the Registrant Firm's registration and Permit to Practice;
 - (ii) cancellation(s) of the Registrant Firm's registration and Permit to Practice;
 - (iii) suspension(s) of the Registrant Firm's registration and Permit to Practice;
 - (iv) condition(s) on the Registrant Firm's registration and Permit to Practice prohibiting the former Registrant Firm from engaging in the Regulated Practice;
 - (g) any Disciplinary Order(s) respecting the former Registrant Firm.
- (5) The information listed in subsections (3)(k), (3)(l), (4)(f), and (4)(g) must appear on the Register for as long as a Registrant Firm is listed on the Register pursuant to subsections (1) and (2).

5.29 Information Collected Annually and Published on the Register

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

- (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.
- (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*].

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

5.31 Failure to Provide Required Information

- (1) An individual Registrant who fails to provide EGBC with any of the information required pursuant to section 5.29(1) of the Bylaws [*Information Collected Annually and Published on the Register*] or section 5.30(1) of the Bylaws [*Information Collected Annually and not Published on the Register*] must, by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year,
 - (a) provide EGBC with the required information, and
 - (b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws.
- (2) A Registrant Firm who fails to provide EGBC with any information required pursuant to section 5.29(3) of the Bylaws [*Information Collected Annually and Published on the Register*] or section 5.30(3) of the Bylaws [*Information Collected Annually and not Published on the Register*] must, by 11:59 PM (Pacific Time) on June 30 of the same year,

- (a) provide EGBC with the required information, and
 - (b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws.
- (3) If a Registrant fails to comply with the requirements set out in subsections (1) or (2), as applicable, the Registrant's registration must be suspended, and, if the Registrant is a Registrant Firm, a condition must be placed on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such requirements are complete.
- (4) If an individual Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31 of the same year,
- (a) the Registrant's registration is cancelled, or
 - (b) if the Registrant is a Trainee, the Trainee's enrolment is cancelled.
- (5) If a Registrant Firm fails to comply with the requirements set out in subsection (2) by 11:59 PM (Pacific Time) on August 31 of the same year, the Registrant Firm's registration and Permit to Practice are cancelled.

5.32 Information Collected Immediately and not Published on the Register

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

- (4) A Registrant Firm must provide written notice to EGBC within 15 days of the occurrence of any of the following situations:
- (a) there is a merger, amalgamation, acquisition, closure, or dissolution involving the Registrant Firm;
 - (b) the Registrant Firm
 - (i) becomes the subject of an application for a bankruptcy order,
 - (ii) makes an assignment for the general benefit of creditors, or
 - (iii) makes or becomes the subject of a Division I or Division II proposal,
- as set out in the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3.

5.33 Issuance of Certificate or Permit to Practice

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

6 Fees

6.1 Application Fees

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

6.2 Registration Fees

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

6.3 Reconsideration and Review on the Record Fees

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

6.4 Annual Fees

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

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

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

6.5 Special Assessments

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

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

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

6.7 Exemption, Reduction, Deferral, or Refund of Fees

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



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

6.8 Failure to Pay Fees

- (1) An individual Registrant who fails to pay the full amount of an applicable annual fee or special assessment pursuant to section 6.4(1) of the Bylaws [*Annual Fees*] or section 6.5(1) of the Bylaws [*Special Assessments*] must send to EGBC the full amount of the applicable annual fee or special assessment and the applicable late fee specified in Schedule C of the Bylaws, by 11:59 PM (Pacific Time) on January 31 of the following year.

- (2) ~~Pursuant to section 31(4)(b) of the PGA [Registrar and register for regulatory body], if~~ a Registrant fails to pay a required

- (a) registration fee pursuant to section 6.2(1) of the Bylaws [*Registrant Fees*],
- (b) designation fee pursuant to section 6.2(2) of the Bylaws [*Registrant Fees*],
- (c) for an individual Registrant, a prorated annual fee pursuant to section 6.4(5) of the Bylaws [*Annual Fees*], or
- (d) annual fee, special assessment, or late fee pursuant to section 6.8(1) of the Bylaws [*Failure to Pay Fees*],

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

- (3) A Registrant Firm or a non-practising Registrant Firm that fails to pay the full amount of an applicable annual fee or special assessment pursuant to sections 6.4(2) or(4) of the Bylaws [*Annual Fees*], or section 6.5(2) of the Bylaws [*Special Assessments*] must send to EGBC the full amount of the applicable annual fee or special assessment and late fee specified in Schedule C of the Bylaws by 11:59 PM (Pacific Time) on June 30 of the same year.

- (4) If a Registrant Firm or non-practising Registrant Firm fails to comply with the requirements set out in subsection (3), the Registrar must place a condition on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until all fees outstanding pursuant to subsection (3) have been paid.

- (5) ~~Pursuant to section 31(4)(b) of the PGA [Registrar and register for regulatory body], if~~ a Registrant Firm or non-practising Registrant Firm that is subject to a condition prohibiting it from engaging in the Regulated Practice pursuant to subsection (4) fails to pay the full amount of all applicable outstanding fees by 11:59 PM (Pacific Time) on August 31 of the same year, the Registrar must cancel the Registrant Firm or non-practising Registrant Firm's registration and Permit to Practice.

7 Standards of Conduct and Competence

7.1 Definitions

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

7.2 Code of Ethics

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

7.3 Standards of Competence – Quality Management Requirements

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

7.3.1 Standard for Use of Professional Practice Guidelines

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

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

7.3.2 Standard for Retention and Preservation of Complete Project Documentation

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

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

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

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

7.3.3 Standard for Field Reviews

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

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

7.3.4 Standard for Checks

- (1) A Professional Registrant must establish, maintain, and follow documented procedures for regular, documented checks of the Professional Registrant's work related to the Regulated Practice using a written quality control process appropriate to the level of risk that has been assessed through a documented risk assessment.
- (2) The procedures established pursuant to subsection (1) must include:
 - (a) how risk will be assessed;
 - (b) the minimum frequency for checks to be conducted, dependent on the degree of risk assessed pursuant to (a);
 - (c) the required qualifications of the checker;
 - (d) how the check will be documented, including:
 - (i) who conducted the check;
 - (ii) the date that the check was completed;
 - (iii) what was checked; ~~and~~
 - (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 Council.
- (6) Despite subsection (5), a Professional Registrant who is a professional licensee engineering or a professional licensee geoscience must not Authenticate Documents outside the authorized area of practice identified on their licence.
- (7) If a deliverable is provided in a format that cannot be reasonably read by an individual, a Professional Registrant must adhere to an authentication process that has been prescribed by standards or guidelines approved by the Council.
- (8) A Professional Registrant must not charge a fee for only Authenticating a Document.
- (9) With respect to Manually Authenticating, a Professional Registrant must not allow another person to apply any of the following:

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

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

7.3.8 Standard for Delegation and Direct Supervision

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

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

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

7.4 Practice Advice Program

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

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

7.5 Professional Liability Insurance and Secondary Professional Liability Insurance

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

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

7.6 Continuing Education Program

7.6.1 Commencement of the Continuing Education Program

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

7.6.2 Categories of Registrants Exempt from the Continuing Education Program

- (1) The following categories of individual Registrants are not required to complete any of the continuing education program requirements set out in this section of the Bylaws:
 - (a) Trainees;
 - (b) life members or life limited licensees.

7.6.3 Mandatory Continuing Education Hours and Activities for Professional Registrants

- (1) In each Three-Year Rolling Period, a Professional Registrant must complete at least 60 Continuing Education Hours.
- (2) In each Reporting Year, a Professional Registrant must complete at least one Continuing Education Hour of Ethical Learning.
- (3) In each Reporting Year, a Professional Registrant must complete at least one Regulatory Learning module referred to in section 7.6.14(1) of the Bylaws [*Mandatory Regulatory Learning Modules*].
- (4) The mandatory Continuing Education Hours required pursuant to subsection (1) may include Continuing Education Hours related to Technical Learning or Communications and Leadership Learning.
- (5) In order for the Continuing Education Hours required pursuant to subsection (1) to be considered complete, an individual 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) In each Reporting Year, a Professional Registrant must complete a 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 Registrant has assessed the risks of the 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 electronically submit the continuing education plan required pursuant to subsection (1) to EGBC by 11:59 PM (Pacific Time) on the last day of each Reporting Year.

7.6.5 Mandatory Continuing Education Hours and Activities for Designated Structural Engineers

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

7.6.6 Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants

- (1) In each Three-Year Rolling Period, a non-practising individual Registrant must complete, at a minimum,
 - (a) one Continuing Education Hour of Ethical Learning, and

- (b) one Regulatory Learning module referred to in section 7.6.14(1) of the Bylaws [*Mandatory Regulatory Learning Modules*].

7.6.7 Continuing Education Program Declaration

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

7.6.8 Applications for Exemptions from the Continuing Education Program

- (1) An individual Registrant may be granted an exemption, on an annual basis, from any or all of the continuing education program requirements set out in sections 7.6.3, 7.6.4, 7.6.5, 7.6.6, or 7.6.7 of the Bylaws [*Continuing Education Program*] for a specified Reporting Year by
 - (a) an officer appointed by the Audit and Practice Review Committee, if the individual Registrant was on parental leave, medical leave, or compassionate care leave for at least 6 months during the Reporting Year, or
 - (b) the Audit and Practice Review Committee, if the individual Registrant
 - (i) was on parental leave, medical leave, or compassionate care leave for less than 6 months during the Reporting Year, or
 - (ii) has other extenuating circumstances.

- (2) An application by an individual Registrant to be granted an exemption pursuant to subsection (1) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on April 30 of the applicable Reporting Year.
- (3) If an exemption granted pursuant to subsection (1) reduces the number of Continuing Education Hours that an individual Registrant is required to complete for a Reporting Year, there must be a corresponding reduction in the number of Continuing Education Hours that the individual Registrant is required to complete for the applicable Three-Year Rolling Period.

7.6.9 Failure to Submit a Continuing Education Program Declaration

- (1) An individual Registrant who fails to submit a continuing education program declaration pursuant to section 7.6.7(1) of the Bylaws [*Continuing Education Program Declaration*] by 11:59 PM (Pacific Time) on the last day of the Reporting Year, but has otherwise completed all applicable requirements of the continuing education program, must
 - (a) submit the continuing education program declaration, and
 - (b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws, by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.
- (2) If an individual Registrant fails to comply with the requirements set out in subsection (1), the individual Registrant's registration must be suspended until such requirements are complete.
- (3) If an individual Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31, the individual Registrant's registration must be cancelled.

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

- (1) An individual Registrant who fails to comply with the obligations pursuant to sections 7.6.3, 7.6.4, 7.6.5, or 7.6.6 Bylaws, as applicable, by 11:59 PM (Pacific Time) on the last day of the Reporting Year may be granted a late exemption from any or all of these requirement(s) on an annual basis by the Audit and Practice Review Committee, if the individual Registrant
 - (a) was on parental leave, medical leave, or compassionate care leave during the Reporting Year, or
 - (b) has other extenuating circumstances.
- (2) An application by an individual Registrant to be granted an exemption pursuant to subsection (1) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on July 31 in the following Reporting Year.

- (3) If a late exemption granted pursuant to subsection (1) reduces the number of Continuing Education Hours that an individual Registrant is required to complete for a Reporting Year, there must be a corresponding reduction in the number of Continuing Education Hours that the individual Registrant is required to complete for the applicable Three-Year Rolling Period.
- (4) An individual Registrant who is granted an exemption pursuant to subsection (1) must send to EGBC the late exemption fee specified in Schedule C of the Bylaws, but is not required to pay to EGBC the late reporting fee specified in Schedule C or the late completion fee specified in Schedule C.
- (5) The Audit and Practice Review Committee may, in its discretion, refund the late exemption fee required pursuant to subsection (4) if an individual Registrant
 - (a) failed to apply for an exemption by the deadline specified in section 7.6.8(2) of the Bylaws [*Applications for Exemptions from the Continuing Education Program*] due to extenuating circumstances,
 - (b) submitted an application to be granted an exemption in writing to EGBC by 11:59 PM (Pacific Time) on the last day of the Reporting Year, and
 - (c) was granted an exemption by the Audit and Practice Review Committee pursuant to subsection (1).

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

- (1) An individual 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 7.6.6 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants*], as applicable, by 11:59 PM (Pacific Time) on the last day of the Reporting Year and is not granted a late exemption pursuant to section 7.6.10 of the Bylaws [*Late Exemption from Continuing Education Plan, Hours, or Activities*] must
 - (a) complete and submit a continuing education plan,
 - (b) complete the required Continuing Education Hours, Ethical Learning activities, or Regulatory Learning activities,
 - (c) submit a continuing education program declaration,
 - (d) send to EGBC the late completion fee specified in Schedule C of the Bylaws, and
 - (e) send to EGBC the late reporting fee specified in Schedule C of the Bylaws,
 by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.

- (2) If an individual Registrant fails to comply with the requirements set out in subsection (1), the individual Registrant's registration must be suspended until such requirements are complete and such completion is certified by the Audit and Practice Review Committee.
- (3) If an individual Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31, the individual Registrant's registration must be cancelled.
- (4) A designated structural engineer who fails to complete required Technical Learning activities pursuant to section 7.6.5(1) of the Bylaws [*Mandatory Continuing Education Hours and Activities for Designated Structural Engineers*] by 11:59 PM (Pacific Time) on the last day of the Reporting Year and is not granted a late exemption pursuant to section 7.6.10(1) of the Bylaws [*Late Exemption from Continuing Education Plan, Hours, or Activities*] must
 - (a) complete the required Technical Learning activities,
 - (b) submit a continuing education program declaration,
 - (c) send to EGBC the late completion fee specified in Schedule C of the Bylaws, and
 - (d) send to EGBC the late reporting fee specified in Schedule C of the Bylaws,
 by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.
- (5) If a designated structural engineer fails to comply with the requirements set out in subsection (4), the designated structural engineer's designation as a designated structural engineer must be suspended until such requirements are complete and such completion is certified by the Audit and Practice Review Committee.
- (6) If a designated structural engineer fails to comply with the requirements set out in subsection (4) by 11:59 PM (Pacific Time) on December 31, the designated structural engineer's designation as a designated structural engineer is cancelled.
- (7) If an individual Registrant is required to complete a continuing education plan, Continuing Education Hours, Ethical Learning activities, Regulatory Learning activities, or Technical Learning activities to fulfill a requirement for the previous Reporting Year, these cannot be applied to fulfill a requirement for the Reporting Year in which they are completed.

7.6.12 Avoiding or Delaying a Suspension

- (1) If an individual Registrant fails to comply with the requirements in section 7.6.9(1) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], section 7.6.11(1) or (4) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*] due to extenuating circumstances, including being on parental leave, medical leave, or compassionate care leave, the Audit and Practice Review Committee may order that



- (a) the individual Registrant's registration not be suspended pursuant to section 7.6.9(2) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], section 7.6.11(2) or (5) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*], or
 - (b) the individual Registrant's suspension pursuant to section 7.6.9(2) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], 7.6.11(2) or (5) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*] be delayed for a specified period of time.
- (2) At least 60 days before a suspension pursuant to section 7.6.9(2) of the Bylaws [*Failure to Submit a Continuing Education Program Declaration*], section 7.6.11(2) or (5) of the Bylaws [*Failure to Complete Continuing Education Plan, Hours, or Activities*] can take effect, the Audit and Practice Review Committee must deliver to the individual Registrant written notice of
- (a) the date on which the suspension will take effect,
 - (b) the reasons for the suspension, and
 - (c) the deadline by which the individual Registrant may submit a written application to the Audit and Practice Review Committee for an order pursuant to subsection (1).

7.6.13 Newly Registered Individual 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) a Professional Registrant to meet the requirement set out in section 7.6.3(3) of the Bylaws [*Mandatory Continuing Education Hours, and Activities for Professional Registrants*], and
 - (b) a non-practising Registrant or a life member or life limited licensee to meet the requirement set out in section 7.6.6(1)(b) of the Bylaws [*Mandatory Continuing Education Hours and Activities for Non-Practising Individual Registrants*].
- (2) The series of mandatory Regulatory Learning modules referred to in subsection (1) must be designed to ensure that there is at least one Regulatory Learning module in each Three-Year Rolling Period that focuses on Indigenous history, Indigenous engagement, and reconciliation as it relates to the Regulated Practice in British Columbia.

7.6.15 Optional Continuing Education Opportunities

- (1) EGBC will facilitate the offering of other continuing education opportunities related to Ethical Learning, Regulatory Learning, Communications and Leadership Learning, and Technical Learning.
- (2) The continuing education opportunities offered pursuant to subsection (1) will include education opportunities related to knowledge and guidance on Indigenous history, Indigenous engagement, and reconciliation as it relates to the Regulated Practice in British Columbia.

7.6.16 Continuing Education Program by Registrant Firms

- (1) A Registrant Firm must develop, maintain, and follow documented procedures to support individual Registrants employed by or under contract with the Registrant Firm in
 - (a) meeting the individual Registrants' continuing education program requirements pursuant to sections 7.6.3, 7.6.4, 7.6.5, 7.6.6, and 7.6.7 of the Bylaws, 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 Council, and
 - (iii) ethical business practices addressing corruption, conflict of interest, and contractual matters;
 - (b) a plan for how the Registrant Firm will ensure compliance with the standards of competence and quality management requirements pursuant to section 7.3 of the Bylaws [*Standards of Competence – Quality Management Requirements*];
 - (c) a plan for how the Registrant Firm will ensure compliance with the continuing education requirements pursuant to section 7.6 of the Bylaws [*Continuing Education Program*]; and
 - (d) a section setting out
 - (i) the organizational structure of the Registrant Firm,
 - (ii) the names of the Registrant Firm's Responsible Officer and Responsible Registrant(s),

- (iii) the Registrant Firm's area(s) of practice, and
 - (iv) the Responsible Registrant(s) designated to each area of practice at the Registrant Firm.
- (e) a policy regarding the use of the Permit to Practice Number by individuals employed by or under contract with the Registrant Firm.
- (2) A Registrant Firm's Professional Practice Management Plan must have documented approval by the Responsible Officer and each Responsible Registrant of the Registrant Firm.
- (3) A Registrant Firm's Professional Practice Management Plan must be in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm.
- (4) A Registrant Firm must adhere to the Registrant Firm's Professional Practice Management Plan.
- (5) A Registrant Firm must ensure that individuals employed by or under contract with the Registrant Firm are provided access to, understand the content of, and adhere to the Registrant Firm's Professional Practice Management Plan.
- (6) Despite subsections (4) and (5), a Registrant Firm or an individual Registrant may depart from the quality management requirements included in the Registrant Firm's Professional Practice Management Plan pursuant to subsection (1)(b) if it is appropriate to do so for an identified reason, which must be
 - (a) documented by the Registrant Firm or the individual Registrant, and
 - (b) supported by a written rationale that is consistent with the Registrant Firm's or the individual Registrant's obligations pursuant to the PGA, applicable regulations, and the Bylaws.
- (7) A Registrant Firm must
 - (a) annually review and, if necessary, revise the Registrant Firm's Professional Practice Management Plan to ensure its suitability and effectiveness,
 - (b) document the annual review conducted pursuant to subsection (a), and the approval of the review by the Responsible Officer and each Responsible Registrant at the Registrant Firm, and
 - (c) when requested by EGBC, submit the Registrant Firm's Professional Practice Management Plan to EGBC within 5 business days.

- (8) A Registrant Firm must retain all approved versions of the Registrant Firm's Professional Practice Management Plan for a minimum of 10 years after the Professional Practice Management Plan is no longer in use by the Registrant Firm.
- (9) A non-practising Registrant Firm is exempt from the requirements set out in subsections 7(a) and (b) of the Bylaws while maintaining its non-practising status.

7.7.4 Suspension or Cancellation of a Registrant Firm's Registration and Permit to Practice

- (1) If a Registrant Firm's registration is suspended or under any limitation, condition, or restriction for any period pursuant to the PGA or the Bylaws, the Registrant Firm's Permit to Practice is also suspended or under the same limitation, condition, or restriction for that same period.
- (2) If a Registrant Firm's registration is cancelled pursuant to the PGA or the Bylaws, the Registrant Firm's Permit to Practice is also cancelled.

7.8 Prohibited Contracts

- (1) A Registrant must not enter into or agree to enter into any contract that would result in or require the breach of any duty under the PGA, associated regulations, or the Bylaws, including any of the duties pursuant to this Part, except as required or authorized by law.

8 Audit and Practice Review

8.1 Definitions

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

8.2 Powers of the Audit and Practice Review Committee

- (1) In addition to functions and powers assigned to it under the PGA and set out elsewhere in the Bylaws, the Audit and Practice Review Committee has the functions and duties delegated to it by the Council in subsections (2) and (3).
- (2) The Council authorizes the Audit and Practice Review Committee to exercise the Council’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 Council authorizes the Audit and Practice Review Committee to act pursuant to the following sections of the PGA:
 - (a) section 32(5)(b) of the PGA [*Officers and committees*], to delegate the powers granted by the Council to the Audit and Practice Review Committee pursuant to section 63(2)(b) of the PGA [*Audits and practice reviews*] to
 - (i) the Registrar, so that the Registrar may appoint assessors for the purpose of conducting an area of practice audit, and
 - (ii) one or more other officers, so that the officer(s) may appoint assessors for the purposes of conducting a compliance audit or a practice review;
 - (b) section 63(2) of the PGA [*Audits and practice reviews*].

- (4) The Audit and Practice Review Committee, an assessor appointed by the Audit and Practice Review Committee, or a person acting on behalf of the Audit and Practice Review Committee may only disclose or provide the following to any other person, including another Committee of EGBC, if the conditions set out in section 110(3)(a) or (b) of the PGA [*Confidentiality – committee matters*] are satisfied:
 - (a) records or information provided to the Audit and Practice Review Committee, an assessor appointed by the Audit and Practice Review Committee, or a person acting on behalf of the Audit and Practice Review Committee;
 - (b) a self assessment prepared by a Registrant for a practice review.
- (5) The Audit and Practice Review Committee, an assessor appointed by the Audit and Practice Review Committee, or a person acting on behalf of the Audit and Practice Review Committee must notify the Investigation Committee if the conditions set out in section 110(4) of the PGA [*Confidentiality – committee matters*] are satisfied.

8.3 Powers of the Registrar

- (1) The Council authorizes the Registrar to exercise the Council's powers pursuant to section 63(3) of the PGA [*Audits and practice reviews*], to authorize an area of practice audit as set out in section 8.8 of the Bylaws [*Audit Program for an Area of Practice*].

8.4 Appointment of Assessors

- (1) An officer may appoint one or more employees of EGBC, contractors retained by EGBC, or subject matter experts as assessors to conduct a compliance audit or a practice review.
- (2) A subject matter expert cannot be appointed as an assessor to conduct a compliance audit or a practice review pursuant to subsection (1) if the subject matter expert has or had a relationship with a Registrant subject to a compliance audit or a Registrant subject to practice review that would reasonably compromise that subject matter expert's objectivity as an assessor.
- (3) The Registrar may appoint one or more employees of EGBC, contractors retained by EGBC, or subject matter experts as assessors to conduct an area of practice audit.

8.5 Commencement of Audit and Practice Review Programs

- (1) The following programs will commence on a date to be determined by the Audit and Practice Review Committee:
 - (a) The compliance audit program for individual Registrants, as set out in section 8.6 of the Bylaws [*Compliance Audit Program for Individual Registrants*];
 - (b) The compliance audit program for Registrant Firms, as set out in section 8.7 of the Bylaws [*Compliance Audit Program for Registrant Firms*];

- (c) The practice review program for Registrant Firms, as set out in section 8.10 of the Bylaws [*Practice Review of Registrant Firms*].
- (2) [Repealed 2021-12-03].
- (3) [Repealed 2021-12-03].
- (4) [Repealed 2021-12-03].
- (5) [Repealed 2021-12-03].

8.6 Compliance Audit Program for Individual Registrants

- (1) The Council must annually determine the percentage of individual Registrants who will be selected for a compliance audit through a random selection process.
- (2) The Audit and Practice Review Committee must annually determine risk-based criteria to inform the random selection of individual Registrants for a compliance audit.
- (3) The following individual Registrants are exempt from a compliance audit:
 - (a) Trainees;
 - (b) individual Registrants who are Sole Practitioners;
 - (c) individual Registrants who have undergone a compliance audit in the previous 5 years;
 - (d) individual Registrants who are employed by a Registrant Firm that has undergone an audit in the previous 12 months and the Registrant Firm has been found to be in compliance;
 - (e) life members or life limited licensees.
- (4) An individual Registrant selected for a compliance audit must be provided with written notice of the compliance audit.
- (5) An individual Registrant selected for a compliance audit may be granted an exemption from a compliance audit by
 - (a) an officer appointed by the Audit and Practice Review Committee, if the individual Registrant is unemployed, on parental leave, medical leave, or compassionate care leave, or
 - (b) the Audit and Practice Review Committee, if the individual Registrant has other extenuating circumstances.

- (6) An individual Registrant subject to a compliance audit must co-operate with the compliance audit process, including
 - (a) answering questions posed to the individual Registrant,
 - (b) providing all requested information, files, or records in the individual Registrant's possession or control, including information, files, or records related to the individual Registrant's continuing education, and
 - (c) undergoing an interview with an assessor, either in person or by Electronic Means, if the assessor determines that such an interview is desirable or necessary.
- (7) Through a review of the evidence provided by the individual Registrant subject to a compliance audit in subsection (6), including answers, information, files, or records, the assessor must assess whether the individual Registrant is in compliance with all applicable regulatory requirements, which may include
 - (a) applicable requirements of the continuing education program,
 - (b) applicable quality management standards and professional practice guidelines, and
 - (c) appropriately declaring the individual Registrant's industry of practice and area(s) of practice, if applicable.
- (8) Based on the assessor's assessment pursuant to subsection (7), the assessor must do one of the following:
 - (a) in the case of full compliance, close the compliance audit file, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit;
 - (b) in the case of a Minor Non-Conformance, prescribe corrective action that the individual Registrant must satisfactorily complete within a specified time period;
 - (c) in the case of a Major Non-Conformance, refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit.
- (9) If the individual Registrant subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (8)(b) within the specified time period,
 - (a) the assessor must close the compliance audit file, and
 - (b) the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit.

- (10) If the individual Registrant subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (8)(b) within the specified time period, the assessor must do one of the following:
- (a) extend the time period in which the individual Registrant must satisfactorily complete the corrective action prescribed pursuant to subsection (8)(b);
 - (b) refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit, including particulars of the failure to satisfactorily complete the corrective action within the specified time period.
- (11) Before an assessor refers a compliance audit file to the Audit and Practice Review Committee pursuant to subsection (8)(c) or (10)(b), the individual Registrant subject to a compliance audit must be provided with
- (a) the assessor's report of the compliance audit, and
 - (b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the compliance audit within a specified time period.
- (12) After reviewing the assessor's report of the compliance audit, any written response from the individual Registrant subject to a compliance audit, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must
- (a) prescribe corrective action that the individual Registrant must satisfactorily complete within a specified time period, which is not limited to the corrective action originally prescribed by the assessor and which may be followed by a subsequent compliance audit or compliance audits of the individual Registrant,
 - (b) authorize a practice review of the individual Registrant pursuant to section 63(4) of the PGA [*Audits and practice reviews*],
 - (c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable, or
 - (d) close the compliance audit file,
- and provide written notice to the individual Registrant.
- (13) If the individual Registrant subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (12)(a) within the specified time period, the Audit and Practice Review Committee must close the compliance audit file and provide written notice to the individual Registrant.

- (14) If the individual Registrant subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (12)(a) within the specified time period, the Audit and Practice Review Committee must
- (a) extend the time period in which the individual Registrant must satisfactorily complete the corrective action prescribed pursuant to subsection (12)(a),
 - (b) authorize a practice review pursuant to section 63(4) of the PGA [*Audits and practice reviews*], or
 - (c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable,
- and provide written notice to the individual Registrant.
- (15) In addition to any action taken by the assessor under this section of the Bylaws, the assessor may make a recommendation to the Audit and Practice Review Committee that a practice review of a Registrant be commenced on the basis of any information obtained or any assessments made in the course of the compliance audit.

8.7 Compliance Audit Program for Registrant Firms

- (1) All Registrant Firms will become eligible for an initial mandatory compliance audit to commence on or after a date to be determined by the Audit and Practice Review Committee.
- (2) Following the completion of the initial mandatory compliance audit pursuant to subsection (1), a Registrant Firm will become eligible for routine compliance audits.
- (3) The Audit and Practice Review Committee must set criteria to inform the selection of routine compliance audits for Registrant Firms and may take risk-based criteria into account in this determination.
- (4) A non-practising Registrant Firm is exempt from undergoing a compliance audit pursuant to this section of the Bylaws while maintaining its non-practising status.
- (5) A Registrant Firm selected for a compliance audit must be provided with written notice of the compliance audit.
- (6) A Registrant Firm selected for a compliance audit may be granted deferral of the compliance audit by the Audit and Practice Review Committee, upon submission of
 - (a) a written request for the deferral setting out the reasons for which the deferral is being requested and the anticipated length of the deferral, and



- (b) any documents, information, records, declarations, or other information that supports the Registrant Firm's request or that may be requested by the Audit and Practice Review Committee in assessing the Registrant Firm's request for a deferral.
- (7) A deferral of a compliance audit granted to a Registrant Firm pursuant to subsection (6) has a maximum duration of one year from the date that the deferral is granted, upon which the deferral will expire and the compliance audit may proceed, unless a further deferral is granted pursuant to subsection (6).
- (8) A Registrant Firm that has been granted a deferral of a compliance audit pursuant to subsection (6) may apply for a further deferral by the Audit and Practice Review Committee, upon submission of a further request for a deferral in accordance with the requirements set out in subsection (6).
- (9) A Registrant Firm, the Responsible Officer, and the Responsible Registrant(s) of the Registrant Firm must co-operate with the compliance audit process, including
 - (a) if the Registrant Firm has more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate
 - (i) the Registrant Firm's co-operation with the compliance audit and
 - (ii) communications on behalf of the Registrant Firm,
 - (b) answering all questions posed to the Registrant Firm,
 - (c) providing all requested information, files, or records in the Registrant Firm's possession or control, including information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, and Code of Conduct,
 - (d) facilitating site visits by the assessor, or any person designated by the assessor, to any requested work locations, including taking reasonable steps to arrange for and provide site access, any necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit, and
 - (e) ensuring compliance with any requests by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm.
- (10) A Responsible Registrant designated pursuant to subsection (9)(a) must have sufficient knowledge of the subject matter of the audit, the ability and sufficient authority to facilitate the audit as required, and the authority to make binding decisions on behalf of the Registrant Firm with respect to the audit.
- (11) If an assessor determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (9)(a) does not meet the requirements set out in subsection (10), then the assessor may direct the Responsible Officer, an Individual With Authority, or

any other individual employed by or under contract with the Registrant Firm to be designated for the purpose of coordinating the audit pursuant to subsection (9).

- (12) Through a review of the evidence provided by the Registrant Firm pursuant to subsection (9), including answers, information, files, or records, the assessor must assess whether the Registrant Firm is in compliance with all applicable regulatory requirements, including the Bylaws, guidelines, practice advisories, and policies of EGBC, as well as the quality management, continuing education, and ethics standards.
- (13) Based on the assessor's assessment pursuant to subsection (12), the assessor must do one of the following:
 - (a) in the case of full compliance, close the compliance audit file, in which case the Audit and Practice Review Committee and the Registrant Firm must be provided the with assessor's report of the compliance audit;
 - (b) in the case of a Minor Non-Conformance, prescribe corrective action that the Registrant Firm must satisfactorily complete within a specified time period; or,
 - (c) in the case of a Major Non-Conformance, refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the Registrant Firm must be provided with the assessor's report of the compliance audit.
- (14) If the Registrant Firm subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (13)(b) within the specified time period,
 - (a) the assessor must close the compliance audit file, and
 - (b) the Audit and Practice Review Committee and the Registrant Firm must be provided with the assessor's report of the compliance audit.
- (15) If the Registrant Firm subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (13)(b) within the specified time period, the assessor must do one of the following:
 - (a) extend the time period in which the Registrant Firm must satisfactorily complete the corrective action prescribed pursuant to subsection (13)(b); or,
 - (b) refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the Registrant Firm must be provided the assessor's report of the compliance audit, including particulars of the failure to satisfactorily complete the corrective action within the specified time period.
- (16) Before an assessor refers a compliance audit file to the Audit and Practice Review Committee pursuant to subsections (13)(c) or (15)(b), the Registrant Firm subject to a compliance audit must be provided with

- (a) the assessor's report of the compliance audit, and
 - (b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the compliance audit within a specified time period.
- (17) After reviewing the assessor's report of the compliance audit, any written response from the Registrant Firm subject to a compliance audit, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must do one of the following:
- (a) prescribe corrective action that the Registrant Firm must satisfactorily complete within a specified time period, which is not limited to the corrective action originally prescribed by the assessor and which may be followed by a subsequent compliance audit or audits of the Registrant Firm,
 - (b) authorize a practice review of the Registrant Firm pursuant to section 63(4) of the PGA [*Audits and practice reviews*],
 - (c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable, or
 - (d) close the compliance audit file,
- and provide written notice to the Registrant Firm.
- (18) If the Registrant Firm subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (17)(a) within the specified time period, the Audit and Practice Review Committee must close the compliance audit file and provide written notice to the Registrant Firm.
- (19) If the Registrant Firm subject to a compliance audit fails to satisfactorily complete the corrective action prescribed pursuant to subsection (17)(a) within the specified time period, the Audit and Practice Review Committee must do one of the following:
- (a) extend the time period in which the Registrant Firm must satisfactorily complete the corrective action prescribed pursuant to subsection (17)(a);
 - (b) authorize a practice review pursuant to section 63(4) of the PGA [*Audits and practice reviews*]; or
 - (c) disclose or provide records or information from the compliance audit to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable;

and provide written notice to the Registrant Firm.

- (20) In addition to any action taken by the assessor pursuant to this section of the Bylaws, the assessor may make a recommendation to the Audit and Practice Review Committee that a practice review of a Registrant be commenced on the basis of any information obtained or any assessments made in the course of the compliance audit.

8.8 Audit Program for an Area of Practice

- (1) The Registrar may authorize an area of practice audit of an identified area of practice to be completed by an assessor appointed by the Registrar for that purpose pursuant to section 8.4(3) of the Bylaws [*Appointment of Assessors*].
- (2) If the Registrar authorizes an area of practice audit pursuant to subsection (1), the Registrar must
 - (a) set out the purpose of the area of practice audit, and
 - (b) determine the percentage of Registrants practising in that area of practice who will be selected for the area of practice audit through a random selection process.
- (3) A Registrant selected for an area of practice audit must be provided with written notice of the area of practice audit.
- (4) A Registrant selected for an area of practice audit may be granted an exemption from the area of practice audit by the Registrar.
- (5) A non-practising Registrant Firm is exempt from undergoing an area of practice audit pursuant to this section of the Bylaws while maintaining its non-practising status.
- (6) A Registrant subject to an area of practice audit must co-operate with the area of practice audit process, including
 - (a) if the Registrant is a Registrant Firm with more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate
 - (i) the Registrant Firm's co-operation with the area of practice audit, and
 - (ii) communications on behalf of the Registrant Firm,
 - (b) answering questions posed to the Registrant,
 - (c) providing all requested information, files, or records in the Registrant's possession or control, and
 - (d) undergoing an interview with the assessor, either in person or by Electronic Means, if the assessor determines that such an interview is desirable or necessary.

- (7) The evidence provided by all Registrants subject to an area of practice audit pursuant to subsection (6), including answers, information, files, or records, must be compiled to produce a report on the findings of the area of practice audit and subsequent recommendations.
- (8) The report on the findings of the area of practice audit and subsequent recommendations produced pursuant to subsection (7) must be provided to the Registrar, and the Registrar may determine what action to take based on the findings of the area of practice audit and subsequent recommendations.

8.9 Practice Review of Individual Registrants

- (1) The following categories of individual Registrants are exempt from practice reviews:
 - (a) Trainees;
 - (b) life members or life limited licensees.
- (2) A practice review of an individual Registrant, other than a Registrant exempted pursuant to subsection (1), may be authorized by the Audit and Practice Review Committee pursuant to section 63(4) of the PGA [*Audits and practice reviews*], or by the Registrar or the Investigation Committee pursuant to section 65(4) of the PGA [*Complaints*], if
 - (a) the individual Registrant consents, or
 - (b) information obtained through an audit, a complaint, a practice review, or an investigation indicates that the individual Registrant might have
 - (i) contravened the PGA, the regulations or the Bylaws,
 - (ii) failed to comply with a standard, limit or condition imposed under the PGA,
 - (iii) acted in a manner that constitutes Professional Misconduct or Conduct Unbecoming a Registrant, or
 - (iv) acted in a manner that constitutes Incompetent performance of duties undertaken while engaged in the Regulated Practice.
- (3) An individual Registrant subject to practice review must be provided with written notice of the practice review.
- (4) Pursuant to section 63(5)(a) of the PGA [*Audits and practice reviews*], an individual Registrant subject to practice review must co-operate with the practice review process, including
 - (a) answering questions posed to the individual Registrant,

- (b) providing access to all requested information, files, or records in the individual Registrant's possession or control, and
 - (c) undergoing an interview with an assessor, either in person or by Electronic Means.
- (5) Before an assessor provides the assessor's report of the practice review to the Audit and Practice Review Committee, the individual Registrant subject to practice review must be provided with
 - (a) the assessor's report of the practice review, and
 - (b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the practice review within a specified time period.
- (6) After reviewing the assessor's report of the practice review, any written response from the individual Registrant subject to practice review, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must
 - (a) close the practice review file,
 - (b) pursuant to section 63(5)(c) of the PGA [*Audits and practice reviews*], impose limits or conditions on the practice of the Regulated Practice by the individual Registrant, including
 - (i) restricting the practice that may be engaged in by the individual Registrant,
 - (ii) requiring that the individual Registrant be overseen by another Registrant when engaged in the Regulated Practice, and
 - (iii) requiring that the individual Registrant undertake additional training, or
 - (c) disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable,

and provide written notice to the individual Registrant.
- (7) The Audit and Practice Review Committee may remove any limits or conditions imposed on an individual Registrant subject to practice review pursuant to subsection (6)(b) if the individual Registrant
 - (a) applies in writing to the Audit and Practice Review Committee to have the limits or conditions removed, and
 - (b) provides evidence acceptable to the Audit and Practice Review Committee that the limits or conditions are no longer necessary or have been fulfilled, as applicable.

- (8) After the removal of all limits or conditions imposed on an individual Registrant subject to practice review pursuant to subsection (6)(b), the Audit and Practice Review Committee must close the practice review file and provide written notice to the individual Registrant.
- (9) If the individual Registrant subject to practice review fails to abide by any limits or conditions imposed on the individual Registrant pursuant to subsection (6)(b), the Audit and Practice Review Committee must disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable.

8.10 Practice Review of Registrant Firms

- (1) A practice review of a Registrant Firm may be authorized by the Audit and Practice Review Committee pursuant to section 63(4) of the PGA [*Audits and practice reviews*], or by the Registrar or the Investigation Committee pursuant to section 65(4) of the PGA [*Complaints*], if
 - (a) the Registrant Firm consents, or
 - (b) information obtained through an audit, a complaint, a practice review, or an investigation indicates that the Registrant Firm might have
 - (i) contravened the PGA, the regulations or the Bylaws,
 - (ii) failed to comply with a standard, limit, or condition imposed under the PGA,
 - (iii) acted in a manner that constitutes Professional Misconduct or Conduct Unbecoming a Registrant, or
 - (iv) acted in a manner that constitutes Incompetent performance of duties undertaken while engaged in the Regulated Practice.
- (2) A Registrant Firm subject to practice review must be provided with written notice of the practice review.
- (3) Pursuant to section 63(5)(a) of the PGA [*Audits and practice reviews*], a Registrant Firm, the Responsible Officer, and the Responsible Registrant(s) of the Registrant Firm must co-operate with the practice review process, including
 - (a) if the Registrant Firm has more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate
 - (i) the Registrant Firm's co-operation with the practice review, and
 - (ii) communications on behalf of the Registrant Firm,

- (b) answering questions posed to the Registrant Firm,
 - (c) providing all requested information, files, or records in the Registrant Firm's possession or control, including information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, and Code of Conduct,
 - (d) facilitating site visits by the assessor, or anyone designated by the assessor, to any requested work locations, including arranging for and providing site access, all necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit, and
 - (e) ensuring compliance with any requests by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm, including facilitating interviews with both Registrants and non-Registrants, either in person or by Electronic Means, if the assessor determines that such interviews are desirable or necessary.
- (4) A Responsible Registrant designated pursuant to subsection (3)(a) must have sufficient knowledge of the subject matter of the practice review, the ability and sufficient authority to facilitate the practice review as required, and the authority to make binding decisions on behalf of the Registrant Firm.
- (5) If an assessor determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (3)(a) does not meet the requirements set out in subsection (4), then the assessor may direct the Responsible Officer, an Individual With Authority, or any other individual employed by or under contract with the Registrant Firm, to be designated for the purpose of coordinating the practice review pursuant to subsection (3).
- (6) Before an assessor provides the assessor's report of the practice review to the Audit and Practice Review Committee, the Registrant Firm subject to practice review must be provided with:
- (a) the assessor's report of the practice review, and
 - (b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the practice review within a specified time period.
- (7) After reviewing the assessor's report of the practice review, any written response from the Registrant Firm subject to practice review, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must do one of the following:
- (a) close the practice review file,
 - (b) pursuant to section 63(5)(c) of the PGA [*Audits and practice reviews*], impose limits or conditions on the practice of the Regulated Practice by the Registrant Firm, including:

- (i) restricting the practice that may be engaged in by the Registrant Firm and on behalf of the Registrant Firm by any individuals employed by or under contract with the Registrant Firm,
 - (ii) requiring that the work of the Registrant Firm and any individuals employed by or under contract with the Registrant Firm be overseen by another Registrant when engaged in the Regulated Practice, and
 - (iii) requiring that any individuals employed by or under contract with the Registrant Firm undertake additional training, or
 - (c) disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable,
- and provide written notice to the Registrant Firm.
- (8) The Audit and Practice Review Committee may remove any limits or conditions imposed on a Registrant Firm subject to practice review pursuant to subsection (7)(b) if the Registrant Firm
 - (a) applies in writing to the Audit and Practice Review Committee to have the limits or conditions removed, and
 - (b) provides evidence acceptable to the Audit and Practice Review Committee that the limits or conditions are no longer necessary or have been fulfilled, as applicable.
 - (9) After the removal of all limits or conditions imposed on a Registrant Firm subject to practice review pursuant to subsection (7)(b), the Audit and Practice Review Committee must close the practice review file and provide written notice to the Registrant Firm.
 - (10) If the Registrant Firm subject to practice review fails to abide by any limits or conditions imposed on the Registrant Firm pursuant to subsection (7)(b), the Audit and Practice Review Committee must disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable.

9 Complaints and Investigation

9.1 Definitions

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

9.2 Powers of the Investigation Committee

- (1) The Investigation Committee has the functions and duties assigned to it in the PGA and delegated to it by the Council in subsections (2) and (3).
- (2) The Council authorizes the Investigation Committee to exercise the Council’s powers pursuant to the following sections of the PGA and Regulations, other than the Council’s bylaw-making authority:
 - (a) section 32(1) of the PGA [*Officers and committees*], in order to appoint officers for the purpose of carrying out the powers delegated in subsection (3)(a);
 - (b) section 66(1) of the PGA [*Investigations*];
 - (c) [Repealed 2021-12-03];
 - (d) section 67(1) and (4) of the PGA [*Extraordinary action*];
 - (e) section 72(3) of the PGA [*Reprimand or remedial action by consent*];
 - (f) section 1.8 of the *Professional Governance General Regulation*, B.C. Reg. 107/2019 [*Protection of personal privacy – information on website*], in order to determine whether information should not be made publicly available despite section 82(2) of the PGA [*Information to be publicly available*].
- (3) The Council authorizes the Investigation Committee to act pursuant to the following sections of the PGA:
 - (a) section 32(5)(b) of the PGA [*Officers and committees*], to delegate the powers granted by the Council to the Investigation Committee pursuant to sections 66(1)(b) and (c) of the PGA [*Investigations*] to one or more officers;
 - (b) section 65(4) of the PGA [*Complaints*] to
 - (i) authorize a practice review pursuant to section 63 of the PGA [*Audits and practice reviews*], or
 - (ii) take action pursuant to section 66 of the PGA [*Investigations*].

9.3 Officers

- (1) All members of the Investigation Committee are appointed as officers pursuant to section 32(1) of the PGA [*Officers and committees*].

9.4 Powers of the Registrar

- (1) The Council authorizes the Registrar to act pursuant to section 65(4) of the PGA [*Complaints*] to authorize a practice review pursuant to section 63 of the PGA [*Audits and practice reviews*].

9.5 Avoiding the Appearance of Bias

- (1) A member of the Investigation Committee must not participate in the consideration or investigation of a matter in which the member of the Investigation Committee
 - (a) had involvement prior to the decision of the Investigation Committee to authorize an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*], or
 - (b) had or has a relationship with either the Complainant, a witness, or the Registrant subject to 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 Co-operation During an Investigation

- (1) An Investigator may, pursuant to section 66(1)(b) and (c) of the PGA [*Investigations*], issue a written notice to the Registrant subject to investigation requiring the Registrant subject to investigation to
 - (a) co-operate with the investigation,

- (b) provide evidence of education, training or experience in the area(s) of practice relevant to the investigation,
 - (c) answer questions in the manner specified by the Investigator(s),
 - (d) produce files, records or other evidence in the Registrant's possession or control,
 - (e) provide explanations on request,
 - (f) appear, either in person or by Electronic Means, before the Investigator(s) to discuss the conduct and competence of the Registrant subject to investigation, and
 - (g) if the Registrant is a Registrant Firm,
 - (i) produce any documentation or records requested by the Investigator, including but not limited to the Registrant Firm's corporate records, constating documents, project files, and quality management documents and records,
 - (ii) require any director, officer, individual employed by or under contract with, or any other individual authorized to act on behalf of a Registrant Firm, including the Responsible Officer, any Individual With Authority, or any Responsible Registrant of a Registrant Firm subject to investigation, to appear, either in person or by Electronic Means, before the Investigator(s) to discuss the conduct and competence of the Registrant Firm subject to investigation, and
 - (iii) if the Registrant Firm has more than one Responsible Registrant, designate one Responsible Registrant to co-ordinate
 - (A) the Registrant Firm's co-operation with the investigation, and
 - (B) communications on behalf of the Registrant Firm.
- (2) The Registrant subject to investigation may have legal counsel present at an appearance described in subsection (1)(f), or if the Registrant is a Registrant Firm, legal counsel may be present at any appearance pursuant to subsection (1)(g)(ii).
- (3) An appearance described in subsections (1)(f) and (1)(g)(ii)
- (a) is an examination under oath or affirmation,
 - (b) may be recorded by EGBC by
 - (i) audio, or
 - (ii) audio and video, and

- (c) may be transcribed by a court reporter for the purpose of preparing a certified transcript.
- (4) A Responsible Registrant designated to co-ordinate an investigation and communicate on behalf of a Registrant Firm pursuant to subsection (1)(g)(iii) must, at a minimum:
 - (a) have sufficient knowledge of the subject matter at issue in the investigation,
 - (b) have the authority and ability to facilitate the investigation as required by the Investigator, and
 - (c) be an Individual With Authority at the Registrant Firm.
- (5) If the Investigation Committee determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (1)(g)(iii) fails to meet any of the requirements set out in subsection (4) then the Investigation Committee may direct the Responsible Officer, an Individual With Authority, or any other individual employed by or under contract with the Registrant Firm to be designated for the purpose of coordinating the investigation and communicating on behalf of the Registrant Firm.
- (6) In addition to complying with any written notice issued pursuant to subsection (1), a Registrant subject to investigation must facilitate all requests and actions by an ~~Inspector~~ Investigator pursuant to section 69 of the PGA [*Powers and duties of ~~inspectors~~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 ~~Inspector's~~ Investigator's examination of the premises,
 - (b) any employees, contractors, or personnel who engage in the Regulated Practice under the supervision of or on behalf of the Registrant,
 - (c) all files, documents, and records, electronic or otherwise, relating to the Registrant's Regulated Practice, and
 - (d) any equipment, or materials used by a Registrant to engage in the Regulated Practice.

9.7.6 Conclusion of an Investigation

- (1) At the conclusion of an investigation, the Investigator(s) must provide a written report to the Investigation Committee detailing the evidence gathered during the investigation, an assessment of the evidence gathered during the investigation, and the recommendations of the Investigator(s).

9.7.7 Decision by the Investigation Committee

- (1) After deeming an investigation to be complete pursuant to section 9.7.1(2)(b)(ii) of the Bylaws [*Authorizing an Investigation*], or after receipt of a written report prepared pursuant to section 9.7.6(1) of the Bylaws [*Conclusion of an Investigation*], the Investigation Committee may do any of the following:
 - (a) close the investigation file, with the option to write a letter of recommendation to the Registrant subject to investigation suggesting how the Registrant can improve their practice or conduct;
 - (b) close the investigation file and, pursuant to section 65(4) of the PGA [*Complaints*], authorize a practice review of the Registrant subject to investigation to be conducted by the Audit and Practice Review Committee, except where the Registrant subject to investigation is a Trainee who may not be referred to the Audit and Practice Review Committee for a practice review;
 - (c) attempt to resolve one or more of the matters subject to investigation by means other than a discipline hearing, pursuant to section 9.9 of the Bylaws [*Resolution by the Investigation Committee*];
 - (d) pursuant to section 66(1)(d) of the PGA [*Investigations*] issue a citation ordering a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*] to inquire into the conduct or competence of the Registrant subject to investigation.
- (2) When deciding to issue a citation pursuant to subsection (1)(d), the Investigation Committee may also make a recommendation to the Discipline Committee that the Discipline Committee consider taking action pursuant to section 67 of the PGA [*Extraordinary action*].
- (3) The Investigation Committee must inform and provide written reasons for its decision made pursuant to subsection (1) to
 - (a) the Registrant subject to investigation, and
 - (b) the Complainant, if the investigation is based on a complaint.
- (4) The members of any Investigation Subcommittee or Resolution Subcommittee must not vote on the disposition of the investigation pursuant to subsection (1).

9.8 Issuance and Rescission of a Citation

- (1) Pursuant to section 66(1)(d) of the PGA [*Investigations*], if the Investigation Committee determines that it is in the public interest, and if the Investigation Committee has reasonable and probable grounds to believe that the Registrant subject to investigation may be guilty of
 - (a) Professional Misconduct,

- (b) Conduct Unbecoming a Registrant, or
- (c) Incompetent performance of duties undertaken while engaged in the Regulated Practice,

the Investigation Committee may issue a citation ordering a discipline hearing pursuant to section 75 of the PGA [*Discipline hearings*] to inquire into the conduct or competence of the Registrant subject to investigation.

- (2) The Investigation Committee may amend or rescind, in whole or in part, a citation issued pursuant to subsection (1).

9.9 Resolution by the Investigation Committee

- (1) If the Investigation Committee makes a determination pursuant to section 9.7.7(1)(c) of the Bylaws [*Decision by the Investigation Committee*], the Investigation Committee may appoint a Resolution Subcommittee to oversee and take responsibility for attempting to resolve one or more of the matters subject to investigation by one or more of the following methods:
 - (a) make a request in writing for an undertaking or reprimand by consent to the Registrant subject to investigation pursuant to section 72 of the PGA [*Reprimand or remedial action by consent*];
 - (b) propose a consent order in writing to the Registrant subject to investigation pursuant to section 73 of the PGA [*Consent orders*];
 - (c) enter into the Alternative Complaint Resolution process with the Registrant subject to investigation pursuant to section 74 of the PGA [*Alternative complaint resolution*].
- (2) If the Registrant subject to investigation is a Registrant Firm, any undertaking or reprimand by consent, consent order, or agreement entered into following an Alternative Complaint Resolution Process pursuant to subsection (1) must be agreed to and endorsed by an Individual With Authority at the Registrant Firm.

9.9.1 Reprimand or Remedial Action by Consent

- (1) In relation to one or more of the matters investigated pursuant to section 66(1) of the PGA [*Investigations*], the Investigation Committee or the Resolution Subcommittee may make a request pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*].
- (2) In case of an undertaking pursuant to section 72(1)(b) or (d) of the PGA [*Reprimand or remedial action by consent*], the record of the undertaking must specify
 - (a) the period of time during which the educational courses or any other action specified by the Audit and Practice Review Committee is to be completed or is binding on the Registrant subject to investigation, and

- (b) the procedure, if any, that the Registrant subject to investigation may follow to be released from the undertaking.
- (3) If the Registrant subject to investigation agrees to an undertaking or reprimand by consent requested pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], the agreement must be approved by the Investigation Committee.
- (4) If the Registrant subject to investigation rejects an undertaking or reprimand by consent requested pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], the Investigation Committee may
 - (a) direct the Registrar to issue a citation for a hearing by the Discipline Committee pursuant to section 72(3) of the PGA [*Reprimand or remedial action by consent*], or
 - (b) continue with the investigation process as though the offer to resolve one or more matters by means of an undertaking or reprimand by consent pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*] had not been made.
- (5) The members of a Resolution Subcommittee must not, for the same matter, vote on a decision by the Investigation Committee pursuant to subsection (3) or (4).

9.9.2 Consent Orders

- (1) In relation to one or more of the matters investigated pursuant to section 66(1) of the PGA [*Investigations*], the Investigation Committee or the Resolution Subcommittee may, pursuant to section 73 of the PGA [*Consent orders*], propose a consent order in writing to the Registrant subject to investigation.
- (2) If the Registrant subject to investigation agrees to a consent order proposed pursuant to section 73(1) of the PGA [*Consent orders*], the agreement must be approved by the Investigation Committee.
- (3) A consent order made between the Investigation Committee and the Registrant subject to investigation must meet the requirements set out in section 73 of the PGA [*Consent orders*].
- (4) The members of a Resolution Subcommittee must not, for the same matter, vote on a decision by the Investigation Committee pursuant to subsection (2).

9.9.3 Alternative Complaint Resolution by the Investigation Committee

- (1) In relation to one or more of the matters investigated pursuant to section 66(1) of the PGA [*Investigations*], the following parties may agree to engage in Alternative Complaint Resolution pursuant to section 74 of the PGA [*Alternative complaint resolution*]:
 - (a) the Investigation Committee;

- (b) the Registrant subject to investigation;
 - (c) the Registrar.
- (2) Any party may withdraw from the Alternative Complaint Resolution process at any time by providing written notice to the other parties.
- (3) The apportionment of costs incurred through Alternative Complaint Resolution, other than any respective legal costs of the parties, must be agreed upon by the parties prior to the commencement of the Alternative Complaint Resolution process, unless the parties agree otherwise.

10 Discipline

10.1 Definitions

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

10.2 Powers of the Discipline Committee

- (1) The Discipline Committee has the functions and duties assigned to it in the PGA and delegated to it by the Council pursuant to subsections (2) and (3).
- (2) The Council authorizes the Discipline Committee to exercise the Council’s powers pursuant to the following sections of the PGA and Regulations:
 - (a) section 32(1) of the PGA [*Officers and committees*], in order to appoint officers for the purpose of carrying out powers of the Discipline Committee as delegated in this Part of the Bylaws;
 - (b) section 67(1) and (4) of the PGA [*Extraordinary action*];
 - (c) section 1.8 of the *Professional Governance General Regulation*, B.C. Reg. 107/2019 [*Protection of personal privacy – information on website*] in order to determine whether information should not be made publicly available despite section 82(2) of the PGA [*Information to be publicly available*].
- (3) The Council authorizes the Discipline Committee to act pursuant to section 32(5)(b) of the PGA [*Officers and committees*], to delegate to one or more officers the powers granted to the Discipline Committee by the Council pursuant to sections 67(1) and (4) of the PGA [*Extraordinary action*].

10.3 Officers and Discipline Committee Panels

- (1) All members of the Discipline Committee are appointed as officers pursuant to section 32(1) of the PGA [*Officers and committees*].
- (2) The chair or vice chair of the Discipline Committee may do one or more of the following:
 - (a) appoint members of the Discipline Committee to serve on a Panel;
 - (b) terminate an appointment to a Panel;
 - (c) refer a matter that is before the Discipline Committee to the following Panels:
 - (i) an Extraordinary Action Panel, to take action pursuant to section 67 of the PGA [*Extraordinary action*];

- (ii) a Discipline Resolution Panel, to take action pursuant to sections 72 to 74 of the PGA;
 - (iii) a Discipline Hearing Panel, to take action pursuant to section 75 or 76 of the PGA.
- (3) On the appointment of members of the Discipline Committee to an Extraordinary Action Panel pursuant to subsection (2)(a), the Discipline Committee is deemed to have delegated to the members of the Extraordinary Action Panel the powers granted to the Discipline Committee by the Council pursuant to sections 67(1) and (4) of the PGA [*Extraordinary action*].
- (4) On the appointment of members of the Discipline Committee to a Discipline Resolution Panel pursuant to subsection (2)(a), the Discipline Committee is deemed to have delegated to the members of the Discipline Resolution Panel the powers of the Discipline Committee pursuant to sections 72 to 74 of the PGA.
- (5) A member of the Discipline Committee must not sit on more than one Panel concerning the same matter.

10.4 Avoiding the Appearance of Bias

- (1) A member of the Discipline Committee must not sit on a Panel concerning a matter in which the member of the Discipline Committee
- (a) had involvement prior to the matter being referred to the Panel pursuant to section 10.3(2)(c) of the Bylaws [*Officers and Discipline Committee Panels*], or
 - (b) had or has a relationship with either the Complainant, a witness, or the Registrant subject to discipline

that would reasonably compromise the member's objectivity.

10.5 Extraordinary Action to Protect the Public

- (1) An Extraordinary Action Panel may, if it considers that it is necessary to protect the public interest, take action pursuant to section 67 of the PGA [*Extraordinary action*]
- (a) ~~d~~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 ~~Discipline Committee~~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, ~~in the opinion of the Discipline Committee, would~~ 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 ~~take action~~ 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)~~ (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 ~~Inspectors~~ Investigators for EGBC pursuant to section 68 of the PGA [~~Inspectors~~ 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

Upon receipt of a written request from a Respondent stating that the Respondent will suffer financial hardship if the Respondent is required to pay costs within 30 days of the date of the order for costs, the Registrant must be granted a one-time, 30-day extension for payment of costs imposed on the Respondent pursuant to section 10.9 of Bylaws [*Assessment of Costs After a Discipline Hearing*].

11 Public Disclosure of Disciplinary Orders

11.1 Definitions

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

11.2 Publication of Citations

- (1) If a citation is issued pursuant to section 66(1)(d) of the PGA [*Investigations*] or 72(3) of the PGA [*Reprimand or remedial action by consent*], EGBC must publish the full text of the citation on a public website maintained by EGBC at least 30 days in advance of the date of the discipline hearing.
- (2) Despite subsection (1), prior to publishing the citation, the Investigation Committee may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information if the Investigation Committee determines that the public interest in the information being made publicly available is outweighed by the privacy interest of
 - (a) a person other than the Registrant subject to discipline, or
 - (b) the subject Registrant if the Registrant suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs.
- (3) If the Investigation Committee makes a determination pursuant to subsection (2), the publication of the citation must include a note that information has been withheld.

11.3 Public Attendance at a Discipline Hearing

- (1) A discipline hearing must be public.
- (2) At least 30 days in advance of the date of the discipline hearing, EGBC must publish the anticipated date and time of the discipline hearing, including, if determined by the Discipline Hearing Panel, whether the hearing is anticipated to proceed in person, by Electronic Means, in writing, or by any combination thereof.
- (3) Despite subsection (1), in extraordinary circumstances, the Discipline Hearing Panel may make an order excluding the public from all or part of a discipline hearing if the Discipline Hearing Panel determines that
 - (a) there are reasons for confidentiality that may be disclosed at the hearing that outweigh the public interest in having an open hearing, or
 - (b) the safety of a person may be jeopardized.
- (4) The Discipline Hearing Panel may limit the number of people who may attend a discipline hearing given the capacity of the facility in which the discipline hearing is being held or the capabilities of the Electronic Means.

- (5) No person may make a visual or audio recording of a discipline hearing unless granted permission by the Discipline Hearing Panel prior to the discipline hearing commencing.

11.4 Publication of Disciplinary Orders

- (1) EGBC must publish the full text of a Disciplinary Order on a public website maintained by EGBC within 30 days of the date of the Disciplinary Order.
- (2) In addition to subsection (1), EGBC may publish a summary or the full text of a Disciplinary Order by other methods, including by one or more of the following means:
 - (a) in any of EGBC's electronic or paper communications;
 - (b) in a press release;
 - (c) in a local newspaper;
 - (d) in a legal research or decision database.
- (3) Despite subsection (1) and (2), prior to publishing the full text or a summary of a Disciplinary Order, the Investigation Committee or a Panel of the Discipline Committee, as applicable, may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information if the Investigation Committee or a Panel of the Discipline Committee, as applicable, determines that the public interest in the information being made publicly available is outweighed by the privacy interest of
 - (a) a person other than the Registrant subject to investigation or discipline, or
 - (b) the subject Registrant if the Registrant suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs.
- (4) If the Investigation Committee or a Panel of the Discipline Committee, as applicable, makes a determination pursuant to subsection (3), the publication of the Disciplinary Order must include a note that information has been withheld.
- (5) Despite subsection (1) and (2), prior to publishing the full text or a summary of a Disciplinary Order that is a consent or undertaking given pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], the Investigation Committee or Discipline Resolution Panel, as applicable, may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information of the Registrant subject to investigation or discipline, if the following conditions are met:
 - (a) the consent or undertaking given pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*] does not impose limitations or conditions on the Regulated Practice by the Registrant subject to investigation or discipline; and

- (b) the Investigation Committee or Discipline Resolution Panel, as applicable, determines that non-publication is in the public interest.
- (6) Despite subsections (1) and (2), if the Registrar determines that the public interest in a Disciplinary Order being made publicly available is outweighed by the potential prejudice to another investigation or disciplinary matter, the Registrar may temporarily withhold from publication the minimum portion of the Disciplinary Order, which could include the entirety of the Disciplinary Order, as necessary to prevent the potential prejudice.
- (7) If publication of a Disciplinary Order is temporarily withheld pursuant to subsection (6), EGBC must:
 - (a) notify the Superintendent of Professional Governance within 30 days of the date of the Disciplinary Order that is to be temporarily withheld from publication,
 - (b) publish a note on EGBC's public website stating that certain information is being temporarily withheld to ensure the fair conclusion of another proceeding, and
 - (c) publish the Disciplinary Order that is being temporarily withheld from publication within 30 days of the date that the related investigation or disciplinary matter has been concluded, or as soon as there is no longer any risk of potential prejudice to another investigation or disciplinary matter from publication of the Disciplinary Order.

11.5 Retention and Archiving of Disciplinary Order

- (1) A Disciplinary Order setting out a restriction or suspension of a Registrant's registration or, if the Registrant is a Registrant Firm, a restriction or suspension of a Registrant Firm's registration and Permit to Practice, must remain posted on a public website maintained by EGBC for the course of the restriction or suspension, and then must be moved to an archive section of a public website maintained by EGBC.
- (2) A Disciplinary Order setting out the cancellation of an individual Registrant's registration will remain permanently posted on a public website maintained by EGBC.
- (3) Despite subsection (2), upon receiving notice of the death of a former individual Registrant subject to a Disciplinary Order setting out the cancellation of the individual Registrant's registration, EGBC must move the Disciplinary Order to a permanent archive section of a public website maintained by EGBC.
- (4) A Disciplinary Order setting out a cancellation of a Registrant Firm's registration and Permit to Practice must remain permanently posted on a public website maintained by EGBC.

11.6 Publication of Dismissed Citations

- (1) If the Discipline Hearing Panel dismisses all elements of a citation pursuant to section 75(5)(a) of the PGA [*Discipline hearings*], EGBC must publish the reasons for the decision on a public website maintained by EGBC within 30 days of the date of the decision.
- (2) Despite subsection (1), prior to publishing the reasons for a decision dismissing all elements of a citation pursuant to section 75(5)(a) of the PGA [*Discipline hearings*], the Discipline Hearing Panel may anonymize, redact, or otherwise not make publicly available any identifying, personal, or sensitive information of
 - (a) a person other than the Registrant subject to discipline, or
 - (b) the subject Registrant, unless the Registrant makes a request that the information be published.

12 Transitional Provisions

12.1 Repeal of Bylaws Previously in Force

- (1) All of the bylaws of EGBC previously in force are repealed when these Bylaws come into force.

Schedule A – Code of Ethics

- (1) A registrant must adhere to the following Code of Ethics:

Registrants must act at all times with fairness, courtesy and good faith toward all persons with whom the registrant has professional dealings, and in accordance with the public interest. Registrants must uphold the values of truth, honesty and trustworthiness and safeguard human life and welfare and the environment. In keeping with these basic tenets, registrants must:

1. hold paramount the safety, health, and welfare of the public, including the protection of the environment and the promotion of health and safety in the workplace;
2. practice only in those fields where training and ability make the registrant professionally competent;
3. have regard for the common law and any applicable enactments, federal enactments or enactments of another province;
4. have regard for applicable standards, policies, plans and practices established by the government or EGBC;
5. maintain competence in relevant specializations, including advances in the regulated practice and relevant science;
6. provide accurate information in respect of qualifications and experience;
7. provide professional opinions that distinguish between facts, assumptions and opinions;
8. avoid situations and circumstances in which there is a real or perceived conflict of interest and ensure conflicts of interest, including perceived conflicts of interest, are properly disclosed and necessary measures are taken so a conflict of interest does not bias decisions or recommendations;
9. report to EGBC and, if applicable, any other appropriate authority, if the registrant, on reasonable and probable grounds, believes that:
 - a. the continued practice of a regulated practice by another registrant or other person, including firms and employers, might pose a risk of significant harm to the environment or to the health or safety of the public or a group of people; or
 - b. a registrant or another individual has made decisions or engaged in practices which may be illegal or unethical;

10. present clearly to employers and clients the possible consequences if professional decisions or judgments are overruled or disregarded;
11. clearly identify each registrant who has contributed professional work, including recommendations, reports, statements or opinions;
12. undertake work and documentation with due diligence and in accordance with any guidance developed to standardize professional documentation for the applicable profession; and
13. conduct themselves with fairness, courtesy and good faith towards clients, colleagues and others, give credit where it is due and accept, as well as give, honest and fair professional comment.

Schedule B – Credentials and Discipline Hearing Procedure

1.1 Definitions

(1) In this Schedule,

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

“Decision Maker” means

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

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

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

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

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

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

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

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

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

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

1.2 Application of this Schedule

- (1) The procedural rules in this Schedule apply only to
 - (a) a credentials hearing held by the Registrar pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], and
 - (b) a discipline hearing held by a Discipline Hearing Panel pursuant to section 10.7 of the Bylaws [*Discipline Hearings*],
 unless otherwise ordered by the respective Decision Maker.

1.3 Parties and Representation

- (1) The parties to a hearing are
 - (a) the Applicant/Respondent, and
 - (b) EGBC.
- (2) A Registrant Firm must be represented in a Proceeding by an Individual With Authority or other individual who is duly authorized to make submissions and legally binding decisions on behalf of the Registrant Firm, and must provide notice to EGBC with the name and contact information for the representative, except where represented by legal counsel pursuant to subsections (4) and (5).
- (3) After receiving written notice including the contact information of a representative designated pursuant to subsection (2), any information or documents that EGBC is required to deliver to the Applicant/Respondent must be delivered to the individual designated to represent the Registrant Firm pursuant to subsection (2), except where the Registrant Firm is represented by legal counsel pursuant to subsections (4) and (5).
- (4) The Applicant/Respondent and EGBC may be represented by legal counsel in a Proceeding.
- (5) If the Applicant/Respondent is represented by legal counsel in a Proceeding,
 - (a) the Applicant/Respondent must provide EGBC with written notice of the name and contact information of the Applicant's/Respondent's legal counsel, and
 - (b) after receiving written notice of the name and contact information of the Applicant's/Respondent's legal counsel, any information or documents that EGBC is required to deliver to the Applicant/Respondent must be delivered to the Applicant's/Respondent's legal counsel which will constitute delivery to the Applicant/Respondent.

- (6) If the legal counsel for the Applicant/Respondent withdraws as legal counsel, EGBC is entitled to use the personal and unique email address of the Applicant/Respondent, or if the Applicant/Respondent is a Registrant Firm, the contact information for the individual designated to represent the Registrant Firm pursuant to subsection (2), as the address for delivery for any information or documents to the Applicant/Respondent, unless the withdrawing legal counsel or the Applicant/Respondent specify a different email address for delivery.
- (7) The Decision Maker may retain legal counsel or other assistance in conducting a Proceeding.

1.4 Combining Proceedings

- (1) If two or more Proceedings before the Discipline Committee involve
 - (a) the same Registrant, or
 - (b) the same or similar questions of fact, law, or policy,
 the Discipline Committee may, without the consent of the parties, combine the Proceedings or any part of them or hear the Proceedings at the same time.

1.5 Disclosure and Evidence

- (1) Unless otherwise agreed by the parties or ordered by the Decision Maker, EGBC must make disclosure to the Applicant/Respondent in the following manner:
 - (a) expert reports, or a summary of the anticipated evidence of an expert if no report is produced, at least 60 days prior to the commencement of a hearing;
 - (b) all relevant written or documentary evidence at least 30 days prior to the commencement of a hearing;
 - (c) a list of the witnesses that EGBC expects to call at least 30 days prior to the commencement of the hearing;
 - (d) will-say statements of the witnesses that EGBC expects to call at least 15 days prior to the commencement of a hearing.
- (2) Unless otherwise agreed by the parties or ordered by the Decision Maker, the Applicant/Respondent must provide the following to EGBC:
 - (a) expert reports, or a summary of the anticipated evidence of an expert if no report is produced, at least 30 days prior to the commencement of a hearing;
 - (b) all written or documentary evidence on which the Applicant/Respondent intends to introduce at the hearing that has not already been disclosed by EGBC, at least 15 days prior to the commencement of a hearing;

- (c) a list of the witnesses that the Applicant/Respondent expects to call at least 15 days prior to the commencement of a hearing;
 - (d) will-say statements of the witnesses that the Applicant/Respondent expects to call at least 7 days prior to the commencement of a hearing.
- (3) A failure to comply with a timeline in subsection (1) or (2) does not make the document or evidence inadmissible, subject to the Decision Maker's obligation to ensure procedural fairness.

1.6 Pre-Hearing Conference

- (1) The Decision Maker may convene a pre-hearing conference, either on its own motion or on the motion of a party made with written notice to the other party.
- (2) The Decision Maker must, in consultation with the parties, identify and provide written notice of the date, time, and location of the pre-hearing conference, including whether the pre-hearing conference will be conducted
 - (a) in writing,
 - (b) in person,
 - (c) by Electronic Means, or
 - (d) in any combination of (a), (b) and (c).
- (3) The Decision Maker may determine any procedural matter at a pre-hearing conference that will foster the fair, just, and timely disposition of the hearing.
- (4) The purposes of a pre-hearing conference include the following:
 - (a) identifying, simplifying, or narrowing the issues in dispute;
 - (b) resolving matters of procedure or evidence that can fairly be addressed prior to a hearing, either on the motion of a party or on the Decision Maker's own motion;
 - (c) scheduling the time and place of the hearing, including determining whether the hearing will be conducted in person, by Electronic Means, in writing, or by any combination thereof;
 - (d) identifying admissions or facts agreed upon by the parties;
 - (e) deciding upon applications made to vary any of the timelines set out in section 1.5(1) and (2) of this Schedule [*Disclosure and Evidence*];

- (f) determining the matters set out in section 1.10(6) and (7) of this Schedule [*Witnesses*];
 - (g) otherwise setting timelines for the orderly conduct of the Proceeding, including pre-hearing steps;
 - (h) setting time limits, if appropriate, on
 - (i) the presentation of evidence,
 - (ii) the examination and cross-examination of witnesses, and
 - (iii) the presentation of opening and closing submissions;
 - (i) taking any steps necessary to ensure the best interests of witnesses are protected;
 - (j) determining the estimated duration of the hearing;
 - (k) resolving any other matter that may assist in the fair, just, and timely disposition of the hearing.
- (5) A Decision Maker may direct that a hearing be conducted in writing pursuant to subsection (4)(c) if the Decision Maker is satisfied that:
- (a) the Decision Maker can find the necessary facts to come to its decision based on the written record, despite any potential conflicts in the evidence; and,
 - (b) the Decision Maker making a decision on the basis of written submissions would not result in unfairness to any party.
- (6) Submissions made by the parties at a pre-hearing conference are not admissible as evidence in a hearing.

1.7 Motions

- (1) A motion is an application to the Decision Maker for an interlocutory order.
- (2) All motions must be heard at a scheduled pre-hearing conference, unless otherwise ordered by the Decision Maker.
- (3) A motion must
 - (a) be made in writing,
 - (b) set out the grounds for the motion,
 - (c) set out the relief requested, and

- (d) be accompanied by any evidence to be relied upon.
- (4) The party bringing the motion must deliver the motion and any accompanying evidence to the Decision Maker and the other party at least 7 business days prior to the date set for the hearing of the motion.
- (5) The party responding to the motion may prepare a reply to the motion, which must be
 - (a) made in writing,
 - (b) set out the position of the party responding to the motion and the grounds for that position, and
 - (c) be accompanied by any evidence to be relied upon.
- (6) The party responding to the motion must deliver the reply to the motion and any accompanying evidence to the Decision Maker and the other party at least 2 business days prior to the date set for the hearing of the motion.
- (7) The Decision Maker may allow or require oral submissions from the parties in respect of the motion.

1.8 Adjournments

- (1) A party may apply in writing to the Decision Maker for an adjournment of a hearing.
- (2) An application for an adjournment must comply with the rules in section 1.7 of this Schedule [*Motions*], unless the Decision Maker is satisfied that special circumstances exist.
- (3) In considering an application for an adjournment, the Decision Maker may consider one or more of the following:
 - (a) the reason for the adjournment;
 - (b) whether the adjournment would cause unreasonable delay;
 - (c) the impact on the parties that would result from granting or refusing the adjournment;
 - (d) the public interest.
- (4) The Decision Maker may
 - (a) grant an adjournment,
 - (b) grant an adjournment on terms or with conditions, or
 - (c) refuse to grant an adjournment.

1.9 Hearing

- (1) As directed by the Decision Maker, a hearing will be conducted
 - (a) in writing,
 - (b) in person,
 - (c) by Electronic Means, or
 - (d) in any combination of (a), (b) and (c).
- (2) If a hearing has not yet been scheduled, the Decision Maker must schedule a hearing and provide written notice to the parties of the date(s), time(s), and location(s) or method(s) of the hearing.
- (3) A hearing must be open to the public, unless the Decision Maker determines it would be appropriate to hold some or all of the hearing in private.
- (4) A court reporter must keep a record of the hearing.
- (5) A person attending a hearing must not record any part of the hearing without the consent of the Decision Maker.
- (6) The Decision Maker may determine the procedures to be followed at a hearing, consistent with the principles of procedural fairness.
- (7) In a discipline hearing, both EGBC and the Respondent may
 - (a) present evidence,
 - (b) reply to evidence,
 - (c) call witnesses,
 - (d) cross-examine the opposing party's witnesses,
 - (e) re-examine witnesses,
 - (f) make submissions, and
 - (g) reply to the opposing party's submissions.
- (8) A party to a Proceeding must not put a document to a witness in cross-examination without having provided reasonable disclosure of the document to the opposing party in advance.

- (9) The rules of evidence must not be strictly applied, subject to the Decision Maker's obligation to ensure procedural fairness.
- (10) Nothing is admissible as evidence in a Proceeding that would be inadmissible in a court of law by reason of any privilege.
- (11) The Decision Maker may place reasonable limits on the length of a party's submissions in a hearing.
- (12) A party must not present new evidence in the party's closing submissions.
- (13) In a discipline hearing, the Discipline Hearing Panel must not consider the questions of penalty or costs until the Discipline Hearing Panel has rendered a decision on the allegations in the citation.
- (14) In a credentials hearing, the Registrar must not impose conditions on the ability of the Applicant to re-apply for registration without giving the Applicant the opportunity to respond to any proposed conditions.

1.10 Witnesses

- (1) Parties are responsible for arranging the attendance of their own witnesses.
- (2) Any witnesses testifying at a hearing must give an oath or affirmation before testifying, if competent to do so.
- (3) The Decision Maker may ask questions of any witnesses.
- (4) A Witness must not see or hear the testimony of other witnesses prior to giving testimony at a hearing, unless the witness is also a party to the hearing or is an expert whom the Decision Maker has ruled may be present for the testimony of an opposing party's expert.
- (5) In a Proceeding involving a Registrant Firm, for the purpose of subsection (4), a witness who is an Individual With Authority or individual employed by or under contract with the Registrant Firm, other than the individual designated to represent the Registrant Firm in the Proceeding pursuant to section 1.3(2) of this Schedule [*Parties and Representation*], is not considered to be a party to the hearing and is subject to the restrictions on attending during witness testimony as set out in subsection (4).
- (6) If the Decision Maker makes an order pursuant to section 34(3)(a) of the *Administrative Tribunals Act*, S.B.C. 2003, c. 45, at the request of EGBC or otherwise, to require the Respondent, or in the case of a Registrant Firm Respondent, any Individual With Authority or individual employed by or under contract with the Registrant Firm, to attend a discipline hearing for the purpose of giving evidence, EGBC must be permitted to cross-examine the Respondent, or in the case of a Registrant Firm Respondent, the Individual With Authority or individual employed by or under contract with the Registrant Firm, unless the Decision Maker rules otherwise.

- (7) If the Supreme Court makes an order pursuant to section 80(2) of the PGA [*Witnesses*], on the motion of EGBC or otherwise, that a subpoena be issued to compel the attendance of the Respondent, or in the case of a Registrant Firm Respondent, an Individual With Authority or individual employed by or under contract with the Registrant Firm, at a discipline hearing, EGBC must be permitted to cross-examine the Respondent, or in the case of a Registrant Firm Respondent, the Individual With Authority or individual employed by or under contract with the Registrant Firm, unless the Decision Maker rules otherwise.

1.11 Decisions

- (1) A Decision Maker is not bound by previous decisions of EGBC.
- (2) A Decision Maker must give written reasons for their decision.

Schedule C – Fees

[amended 2021-12-15]

1.1 Fees for Individual Registrants

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

Fee Description	Amount
b. after 6 months and within 18 months of resignation, removal or conversion to non-practising registration	\$100.00
c. over 18 months after resignation, removal or conversion to non-practising registration	\$300.00
Application fee for reinstatement as a Trainee, non-practising Registrant, life member or life limited licensee Registrant	\$50.00
EXAMINATION FEES	
Examination fee for Trainee (EIT/ GIT) Applicant, Professional Engineer Applicant, or Professional Geoscientist Applicant	
a. Per Examination	\$360.00
b. Defer Examination to a subsequent session	\$220.00
c. Request Examination Re-read per Examination	\$200.00
Examination fees for designated structural engineer Applicant	
a. BC Codes and Practices Examination	\$500.00
b. Institution of Structural Engineers Chartered Membership Examination	\$1,000.00
Examination fee for professional licensee engineering/ professional licensee geoscience Applicant	
a. Per Examination	\$360.00
b. Defer Examination to a subsequent session	\$220.00
c. Request Examination Re-read per Examination	\$200.00
Professional Practice Examination fee for all applicable Applicants or Registrants	
a. Multiple Choice and Essay sections	\$260.00
b. [Repealed 2021-04-23]	
INTERVIEW FEES	
Interview fee for all applicable Applicants	
a. In-person interview at EGBC office	\$0.00
b. Rescheduling (For applicant-initiated postponement or cancellation of a confirmed interview)	\$ 200.00
c. Remote Interview by Videoconference	\$200.00
Interview fee for reinstatement as a Professional Registrant	
a. In-person interview at EGBC office	\$0.00
b. Rescheduling (For applicant-initiated postponement or cancellation of a confirmed interview)	\$200.00

Fee Description	Amount
c. Remote Interview by Videoconference	\$200.00
COURSE FEES	
Course fee for Professional Engineering and Geoscience in BC Seminar for all applicable Applicants or Registrants	\$275.00
Course fee for Working in Canada Seminar	
- Per unit	\$50.00
- Four-unit Seminar	\$200.00
REGISTRATION & DESIGNATION FEES	
Registration fee for registration as an individual Registrant (other than a Trainee)	\$270.00
Annual fee for designation as a designated structural engineer	\$300.00
ANNUAL FEES	
Annual fee 2021	
Trainee (EIT/GIT)	
a. Full Fee	\$276.00
b. Reduced Fee for Hardship	\$138.00
c. Medically unable to work	\$0.00
Professional Registrant	
a. Professional Engineer/Professional Geoscientist Full Fee	\$450.00
b. Professional Engineer/Professional Geoscientist Reduced Fee for Hardship	\$225.00
c. Professional Licensee Engineering/Professional Licensee Geoscience Full Fee	\$418.62
d. Professional Licensee Engineering/Professional Licensee Geoscience Reduced Fee for Hardship	\$209.31
Non-practising Registrant	
a. Professional Engineer/Professional Geoscientist	\$225.00
b. Professional Licensee Engineering/Professional Licensee Geoscience	\$209.31
c. Registrant medically unable to work (non-practising)	\$0.00
Annual fee for a Registrant granted enrolment/ registration at some time other than beginning of annual renewal cycle	Prorated annual fee
Annual Fee 2022	
Trainee (EIT/GIT)	
a. Full Fee	\$276.00

Fee Description	Amount
b. Reduced Fee for Hardship	\$138.00
c. Medically unable to work	\$0.00
Professional Registrant	
a. Professional Engineer/Professional Geoscientist Full Fee	\$460.00
b. Professional Engineer/Professional Geoscientist Reduced Fee for Hardship	\$230.00
c. Professional Licensee Engineering/Professional Licensee Geoscience Full Fee	\$418.00
d. Professional Licensee Engineering/Professional Licensee Geoscience Reduced Fee for Hardship	\$209.00
Non-practising Registrant	
a. Professional Engineer/Professional Geoscientist	\$115.00
b. Professional Licensee Engineering/Professional Licensee Geoscience	\$104.50
c. Registrant medically unable to work (non-practising)	\$0.00
Annual fee for a Registrant granted enrolment/ registration at some time other than beginning of annual renewal cycle	Prorated annual fee
REPLACEMENT / ADDITIONAL FEES	
Additional Manual Seal	
a. 30 mm Rubber Stamp	\$30.00
b. 30 mm Self Inking Stamp (black ink unless specified)	\$50.00
c. 50 mm Rubber Stamp	\$35.00
d. 50 mm Self Inking Stamp (black ink unless specified)	\$55.00
e. Long Reach Seal	\$85.00
f. Professional Licensee Rubber Stamp	\$40.00
g. Professional Licensee Self Inking Stamp	\$50.00
Rush Order Fee for Stamp Order	\$20.00
Additional certificate of registration	\$25.00
Rush Order Fee for Certificate Order	\$20.00
LATE FEES	
Late fee for failure to pay annual fee	15% of Annual fee for Registration category



Fee Description	Amount
Late fee for failure to pay a special assessment	15% of Special assessment fee
Late reporting fee for:	2021 only: \$0
a. Failure to provide certain information published on the register or personal and unique email address	2022 onwards: \$100.00
b. Failure to submit a completed CEP Declaration	
Late exemption fee for failure to request an exemption to any CEP requirements prior to April 30	\$50.00
Late completion fee for failure to complete CE plan, CE hours, required ethical learning, required regulatory learning, required technical learning (in the case of a designated structural engineer)	\$200.00
RECONSIDERATION AND REVIEW ON THE RECORD FEES	
Reconsideration fee	\$150.00
Review on the record fee	\$500.00

1.2 Fees for Registrant Firms

Fee Description	Amount
APPLICATION FEE	
Application fee for Registration as a Registrant Firm	\$350.00
ANNUAL FEES	
Annual fee for Registrant Firm	
a. Registrant Firms with only one Professional Registrant employed by or under contract with the Registrant Firm:	\$250.00
b. Registrant Firms with more than one Professional Registrant employed by or under contract with the Registrant Firm, or Registrant Firms that are sole practitioners with more than 2 Trainees employed by or under contract with the Registrant Firm:	\$500*SQRT(n), where n = # of Professional Registrants and Trainees, but does not include non-practising individual Registrants employed by or under contract with the Registrant Firm.
Annual fee for a Registrant Firm granted enrolment/ registration at some time other than beginning of annual renewal cycle	Prorated, based on annual fee formula.
[Repealed 2021-06-25]	
SPECIAL ASSESSMENTS	
Special assessments (if any)	
LATE FEES	
Late fee for failure to pay annual fee	15% of Annual Fee of each category above
Late fee for failure to pay a special assessment	15% of special assessment
Late reporting fee for failure to provide:	\$100.00
a. Certain information published on the register	
b. Personal and unique email addresses for all Responsible Officers and Responsible Registrants	
Late completion fee for Regulation of Firms Training Program (for each Responsible Registrant who completes the Program late)	\$200.00

Fee Description	Amount
REVIEW ON THE RECORD FEE	
Review on the record fee	\$500.00

Schedule D – Responsible Registrant Declaration

I, <Full Legal Name>, <Job Title>, make the following statements in support of my application to act as a Responsible Registrant of <Name of Applicant Firm or Registrant Firm> (the “Registrant Firm”), and declare that the following statements are true:

1. I understand that for the purpose of this declaration, defined terms are capitalized and have the same meaning as set out in the Bylaws.
2. I understand and acknowledge that all Registrant Firms are regulated pursuant to the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC. I confirm that I have reviewed those documents and understand the obligations of Registrant Firms and Responsible Registrants set out therein.
3. I am submitting this declaration for the purpose of registering as a Responsible Registrant for the Registrant Firm or proposed Registrant Firm indicated on this declaration. I agree to act as Responsible Registrant for the Registrant Firm, including undertaking the responsibilities of a Responsible Registrant as set out in the Bylaws, guidelines, standards, and policies of EGBC.
4. IF A CONTRACTOR OR CONTRACT EMPLOYEE ONLY: I have express authority and access to act on behalf of the Registrant Firm, granted through a written contract or other documentation sufficient to satisfy paragraph (3) above, and can provide a copy of such contract or documentation upon request from EGBC.
5. I am registered with EGBC as a Professional Registrant In Good Standing.
6. I will notify EGBC if I am currently, or become in the future, the subject of an investigation, inquiry, review, or other disciplinary proceeding in British Columbia or another jurisdiction that could result in my entitlement to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions.
7. I understand and acknowledge that:
 - a. the Regulated Practice carried out by the Registrant Firm, including by any individual operating under the Registrant Firm's Permit to Practice, must be reviewed and Authenticated in accordance with the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;
 - b. I remain fully accountable on behalf of the Registrant Firm for ensuring that, within the areas of practice that I have been designated to oversee pursuant to section 5.12(5) of the Bylaws [*Registrant Firm*], the Registrant Firm conforms to the PGA and regulations, as well as the Bylaws, Code of Ethics, guidelines, standards, practice advisories, and policies of EGBC;

- c. the Registrant Firm must develop and enforce a Professional Practice Management Plan to be in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm;
 - d. the Professional Practice Management Plan must conform to the requirements of section 7.7.3 of the Bylaws [*Professional Practice Management Plan*] and any additional requirements set out in the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;
 - e. the Registrant Firm must develop and enforce quality management policies and procedures applicable to the Registrant Firm and all individuals who are operating under the Registrant Firm's Permit to Practice;
 - f. it is my responsibility to ensure that the quality management policies and procedures related to the areas of practice to which I have been designated pursuant to section 5.12(5) of the Bylaws [*Registrant Firm*] conform to the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;
 - g. a copy of the Professional Practice Management Plan must be provided to all individuals operating under the Registrant Firm's Permit to Practice, and the Registrant Firm must take reasonable steps to ensure that regular orientation and training is provided to all individuals operating under the Registrant Firm's Permit to Practice regarding the contents and implementation of the Professional Practice Management Plan;
 - h. the Registrant Firm must ensure that all individuals operating under the Registrant Firm's Permit to Practice adhere to the Registrant Firm's Professional Practice Management Plan;
 - i. the details of the quality management policies and procedures of the Registrant Firm must be documented in the Professional Practice Management Plan and updated as necessary; and
 - j. if EGBC is conducting an audit, practice review, investigation, or disciplinary proceeding in relation to the Registrant Firm, as a Responsible Registrant it is my responsibility to: facilitate requests for documents, information, site visits, and interviews; respond to communications; and assist with any other items or arrangements required or requested by EGBC.
8. I will respond to any communications from EGBC that I receive on behalf of the Registrant Firm in a prompt and responsive manner.
9. I will provide EGBC with up-to-date and accurate information in the course of all correspondence or communications with EGBC on behalf of the Registrant Firm, and will take all reasonable steps to ensure that the information is updated as needed and in accordance with the requirements set out in the PGA and Bylaws.

10. I will participate in the mandatory Regulation of Firms Training Program provided by EGBC, either:

- a. If the Registrant Firm does not yet have a Permit to Practice, within 12 months of the Registrant Firm being issued a Permit to Practice by EGBC; or
- b. If the Registrant Firm has already been issued a Permit to Practice by EGBC at any time, within 3 months of submitting this declaration to EGBC;

AND, in either case, at minimum every 5 years thereafter.

11. I will contact EGBC immediately should I no longer be willing, able, or authorized to act as a Responsible Registrant in association with the Registrant Firm's Permit to Practice with EGBC.

Schedule E – Responsible Officer Declaration

I, <Full Legal Name>, <Job Title>, make the following statements in support of my application to act as the Responsible Officer of <Name of Applicant Firm or Registrant Firm> (the “Registrant Firm”), and declare that the following statements are true:

1. I understand that for the purpose of this declaration, defined terms are capitalized and have the same meaning as set out in the Bylaws.
2. I understand and acknowledge that all Registrant Firms are regulated pursuant to the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC. I confirm that I have reviewed those documents and understand the obligations of Registrant Firms and Responsible Officers set out therein.
3. I am submitting this declaration for the purpose of registering as the Responsible Officer of the Registrant Firm indicated on this declaration. I further confirm that I possess the necessary authority to legally bind the Registrant Firm in relation to all matters falling under the PGA and Bylaws of EGBC, and I agree to undertake the responsibilities of a Responsible Officer set out in the Bylaws, guidelines, standards, and policies of EGBC.
4. IF A CONTRACTOR OR CONTRACT EMPLOYEE ONLY: I have express authority and access to act on behalf of the Registrant Firm, granted through a written contract or other documentation sufficient to satisfy paragraph (3) above, and can provide a copy of such contract or documentation upon request from EGBC.
5. IF A PROFESSIONAL REGISTRANT OF EGBC: I am registered with EGBC as a Professional Registrant In Good Standing. I will notify EGBC if I am currently, or become the subject in the future, of an investigation, inquiry, review, or other disciplinary proceeding in British Columbia or another jurisdiction that could result in my entitlement to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions.
6. I will notify EGBC if the Registrant Firm is currently, or becomes in the future, subject to an investigation, inquiry, review, or other disciplinary proceeding in British Columbia or another jurisdiction which could result in the Registrant Firm’s entitlement to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions.
7. I understand and acknowledge that:
 - a. in order to engage in the Reserved Practice, the Registrant Firm must be registered with EGBC and have at least one Professional Registrant designated to act as the Responsible Registrant for each area of practice engaged in by the Registrant Firm;

- b. the Registrant Firm must ensure that the Responsible Registrant(s) have the necessary authority to oversee the Regulated Practice within the areas of practice that each Responsible Registrant has been designated to oversee pursuant to section 5.12(5) of the Bylaws [*Registrant Firm*], and to take the steps necessary to ensure that the Registrant Firm complies with the requirements in the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;
 - c. the Regulated Practice carried out by individuals operating under the Registrant Firm's Permit to Practice must conform to the PGA and regulations, as well as the Bylaws, Code of Ethics, guidelines, standards, practice advisories, and policies of EGBC;
 - d. the Registrant Firm must develop and enforce a Professional Practice Management Plan that conforms with the requirements of section 7.7.3 of the Bylaws [*Professional Practice Management Plan*], including setting out quality management policies and procedures applicable to the Regulated Practice carried out by the Registrant Firm;
 - e. the Registrant Firm must have its Professional Practice Management Plan in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm;
 - f. I must document my approval of the Professional Practice Management Plan on behalf of the Registrant Firm upon its implementation, as well as after each annual review conducted pursuant to section 7.7.3(7)(a) and (b) of the Bylaws [*Professional Practice Management Plan*]; and
 - g. the Registrant Firm is obligated to co-operate completely with the audit, practice review, investigation, and discipline processes conducted by EGBC, including providing all requested documents and information, facilitating site visits and interviews, and managing communications with EGBC in a timely manner.
8. I will reply to any communications from EGBC that I receive on behalf of the Registrant Firm in a prompt and responsive manner.
9. I will provide EGBC with up-to-date and accurate information in the course of all correspondence or communications with EGBC on behalf of the Registrant Firm, and I understand that the Registrant Firm must:
- a. provide EGBC with up-to-date and accurate contact information for myself, the Registrant Firm, and all Responsible Registrants of the Registrant Firm;
 - b. ensure that the contact information that has been provided to EGBC is updated as needed, in accordance with the requirements set out in the Bylaws; and

- c. provide up-to-date information regarding all Professional Registrants operating under the Registrant Firm's Permit to Practice, to be updated as needed in accordance with the requirements set out in the Bylaws.
- 10. I will contact EGBC immediately should I no longer be willing, able, or authorized to act as the Registrant Firm's Responsible Officer in association with the Registrant Firm's Permit to Practice.
- 11. I will provide notice to EGBC within 15 days of the occurrence of any of the following situations, as required pursuant to section 5.32(4) of the Bylaws [*Information Collected Immediately and not Published on the Register*]:
 - a. there is a merger, amalgamation, acquisition, closure, or dissolution involving the Registrant Firm; or
 - b. the Registrant Firm
 - i. becomes the subject of an application for a bankruptcy order,
 - ii. makes an assignment for the general benefit of creditors, or
 - iii. makes or becomes the subject of a Division I or Division II proposal,
- 12. I will contact EGBC should the Registrant Firm wish to cancel its Permit to Practice and will ensure that the Registrant Firm abides by any conditions or requirements as may be directed by EGBC at that time.



DATE	October 13, 2022
SUBJECT	Proposed Bylaw Amendments for the Council meeting of November 25, 2022

CONSEQUENTIAL BYLAW AMENDMENTS FOLLOWING PGA AMENDMENTS

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
1.1; 9.7.5(6); 10.9(4)(b)(ii)	The following amendments incorporate the PGA terminology change from “inspector” to “investigator”. Our current bylaws have two separate definitions, one for the term “investigator” which is used throughout the bylaws with respect to conducting investigations pursuant to section 66(1) of the PGA, and one for the term “inspector” as it was formerly used in the PGA with respect sections 68 and 69 of the PGA. The bylaw amendment now merges the two terms.	
1.1 [Definitions]	Merging the definitions of “inspector” and “investigator”.	“Inspector” means the Registrar and any person appointed as an inspector pursuant to section 68 of the PGA [Inspectors]. “Investigator” means <u>the Registrar, the members of an Investigation Subcommittee, and any person appointed as an investigator pursuant to section 68 of the PGA [Investigators]. any of the following individuals</u> (a) — a member of the Investigation Subcommittee; (b) — an officer or an employee of EGBC or a contractor retained by EGBC who is authorized by the Investigation Committee to carry out an investigation pursuant to section 66(1)(a) of the PGA [Investigations]; an Inspector appointed by the Investigation Committee pursuant to section 68(1) of the PGA [Inspectors].
9.7.5(6) [Necessary Cooperation During an Investigation]	Replacing the word “inspector” with “investigator”.	(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 Inspector <u>Investigator</u> pursuant to section 69 of the PGA [Powers and duties of inspectors <u>investigators</u>], 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 Inspector’s <u>Investigator’s</u> examination of the premises, [...]
10.9(4)(b)(ii) [Assessment of Costs After a Discipline Hearing]	Replacing the word “inspector” with “investigator”.	(4) For the purposes of subsections (2) and (3), recoverable costs must include [...] (b) (ii) expenses incurred by persons appointed as Inspectors <u>Investigators</u> for EGBC pursuant to section 68 of the PGA [Inspectors <u>Investigators</u>];

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
2.2 (1) and (2) [<i>Chairs, Vice-Chairs, and Members of Committees</i>]	Adjusting our Bylaws to match the section 32(7)(c) of the PGA requiring chairs of Committees to be appointed in accordance with the merit-based selection principles, but not the process.	<div>(1) Except as otherwise prescribed by the Lieutenant Governor in Council or provided in the Bylaws, Pursuant to section 32(7)(c) of the PGA, the Council must appoint a chair of a Committee in accordance with the process and merit-based selection principles prescribed by the Lieutenant Governor in Council pursuant to section 25(1) of the PGA [<i>Selection principles and criteria</i>].</div> <div>(2) Except as otherwise prescribed by the Lieutenant Governor in Council or provided in the Bylaws, the Council may appoint a vice-chair of a Committee in accordance with the process and merit-based selection principles prescribed by the Lieutenant Governor in Council pursuant to section 25(1) of the PGA [<i>Selection principles and criteria</i>].</div>
6.8(2) and (5) [<i>Failure to Pay Fees</i>]	Removing a reference to the repealed section 31(4)(b) of the PGA [<i>Registrar and register for regulatory body</i>]. Instead of PGA section 31(4)(b), the new PGA section 50.1(1) [<i>Cancellation or suspension of registration</i>] authorizes regulatory bodies to make bylaws with respect to cancelling registrants for failure to pay fees. Thus, the content of our Bylaws at section 6.8 does not need to change.	<div>(2) Pursuant to section 31(4)(b) of the PGA [<i>Registrar and register for regulatory body</i>], if a Registrant fails to pay a required</div> <div>(a) registration fee pursuant to section 6.2(1) of the Bylaws [<i>Registrant Fees</i>],</div> <div>(b) designation fee pursuant to section 6.2(2) of the Bylaws [<i>Registrant Fees</i>],</div> <div>(c) for an individual Registrant, a prorated annual fee pursuant to section 6.4(5) of the Bylaws [<i>Annual Fees</i>], or</div> <div>(d) annual fee, special assessment, or late fee pursuant to section 6.8(1) of the Bylaws [<i>Failure to Pay Fees</i>],</div> <div>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.</div> <div>(5) Pursuant to section 31(4)(b) of the PGA [<i>Registrar and register for regulatory body</i>], if a Registrant Firm or non-practising Registrant Firm that is subject to a condition prohibiting it from engaging in the Regulated Practice pursuant to subsection (4) fails to pay the full amount of all applicable outstanding fees by 11:59 PM (Pacific Time) on August 31 of the same year, the Registrar must cancel the Registrant Firm or non-practising Registrant Firm's registration and Permit to Practice.</div>

PROPOSED AMENDMENTS (SUBSTANTIVE) – UNRELATED TO PGA AMENDMENTS

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
The following amendment sets out the process for dealing with notices of discipline findings, decisions, or orders from other jurisdictions that concern EGBC registrants.		
10.8(1) [<i>Conduct in Another Jurisdiction</i>]	Our current Bylaws require that once EGBC learns about discipline findings or a decision in another jurisdiction, the chair or vice chair of the Discipline Committee must appoint a Discipline Hearing Panel. However, in some cases, the issue is minor and/or there is no added benefit of EGBC imposing a duplicate order on the registrant. This Bylaw amendment establishes a process under which the Investigation Committee reviews the issue to determine whether it is in the public interest to bring the matter to the attention of the Discipline Committee.	<p>(1) If the Discipline CommitteeRegistrar 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, in the opinion of the Discipline Committee, would <u>may</u> constitute Conduct of Concern, <u>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.</u></p> <p>(1.1) <u>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 [<i>Conduct in another jurisdiction</i>].</u></p> <p>(4) <u>(1.2) Upon recommendation by the Investigation Committee pursuant to subsection (1.1), the</u> chair or vice chair of the Discipline Committee must appoint a Discipline Hearing Panel to take <u>consider making an order</u> pursuant to section 76(2) of the PGA [<i>Conduct in another jurisdiction</i>].</p> <p>(2) The Discipline Hearing Panel must provide the Registrant with the following before taking any action pursuant to section 76(2) of the PGA [<i>Conduct in another jurisdiction</i>]:</p> <p>(a) <u>at least 14 days' written notice of the proposed action;</u></p> <p>(a) (a.1) a copy of the record of the relevant decision or findings made or action taken by the Different Governing Body; and</p> <p>(b) an opportunity to be heard, which must be limited to a hearing in writing unless otherwise ordered by the Discipline Hearing Panel.</p>

PROPOSED AMENDMENTS (MINOR) – UNRELATED TO PGA AMENDMENTS

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
5.27(6) [<i>Register of Individual Registrants</i>]	Correcting a typographical error with respect to the defined term “Recent Historical Member”.	(6) For a Recent Historical Registrant <u>Member</u> , in addition to [...]
7.3.4(2)(d) [<i>Standards for Checks</i>]	Correcting a misplaced conjunction.	(2) The procedures established pursuant to subsection (1) must include: (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; and

Bylaw Section	Description of Proposed Amendment	Redlined Excerpt
		(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.
10.5(1)(a) [<i>Extraordinary Action to Protect the Public</i>]	Correcting a typographical error.	(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 [<i>Extraordinary action</i>] (a) De during the course of an investigation [...]

OPEN SESSION

ITEM 6.6

DATE	November 4, 2022
REPORT TO	Council for Discussion
FROM	Deesh Olychick, Director, Corporate Governance & Strategy
SUBJECT	Council Succession
LINKAGE TO STRATEGIC PLAN	Our talent, tools and work environment create an engaged organizational culture.

Purpose	To gather Council's perspective on Council's Succession Planning.
Motion	No motion required. For information only.

BACKGROUND

The *Professional Governance Act* introduced several changes to our Council nomination and election process. Amongst these changes was the requirement for a merit-based nomination process. To support the development of this process, Council established an advisory group and delegated the decisions on transitional requirements and the candidate selection framework to a sub-committee of Council.

In 2019, the sub-committee of Council approved a candidate selection framework that includes a combination of a gap analysis, an assessment of candidate skills and competencies against desired skills and competencies, as well as diversity considerations. A copy of the candidate selection framework is included as **Attachment A**.

DISCUSSION

The gap analysis is one of the first steps of the nomination process and is led by the Chair of the Nomination Committee, the President and the CEO. This group reviews and assesses the strengths of the continuing councillors against the desired skills and competencies to determine the high, medium and low priority recruitment areas to ensure balanced leadership for the upcoming year. It also provides a forum to highlight Council's strategic priorities that may require emphasis on particular skill sets.

This year, the process is to be enhanced by:

- Gathering perspective from the broader Council to inform the work of the Nomination Committee.
- Raising awareness amongst Council of the desired skills/competencies
- Encouraging Council to identify candidates from their networks aligned with the desired skills/competencies

Each year, there are two councillor vacancies and one presidential vacancy. This year, two of our government appointees will also be completing their terms in October 2023; this will create higher Council turnover than usual. While recruitment for the government appointed roles will follow a different path, the organization has the ability to identify specific skills required.

The table below provides a snapshot of the current council, those continuing, those up for re-election, and those completing their terms.

	Continuing Councillors
	Eligible for re-election / re-appointment
	Ineligible for re-election / re-appointment

*Will become Immediate Past President in October 2023

**Serving remaining time of Mark Adams' Councillor position

***An immediate past president is technically eligible for re-election but traditionally has not re-applied

Position	Name	Year First Elected / Appointed	Term Length	Term Expiry / Renewal Date	Eligible for Re-Election / Appointment
President	Mark Adams*	2022	1	2023	N
Councillor	Mark Porter	2022	3	2025	Y
Councillor	Karen Ling	2022	3	2025	Y
Councillor	Mahsoo Naderi-Dasoar	2022	2**	2024	Y
Councillor	Jens Weber	2021	3	2024	Y
Councillor	Michelle Mahovlich	2020	3	2023	Y
Councillor	Jessica Steeves	2020	3	2023	Y
Lay Councillor	Emily Lewis	2021	2	2024	Y
Lay Councillor	Leslie Hildebrandt	2018	4	2024	Y
Lay Councillor	David Wells	2018	3	2023	N
Lay Councillor	Suky Cheema	2016	3	2023	N
Immediate Past President	Carol Park	2022	1	2023	N***

Question to consider:

- Reflecting on the strengths of the continuing council as a whole and the desired skills and competencies, what are the high priority areas from your perspective?

ATTACHMENT A – Candidate Selection Framework

MERIT-BASED CANDIDATE SELECTION FRAMEWORK

Engineers and Geoscientists BC is a large, complex organization that holds legislated responsibilities to the public and to its registrants. Council sets the strategic direction for the organization, which is supported by more than 130 staff, 1,400 volunteers, and has a budget of over \$26M. For Council to achieve its goals and meet its fiduciary responsibilities, Council has identified the need for diverse voices on Council, with a blend of the following skills and competencies.

It is not necessary for each member of Council to have advanced experience in each area; as part of its process, the Nomination Committee conducts a gap analysis to determine the priority areas for the upcoming year.

Leadership	Strategy	Financial Literacy	Risk Management	Governance Experience	Regulatory Understanding	Human Resources	Engineering and/or Geoscience Experience
<i>Demonstrated confidence and good judgment in directing the efforts of others to achieve desired outcomes, while modeling respect, commitment, integrity and accountability.</i>	<i>Understanding of and experience with an organization's process of defining its strategy, or direction, and making decisions on allocating its resources to pursue this strategy.</i>	<i>Understanding of financial statements, cash flow, budgeting, financial planning and investing that allow an organization to make informed and effective decisions about their financial resources.</i>	<i>Knowledge of enterprise risk management, risk assessment, and risk policies and procedures to enable effective risk management oversight of the organization.</i>	<i>Understanding and knowledge of board governance and the roles and responsibilities of board members, usually demonstrated through previous board experience.</i>	<i>Knowledge of regulations and regulatory organizations, including the purpose of regulation, gained from working with legislation, having experience being a part of a regulator, or working in a heavily regulated industry.</i>	<i>Knowledge and understanding of HR policies related to employees and volunteers, including equity, diversity and inclusion policies, performance management, succession planning and ensuring sufficient resources to fulfill an organization's responsibilities.</i>	<i>Technical proficiency in the practice of engineering and/or geoscience</i>

MERIT-BASED CANDIDATE SELECTION FRAMEWORK

MERIT-BASED PROCESS

The following framework outlines the steps followed by the Nomination Committee in its selection of candidates:

1. Confirm criteria and desired skills and competencies for Council positions
 - a. Conduct a gap analysis, prioritize desired skills, competencies, and experience for the upcoming year
 - i. Includes consideration of diversity, such as disciplinary, gender, and regional
2. Confirm the number of openings available for each position. The Committee will make a reasonable attempt to nominate at least one more than the number of vacancies per position.
3. Place a Call for Nominations
 - a. Require all potential nominees to provide the following:
 - i. Written summary of their interest to serve on Council (up to 250 words)
 - ii. Current CV and references
 - iii. Provide details of their experience related to the desired skills and competencies in 2-3 sentences for each applicable area (maximum 100 words)
 - iv. Complete supplementary conflict of interest and declaration questions (yes/ no)
4. Complete an internal check to determine potential nominee is eligible to run for election, is in good standing with Engineers and Geoscientists BC and is not the subject of any disciplinary action
5. Committee to review and assess all potential nominees based on the desired skills and competencies
6. Committee to shortlist candidates and identify candidates for interviews
7. Committee to conduct background check, reference checks and other steps to confirm experience and competence, as appropriate
8. Committee to finalize its list of candidates for election and confirm acceptance of the nomination
9. Committee to deliver final list of nominees for election to the Chief Executive Officer

DIVERSITY

Engineers and Geoscientists BC strongly values the benefits that diversity brings to its Council. There are many aspects to diversity, including area of expertise, experience, regional representation, gender diversity and ethnic background, amongst others. We believe diversity and inclusion promotes different perspectives and ideas, mitigates against groupthink and ensures the organization has the opportunity to benefit from all available talent in support of good board governance. Council is committed to promoting diversity and inclusion as part of its nomination process.