



# OVERALL AGENDA

|                 |   |
|-----------------|---|
| <b>DATE</b>     | April 21, 2023  |
| <b>LOCATION</b> | <b>Hybrid Event</b><br>Engineers and Geoscientists BC office (Dan Lambert Boardroom) & Virtually<br>Via Teams ( <i>Meeting Link Sent Via Outlook Invitation</i> ) |

## Meeting Schedule

|                      |                                       |
|----------------------|---------------------------------------|
| <b>08:30 – 11:15</b> | <b>Closed Session</b>                 |
| <b>11:15 – 11:30</b> | <b>Morning Break</b>                  |
| <b>11:30 – 12:20</b> | <b>Closed Session (continued)</b>     |
| <b>12:20 – 13:00</b> | <b>Lunch Break</b>                    |
| <b>13:00 – 13:20</b> | <b>Board Photo Session</b>            |
| <b>13:20 – 16:00</b> | <b>Open Session</b>                   |
| <b>16:00 – 16:15</b> | <b>Break Before In-Camera Session</b> |
| <b>16:15 – 17:00</b> | <b>In-Camera Session</b>              |
| <b>17:00</b>         | <b>Adjournment</b>                    |

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

# OPEN AGENDA

**DATE** April 21, 2023

**TIME** 13:20 – 15:40 (*Followed by overflow buffer of 20 mins*)

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

|                    |   |  |
|--------------------|---|--|
| 13:20<br>(5 mins)  | <b>4.0 OPEN SESSION – Welcome Greetings &amp; Call to Order</b><br>Chair: Mark Adams, P.Eng., Board Chair<br><b>MOTION: That the Board approve the Open Agenda in its entirety.</b>   |  |
| 13:25<br>(2 mins)  | 4.1 Declaration of Conflict of Interest   |  |
| 13:27<br>(10 mins) | 4.2 Safety Moment   |  |
| 13:37<br>(3 mins)  | <b>5.0 OPEN CONSENT AGENDA</b><br><b>MOTION: That the Board approve all items (5.1 to 5.7) on the Open Consent Agenda.</b>  |  |
|                    | 5.1 February 17, 2023 Open Minutes<br><b>MOTION: That the Board approve the February 17, 2023 Open Meeting minutes as circulated.</b>   | <div>February 17, 2023<br/>Open Minutes</div>    |
|                    | 5.2 Appointments Approval<br><b>MOTION: That the Board approve the recommended appointments to the Investigation Committee as presented.</b><br><b>MOTION: That the Board approve the recommended appointments and re-appointment to the Discipline Committee as presented.</b><br><b>MOTION: That the Board approve the recommended appointment to the Audit &amp; Practice Review Committee as presented.</b> | Report can be found in the Closed Agenda package |

|  |  |  |
|--|--|--|
|  | <p>5.3 Revisions to Election Policy</p> <p><b>MOTION: That the Board approve the revised Election Policy as presented.</b></p> <p><i>Governance Sub-Committee</i></p>  | <div>Revisions to Election Policy</div>  |
|  | <p>5.4 Professional Practice Guidelines: Legislated Dam Safety Reviews in BC - Version 4.0</p> <p><b>MOTION: Consistent with the authority granted under PGA 57 (1) (b) and Bylaw 7.3.1 (1), the Board approve <i>Professional Practice Guidelines – Legislated Dam Safety Reviews in BC - Version 4.0</i> to be published following editorial and legal review. The Board's approval is based on confirmation that the following criteria have been met as outlined in the Board Policy on Professional Practice Guidelines:</b></p> <ul style="list-style-type: none"> <li>• the standard guideline development process was followed; and</li> <li>• a robust and appropriate review and consultation process was followed.</li> </ul> <p><i>Alice Kruchten, P.Eng. Practice Advisor, PPSD</i></p>                                   | <div>Professional Practice Guidelines: Legislated Dam Safety Reviews in BC - Version 4.0</div> |
|  | <p>5.5 AIBC/EGBC Guide to the Certified Professional Program Edition #3, January 2023</p> <p><b>MOTION: Consistent with the authority granted under PGA 57 (1) (b) and Bylaw 7.3.1 (1), the Board approve the <i>AIBC/EGBC Guide to the Certified Professional Program Edition #3, January 2023</i> to be published following editorial and legal review. The Board's approval is based on confirmation that the following criteria have been met as outlined in the Board Policy on Professional Practice Guidelines:</b></p> <ul style="list-style-type: none"> <li>• the standard guideline development process was followed; and</li> <li>• a robust and appropriate review and consultation process was followed.</li> </ul> <p><i>Peter R. Mitchell, P.Eng. – Director, Professional Practice, Standards and Development</i></p> | <div>AIBC/EGBC Guide to the Certified Professional Program Edition #3, January 2023</div>      |
|  | <p>5.6 Format of the 2023 Annual General Meeting</p> <p><b>MOTION: That the Board approve the 2023 Annual General Meeting be held in Whistler, BC, using a hybrid format on October 28, 2023 at 9:30 am.</b></p> <p><i>Governance Sub-Committee</i></p>  | <div>Format of the 2023 Annual General Meeting</div>   |

|                    |   |  |
|--------------------|---|--|
|                    | 5.7 Information Reports   |  |
|                    | 5.7.1 Project Management Office Update<br><i>Dan Rankin, Manager, Project Management Office</i>   | Project Management Office Update                           |
|                    | 5.7.2 Board Attendance Summary<br><i>Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer</i>   | Board Attendance Summary                                   |
|                    | 5.7.3 Engineers and Geoscientists BC Board Road Map for 2022/2023<br><i>Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer</i>  | Board Road Map   |
| 13:40              | <b>6.0 OPEN REGULAR AGENDA</b>  |  |
| 13:40<br>(10 mins) | 6.1 Financial Results as at February 28, 2023<br><b>For information only.</b><br><i>Jennifer Cho, CPA, CGA, Chief Financial and Administration Officer</i><br><i>Alicia Tan, CPA, CMA, Director, Finance</i>  | Financial Results as at February 28, 2023                  |
| 13:50<br>(20 mins) | 6.2 Amendments to the Bylaws of Engineers and Geoscientists BC<br><b>MOTION: That the Board pass the Recommended Motion, the attached amended draft Bylaws, and authorize staff to forward the amended Bylaws to the Office of the Superintendent of Professional Governance for filing with the Attorney General pursuant to section 37 of the Professional Governance Act.</b><br><i>Efrem Swartz, LLB, mMBA, Director, Legislation, Ethics &amp; Compliance</i><br><i>Amrita Virk, Legal Counsel, Policy Manager</i><br><i>Klara Hillmann, Senior Policy Analyst</i>   | Amendments to the Bylaws of Engineers and Geoscientists BC |
| 14:10<br>(30 mins) | 6.3 Engineers and Geoscientists BC Draft FY2024 Budget Summary<br><b>MOTION: That the Board approve:</b><br><b>a) no change in ancillary fees for both individual and firm registrants for FY2024; and</b><br><b>b) Scenario C of the draft FY2024 Engineers and Geoscientists BC Operating and Capital Budget with a \$50 fee increase to the Professional Registrants (P. Eng and P. Geo and combination) and \$10 inflationary fee increase to Trainees (EIT and GIT).</b><br><i>Jennifer Cho, CPA, CGA, Chief Financial and Administration Officer on behalf of the Executive Sub-Committee</i><br><i>Alicia Tan, CPA, CMA, Director, Finance</i> | Engineers and Geoscientists BC Draft FY2024 Budget Summary |

|                    |  |  |
|--------------------|--|--|
| 14:40<br>(15 mins) | <p>6.4 Recommendations for the 2023 Engineers Canada Annual Meeting of Members</p> <p><b>MOTION 1: That the Board instruct its Member representative (i.e. the Engineers and Geoscientists BC Board Chair or designate) to vote to accept that the proposed 2025 Per Capita Assessment Fee, would remain at \$8 per registrant at the Engineers Canada AGM in May 2023.</b></p> <p><b>MOTION 2: That the Board instruct its Member representative (i.e. the Engineers and Geoscientists BC Board Chair or designate) to vote to accept the proposed Engineers Canada By-Law Amendment at the Engineers Canada AGM in May 2023.</b></p> <p><i>Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer on behalf of the Executive Sub-Committee</i></p> | <div>Engineers Canada<br/>2025 Per Capita<br/>Assessment Fee</div> <div>Engineers Canada<br/>Bylaw Amendment</div> |
| 14:55<br>(30 mins) | <p>6.5 Multi-Jurisdictional Online Exam Pilot</p> <p><b>For information only.</b></p> <p><i>Jason Ong, Director, Registration</i></p>  | <div>Multi-Jurisdictional<br/>Online Exam Pilot</div>  |
| 15:25<br>(15 mins) | <p>6.6 CEO Report (Open Session)</p> <p><b>For information only.</b></p> <p><i>Heidi Yang, P.Eng., FEC, FGC (Hon.) Chief Executive Officer</i></p>   | <div>CEO Report<br/>(Open)</div>   |
| 15:40              | <b>END OF OPEN SESSION</b>   |  |
| 15:40<br>(20 mins) | <b>OVERFLOW BUFFER</b>   |  |
| 16:00<br>(15 mins) | <b>BREAK BEFORE IN-CAMERA SESSION</b>  |  |
| 16:15<br>(45 mins) | <b>IN-CAMERA SESSION</b>   |  |
| 17:00              | <b>ADJOURNMENT</b>   |  |

MINUTES OF THE OPEN SESSION OF THE THIRD MEETING OF THE 2022/2023 COUNCIL of Engineers and Geoscientists BC, held on FEBRUARY 17, 2023 at the Engineers and Geoscientists BC Office (Dan Lambert Boardroom) and virtually via Teams.

**Present**

| <b>Council</b>                            |  |
|---|--|
| Mark Adams, P.Eng.                        | President (2022/2023)  |
| Michelle Mahovich, P.Eng., P.Geo.         | Vice President (2022/2023)   |
| Carol Park, P.Eng.                        | Immediate Past President (2022/2023)                                       |
| Suky Cheema, CPA, CMA                     | Councillor (2022/2023)   |
| Leslie Hildebrandt, LL.B, ICD.D           | Councillor (2022/2023)   |
| Emily Lewis, CPA, CMA                     | Councillor (2022/2023)   |
| Karen Ling, P.Eng.                        | Councillor (2022/2023)   |
| Mahsoo Naderi-Dasoar, P.Eng.              | Councillor (2022/2023)   |
| Mark Porter, P.Eng., StructEng.           | Councillor (2022/2023)   |
| Jessica Steeves, P.Eng.                   | Councillor (2022/2023)   |
| Jens Weber, P.Eng.                        | Councillor (2022/2023)   |
| David Wells, JD                           | Councillor (2022/2023)   |
| <b>Staff</b>                              |  |
| Heidi Yang, P.Eng., FEC, FGC (Hon.)       | Chief Executive Officer  |
| David Pavan, R. Ph.                       | Chief Regulatory Officer & Registrar                                       |
| Liza Aboud, MBA, ABC, ICD.D               | Chief Operating Officer  |
| Jen Cho, CPA, CGA, FEC (Hon.), FGC (Hon.) | Chief Financial and Administration Officer                                 |
| Peter Mitchell, P.Eng.                    | Director, Professional Practice, Standards & Development                   |
| Deesh Olychick                            | Director, Corporate Governance & Strategy                                  |
| Megan Archibald                           | Director, Communications & Stakeholder Engagement                          |
| Efrem Swartz, LLB                         | Director, Legislation, Ethics & Compliance                                 |
| Jason Ong                                 | Director, Registration   |
| Mark Rigolo, P.Eng.                       | Director, Programs and Professional Development                            |
| Kelly Dayman, ASCT, Eng.L.                | Associate Director, Regulation of Firms                                    |
| Rohan Hill, JD, CIPM                      | Associate Director, Legal  |
| Lindsay Steele, P.Geo.                    | Associate Director, Professional Practice, Standards & Development         |
| Tracy Richards                            | Executive Assistant to CEO and to Council                                  |
| Stephanie Kwong                           | Executive Assistant to CFAO, COO & CRO                                     |
| <b>Guests</b>                             |  |
| Jason Jung, ASCT.                         | Director, Professional Practice, Standards & Development, ASTTBC           |
| Del Ferguson, P.Geo., P.L.Eng., FGAC, FGC | Engineers and Geoscientists BC Appointee to the Geoscientists Canada Board |

## **OPEN SESSION – CALL TO ORDER**

Mark Adams, P.Eng., President and Chair called the Open Session to order at 11:35 a.m.

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

Deesh Olychick, Director, Corporate Governance & Strategy acted as the Governance Advisor for the meeting. Councillor Suky Cheema, CPA, CA, acted as the meeting's EDI Champion.

The Chair welcomed everyone to the meeting and announced that Jason Jung, ASct, Director of Professional Practice, Standards & Development of ASTTBC and Del Ferguson, P.Geo., P.L.Eng., FGAC, FGC, Engineers and Geoscientists BC Appointee to the Geoscientists Canada Board would be joining for the Open Session.

CO-23-29     OPEN AGENDA

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

**CARRIED**

## DECLARATION OF CONFLICT OF INTEREST

None declared.

## SAFETY MOMENT

Councillor Jens Weber, P.Eng. provided the Safety Moment for the meeting.

CO-23-30     OPEN CONSENT AGENDA

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

**CARRIED**

*Motions carried by approval of the Consent Agenda:*

5.1 November 25, 2022 Open Minutes

**MOTION:** That Council approve the November 25, 2022 Open Meeting minutes as circulated.

5.2 Appointments Approval

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

| Individual, Designation                                       | Position   | Engineers and Geoscientists BC Volunteer Group/Outside Organization | Staff Contact | Start Date | Expiry Date | New/Returning/<br>* Over 9 Years |
|---|------------|---|---------------|------------|-------------|----------------------------------|
| <b>New Appointments and Re-Appointments (over nine years)</b> |            |   |               |            |             |                                  |
| Larry Spence, P.Eng., PMP, FEC, FGC (Hon.)                    | Member     | Discipline Committee  | Jesse Romano  | 02/03/2023 | 02/03/26    | New                              |
| <b>Re-appointments (under nine years)</b>                     |            |   |               |            |             |                                  |
| Jurgen Franke, P.Eng.   | Member     | Discipline Committee  | Jesse Romano  | 02/03/2023 | 02/03/2026  | Returning                        |
| Roz Neilsen, P.Eng.   | Member     | Discipline Committee  | Jesse Romano  | 02/03/2023 | 02/03/2026  | Returning                        |
| Ed Bird, P.Eng.   | Member     | Discipline Committee  | Jesse Romano  | 02/03/2023 | 02/03/2026  | Returning                        |
| Peter Bobrowsky, P.Geo.                                       | Member     | Discipline Committee  | Jesse Romano  | 02/03/2023 | 02/03/2026  | Returning                        |
| Derek Cooper, P.Eng.  | Member     | Discipline Committee  | Jesse Romano  | 04/13/2023 | 04/13/2026  | Returning                        |
| Allison Dennis, BGS, M.Ed.                                    | Member     | Discipline Committee  | Jesse Romano  | 02/05/2023 | 02/05/2026  | Returning                        |
| Reshmeena Lalani, CPA, CA                                     | Lay Member | Discipline Committee  | Jesse Romano  | 02/05/2023 | 02/05/2026  | Returning                        |
| Denise Mullen, MPA, BA, CCR, CPL                              | Lay Member | Discipline Committee  | Jesse Romano  | 02/05/2023 | 02/05/2026  | Returning                        |
| Pierre Gallant, Retired Architect                             | Lay Member | Discipline Committee  | Jesse Romano  | 02/05/2023 | 02/05/2026  | Returning                        |
| Michael Racich, DMD   | Lay Member | Discipline Committee  | Jesse Romano  | 02/05/2023 | 02/05/2026  | Returning                        |
| John Taylor-Wilson  | Lay Member | Discipline Committee  | Jesse Romano  | 02/05/2023 | 02/05/2026  | Returning                        |



5.3 Appointment of Chair & Vice Chair to the Discipline Committee

**MOTION:** That Council appoint Neil Cumming, P.Eng., as Chair of the Discipline Committee until February 17, 2026.

**MOTION:** That Council appoint Ronald Yaworsky, P.Eng., as Vice Chair of the Discipline Committee until February 17, 2026.

5.4 Approval of the 103<sup>rd</sup> AGM Minutes

**MOTION:** That Council approve the Minutes of the 103<sup>rd</sup> Annual General Meeting of Engineers and Geoscientists BC.

5.5 Updates to Council Policy to Align with Legislative Changes

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

| Current                  | New  |
|--------------------------|--|
| Council                  | Board  |
| Councillor               | Board member (Lay Board Member, Registrant Board Member) |
| Immediate Past President | Immediate Past Board Chair                               |
| President                | Board Chair  |
| Vice President           | Board Vice Chair   |

5.6 Updates to the Statutory Committees Terms of Reference

**MOTION 1:** That Council approve the updated Terms of Reference for the Audit & Practice Review Committee.

**MOTION 2:** That Council approve the updated Terms of Reference for the Credentials Committee.

**MOTION 3:** That Council approve the updated Terms of Reference for the Discipline Committee.

**MOTION 4:** That Council approve the updated Terms of Reference for the Investigation Committee.

**MOTION 5:** That Council approve the updated Terms of Reference for the Nomination Committee.

5.7 The following information reports were received by Council:

- CEO Report (Open Session)
- Project Management Office Update
- Engineers and Geoscientists BC Road Map for 2022/2023

CO-23-31 FY2023 Q2 FINANCIAL RESULTS AND FORECAST UPDATE

**MOTION 1:** It was moved that Council receives the Engineers and Geoscientists British Columbia financial results as at December 31, 2022.

**MOTION 2:** It was moved that Council receives the Engineers and Geoscientists British Columbia's latest financial forecast for fiscal year 2023.

**CARRIED**

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

CO-23-32 FY2024 BUDGET GUIDELINES

**MOTION:** It was moved that Council approve the FY2024 budget guidelines, as presented.

**CARRIED**

CO-23-33 AMENDMENTS TO THE BYLAWS OF ENGINEERS AND GEOSCIENTISTS BC

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

**CARRIED**

CO-23-34     ANNUAL UPDATE FROM GEOSCIENTISTS CANADA

Del Ferguson, P.Geo., P.L.Eng., FGAC, FGC, Engineers and Geoscientists BC Appointee to the Geoscientists Canada Board provided Council with a high-level presentation on the purpose and structure of Geoscientists Canada as well as Geoscientists Canada's Implementation (Strategic) Plan renewal process.

At the conclusion of the presentation, Heidi Yang, CEO asked Council if they could provide Mr. Ferguson with their feedback on Geoscientists Canada's initial draft initiatives list (as seen in the presentation). The floor was open for discussion and Mr. Ferguson answered all questions from Council.

There was no motion associated with this item.

**END OF OPEN SESSION**

The meeting ended at 2:25 p.m.

## OPEN SESSION

### ITEM 5.3

|                           |   |
|---------------------------|---|
| DATE                      | April 5, 2023   |
| REPORT TO                 | Board for Decision  |
| FROM                      | Governance Sub-Committee  |
| SUBJECT                   | Revisions to Election Policy  |
| LINKAGE TO STRATEGIC PLAN | We have efficient and effective systems in place to enable modern regulation. |

|         |   |
|---------|---|
| Purpose | To review the updates to the Election Policy based on the PGA amendments and Engineers and Geoscientists BC's updated bylaws. |
| Motion  | That the Board approve the revised Election Policy as presented.  |

## BACKGROUND

Recent amendments to the *Professional Governance Act* require all regulators under the *PGA* to make changes to organizational terminology. These amendments will likely come into force in the spring of 2023. In addition to the terminology changes, the bylaws have recently been updated to reflect the Board's decision to elect the Board Chair. These changes must now be reflected in the Election Policy.

The Governance Sub-committee reviewed the revised Election Policy at their meeting on March 8, 2023, and recommends that the Board approve the revised Election Policy.

## DISCUSSION

### 1. PGA Terminology Change

In anticipation of the PGA amendments going into force, the Bylaws have been amended to reflect the terminology changes. As such, the Election Policy has also been updated to reflect the following changes:

- "Council" is renamed "Board"
- "Council member" to "Board member"

## **2. Balloting and Presidential Selection**

Per the bylaws, the Board now elects the Board Chair. Therefore, references to certain balloting requirements and the presidential candidate statement are no longer applicable. Specifically, clauses 1.b., 7.b., 28, and 39. have been removed. Other clauses that referred to both the President and Council members have been edited for content and terminology, as needed.

A separate policy will be required to outline how the board chair selection will be made, as well as any experience requirements. Following the Board's discussion on related policies items, a policy will be drafted for the Governance Sub-committee's review prior to the Fall.

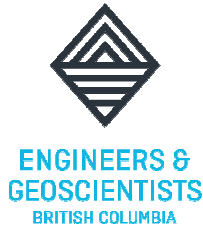
## **3. Awards and Honours**

Over the years, staff have received consistent feedback from candidates over the restriction to list team-based awards on candidate statements. While the intention of this restriction has been to focus the candidate statement on an individual's accomplishments, it is usually a point of contention as the award can represent a major accomplishment. We recommend that this restriction be lifted and that any team-based awards candidates wish to list be identified as team-based awards.

## **MOTION**

That the Board approve the revised Election Policy as presented.

## **APPENDIX A – Revised Election Policy**



## POLICY

|                  |   |
|------------------|---|
| POLICY           | Election Policy                                 |
| NUMBER OF POLICY | CO-21-72  |
| DATE OF POLICY   | <del>April 23, 2021</del> <u>Month Day Year</u> |
| APPROVED BY      | <del>Council</del> <u>The Board</u>             |

## PURPOSE

In accordance with governing legislation, nominations and elections to ~~Council~~ the Board are held annually. This document references relevant sections of the *Professional Governance Act*, regulations and bylaws, and outlines procedures related to nominations, candidate statements, balloting and the publication of results.

The Chief Executive Officer is the Chief Electoral Officer and is responsible for the conduct of the election.

## NOMINATIONS

- 1) Candidates may only be considered for election to ~~Council~~ the Board through the Nomination Committee:
  - a) The Nomination Committee must follow a merit-based selection process in accordance with the *Professional Governance Act* and supporting regulations.
  - ~~b) Nominees for the office of President must be made from registrants who have at least one year of experience as a councillor for Engineers and Geoscientists BC prior to the date of taking office or equivalent experience as determined by the Nomination Committee, provided that such a candidate is available for nomination. (Bylaw 4.3 (2)).~~
  - ~~e)b)~~ The Nomination Committee shall make a reasonable effort to nominate at least one more candidate than there are vacancies to be filled on the ~~Council~~ Board.

- 2) In order for potential nominees to be included on the list of nominees presented by the Nomination Committee, a completed "Prospective Nominee Form" must be submitted to the Nomination Committee by the published due date. The due date may be extended, at the discretion of the Committee.
- 3) The list of candidates nominated by the Nomination Committee, signed by the chair of the Nomination Committee, and accompanied by the written consent of the nominees, ~~shall must be placed in the hands of~~provided to the the Chief Executive Officer and ~~shall~~ be published at least 90 days prior to the annual general meeting. (Bylaw 4.4)
- 4) The Chief of Executive Officer will confirm that all nominees are registrants in good standing.

## CANDIDATE STATEMENTS

- 5) The election materials shall contain a description of the nomination process, including the role of the Nomination Committee, and a statement encouraging all eligible registrants to vote.
- 6) Candidate statements are to be listed ~~by office and~~ in alphabetical order in the election materials with the exception of the ballot which will be listed in random order.
- ~~7) The following candidate statement word limits will apply:~~
- ~~8)7) Councillor-Board member~~ candidate ~~statements will be limited to~~ Limit of to 400 words including Education, Professional History, Engineers and Geoscientists BC Activities, Related Professional Activities, Awards and Honours, and Community Involvement listings.
  - ~~a) Presidential candidates: Limit of 800 words including Education, Professional History, Engineering and Geoscience BC Activities, Related Professional Activities, Awards and Honours, and Community Involvement listings.~~
- ~~9)8)~~ The top of the candidate statement, next to the candidate's picture, will list in bold; the name of the candidate, ~~his/her~~the Engineers and Geoscientists BC professional designation(s) and ~~his/her~~any Engineers Canada or Geoscientists Canada honorary designations. No other degrees or professional designations will be included in the title.
- ~~10)9)~~ The published format for educational degrees is to be as indicated in the Engineers and Geoscientists BC database. Prior to publication, the candidate must provide to the organization verification of degrees that are not listed in the Engineers and Geoscientists BC database. If the degree is an engineering degree (e.g. civil engineering), "civil engineering" will be indicated.
- ~~11)10)~~ Only degrees conferred upon the candidate will be included.

- ~~12)~~11) Candidate statements will be formatted as per the examples provided on the Candidate Statement Form. Any description of activities is to be included in the Statement Section.
- ~~13)~~12) Any individual awards, honours or recognitions, e.g. honorary titles candidates wish to include are to be listed under the Awards and Honours category. Any team awards that candidates wish to include must clearly be marked as team awards.
- ~~14)~~13) All activities listed by candidates shall be current or past activities (not future or anticipated activities).
- ~~15)~~14) The Election materials will identify any candidates who are facing a disciplinary inquiry with Engineers and Geoscientists BC.
- ~~16)~~15) Candidate statements may be verified for factual content. Any content deemed by the Chief Executive Officer to be inappropriate, defamatory, or which cannot be substantiated by the candidate may not be published, in the Chief Executive Officer's sole discretion. Staff will advise candidates of content that is unacceptable. Candidates are reminded of tenet 13 of the Code of Ethics to *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.*
- ~~17)~~16) Candidate statements must not contain promises or assurances advocating for policies or activities that fall outside the remit of Engineers and Geoscientist's BC public interest mandate or any statements that could potentially be seen to be advocating for registrant interests.
- ~~18)~~17) Subject to clause 15 and 16, Engineers and Geoscientists BC staff may not provide campaign advice to candidates.
- ~~19)~~18) Engineers and Geoscientists BC's style conventions will be applied to the election material.
- ~~20)~~19) External web links will not be published as part of candidate statements.
- ~~21)~~20) Candidate statements must be submitted by the due date specified by the Chief Executive Officer. Late submissions will not be accepted for publication in the Election Materials.
- ~~22)~~21) Candidate statements may not be edited after the due date, except at the request of elections staff.
- ~~23)~~22) The final wording of the candidate's statement will be provided to the candidate for review and acceptance. If acceptance is not provided by the specified time, the latest version of the statement as emailed to the candidate will be published.
- ~~24)~~23) All candidate statements are confidential prior to publication and will not be released to anyone other than the candidate and those staff and contractors involved in the publication of the Election materials.
- ~~25)~~24) In the Election materials, continuing ~~councillors~~ Board members are to be listed noting Engineers and Geoscientists BC designations only. Lieutenant Governor appointees are to have professional designations noted only.



~~26)~~25) Candidates may be invited to participate in additional opportunities that allow registrants to learn more about candidates. Participation in these activities is on an optional basis.

## BALLOTS

~~27)~~26) The Chief Executive Officer must prepare a ballot containing the names of all candidates nominated by the Nomination Committee (Bylaw 4.5 (2)).

~~28)~~27) Voting information shall be sent to all eligible voters at least 42 days prior to Engineers and Geoscientists BC Annual General Meeting.

~~Council positions will appear in the following order on the ballot: President, Councillor.~~

~~29)~~28) Candidates are to be listed on the ballot in random order.

~~30)~~29) The candidate's city listed on the ballot is to be the home address as indicated in the Engineers and Geoscientists BC database. The candidate's address will be changed to another recorded address at the request of the candidate.

~~31)~~30) The candidate's Engineers and Geoscientists BC professional designation(s) will be listed on the ballot. Other professional designations and degrees will not be listed.

~~32)~~31) Candidates elected by acclamation will be listed with the office they were acclaimed to.

## BALLOT PROCEDURES

33) The ballot will be conducted electronically, with a third-party contracted to administer the electronic vote and provide the results to the Chief Executive Officer.

34) The provider of the balloting service will ensure:

- a) Only registered eligible voters are able to vote;
- b) The system is secure and cannot be accessed by unauthorised persons;
- c) Each eligible voter can only vote once;
- d) The ballots of registrants who voted can be identified;
- e) The service provider will track the number of voters by regions and other demographic criteria, as specified by ~~Council~~the Board from time to time;
- f) Subject to items 34 d) and e) above, each registrant's vote is kept confidential and under no circumstances will the way in which a registrant voted be disclosed to Engineers and Geoscientists BC and;
- g) No one other than the service provider will have access to voting results until after the closing of

voting;

35) Voting for more ~~than one president of the Council or more~~ than the number of Registrant ~~councillors~~ Board members to be elected will render the applicable part of the ballot invalid (Bylaw 4.5 (4)).

36) Voting for less than ~~one president of the Council or less than~~ the number of Registrant ~~councillors~~ Board members to be elected will not invalidate the ballot (Bylaw 4.5 (5)).

37) Voting must be closed at noon on the 15th day prior to the Annual General Meeting (Bylaw 4.5(3)).

38) Ballots cast in an election must be tabulated at least 10 days prior to the Annual General Meeting (Bylaw 4.5 (6)).

~~39) The candidate for position of president of the Council who receives the most votes in the election is elected to that position (Bylaw 4.5 (7)).~~

~~40)~~39) The candidates for positions as Registrant ~~councillors~~ Board members who receive the most votes in the election are elected to those positions (Bylaw 4.5 (8)).

~~41) If there are any vacancies in 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 (Bylaw 4.5 (9)).~~

~~42)~~40) If there is a tie vote between 2 or more candidates, the Chief Executive Officer must hold a random draw to determine the successful candidate (Bylaw 4.5 (10)).

~~43)~~41) The successful candidates for positions of Registrant ~~councillors~~ Board members, ~~including the position of president of the Council~~ must take office at the close of the Annual General Meeting (Bylaw 4.5 (12)).

~~44)~~42) Results of the ballot count will remain confidential until such time that the Chief Executive Officer advises they may be published.

~~45)~~43) Should the vote total between the two candidates be less than 25 votes, a verification of the results for those candidates will be conducted by the Chief Executive Officer.

## PUBLICATION OF RESULTS

~~46)~~44) The Chief Executive Officer must inform each candidate in the election of the results prior to the general publication.

~~47)~~45) The number of votes received by each candidate will be published on Engineers and Geoscientists BC website.

~~48)~~46) The results ~~shall~~ must be announced at the Annual General Meeting (Bylaw 4.5 (11)).

~~49)~~47) The results of the election ~~shall~~ will be published on the Engineers and Geoscientists BC website,

magazine and e-newsletter.

*For the purpose of this policy, the term “published,” relates to any method deemed appropriate by the Chief Executive Officer where **all** registrants are sent a notification unless otherwise noted.*

*Should any provisions in the policy be in conflict with governing legislation, the applicable sections of the Professional Governance Act, regulations, and/or bylaws shall prevail.*

### **Revision and Approval Log**

**Approved by Council: January 24, 2014 (CO-14-42)**

***Minor editorial changes made January 27, 2016***

**Approved by Council: February 10, 2017 (CO-17-33)**

**Approved by the Nomination & Election Sub-committee of Council: June 5, 2019**

**Approved by Council: June 19, 2020 (CO-20-67)**

**Approved by Council : April 23, 2021 (CO-21-72)**

## OPEN SESSION

### ITEM 5.4

|                           |   |
|---------------------------|---|
| DATE                      | April 5, 2023   |
| REPORT TO                 | Board for Decision  |
| FROM                      | Alice Kruchten, P.Eng. Practice Advisor, PPSD   |
| SUBJECT                   | <i>Professional Practice Guidelines – Legislated Dam Safety Reviews in BC</i> , Version 4.0 |
| LINKAGE TO STRATEGIC PLAN | Enhance members' awareness and use of professional practice resources.                      |

|         |   |
|---------|---|
| Purpose | For Board review and decision.  |
| Motion  | <p>Consistent with the authority granted under PGA 57 (1) (b) and Bylaw 7.3.1 (1), the Board approve <i>Professional Practice Guidelines – Legislated Dam Safety Reviews in BC</i> V4.0 to be published following editorial and legal review. The Board's approval is based on confirmation that the following criteria have been met as outlined in the Board Policy on Professional Practice Guidelines:</p> <ul style="list-style-type: none"> <li>- the standard guideline development process was followed; and</li> <li>- a robust and appropriate review and consultation process was followed.</li> </ul> |

## 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

Dams are a major part of public infrastructure in BC; when engineering and geoscience professionals conduct dam safety reviews, they play a key role in protecting public safety and the environment with respect to this type of infrastructure.

Engineers and Geoscientists BC collaborated with the Ministry of Forests (regulator of *freshwater* dams in BC) and Ministry of Energy, Mines, and Low Carbon Innovation (regulator of *mining* dams in BC) to update the 2016 *Professional Practice Guidelines - Legislated Dam Safety Reviews in BC*.

These guidelines were originally published in 2013 with the intention of guiding professional practice for legislated dam safety reviews of water reservoir dams pursuant to the *Dam Safety Regulation*. The guidelines were later modified in 2016, with the assistance and support of the Ministry of Energy, Mines, and Low Carbon Innovation, to include mining dams.

The objective of this latest 2023 revision is to continue to specify the expectations and obligations for professional registrants when carrying out dam safety reviews by:

- bringing consistency and increased quality to dam safety reviews,
- establishing roles, and responsibilities of the practitioners undertaking this work.
- outlining various methodologies for dam safety analysis,
- addressing how to appropriately state findings and professional opinions, with a focus on adequate documentation and reporting requirements,
- providing guidance on quality management processes,
- covering the education, training, skillsets, and experience required to do this work.

The current revision captures changes that have occurred with the introduction of the *Professional Governance Act*, and the corresponding revised Engineers and Geoscientists Regulation and Bylaws, as well as updates to other applicable legislation and guidance documents.

The Ministry of Forests, and Ministry of Energy, Mines, and Low Carbon Innovation have provided funding towards this 2023 revision project.

## REASON FOR INITIATION

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

### Additional Information:

This version represents a revision of the V3.0 version of these professional practice guidelines, last updated in October 2016.

## WAS THE STANDARD DEVELOPMENT PROCESS FOLLOWED AS PER THE POLICY ON PROFESSIONAL PRACTICE GUIDELINES?

- ☒ Yes
- ☐ No

### Additional Information:

As per the Board Policy on Professional Practice Guidelines, Board 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 Board members to review the specific content of the guidelines. Any member of the Board who would like to review the guidelines prior to publishing may contact staff.

## AUTHORS, REVIEWERS, AND CONSULTATION

### Authors:

- *Desmond Hartford, P.Eng. – BC Hydro*
- *Bruce Musgrave, P.Eng. - BMA Engineering Ltd.*
- *Bill Chin, P.Eng - Klohn Crippen Berger Ltd.*

### Reviewers:

- *Terry Oswell, P.Eng. – BC Hydro*
- *Victor Marques, P.Eng. – Ministry of Energy, Mines, and Low Carbon Innovation*
- *Robert McLean, P.Eng. - Northwest Hydraulic Consultants Ltd.*
- *Mike Noseworthy, P.Geo., P.L.Eng. - Ministry of Forests*
- *Heather Narynski, P.Eng. – Ministry of Energy, Mines, and Low Carbon Innovation*

- Sarah Morse, P.Eng. – Ministry of Energy, Mines, and Low Carbon Innovation
- Gouri Bhuyan, P.Eng. – BC Oil and Gas Commission
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- Carl Miller, P.Eng. – WSP Canada
- Neil Bailey, P.Eng. – Ministry of Environment
- Ananthan Suppiah, P.Eng. - Indigenous Services Canada
- Harshan Radhakrishnan, P.Eng. – Engineers and Geoscientists BC
- Adrian Chantler P.Eng. – Consultant

#### **Consultation:**

- *Engineers and Geoscientists BC Engineers and Geoscientists in the Resource Sector (EGIRS) Division*
- *Engineers and Geoscientists BC Professional Practice Advisory Group (PPAG)*
- *Engineers and Geoscientists BC Climate Change Advisory Group (CCAG)*
- Approximately 15 additional individual practitioners, as requested by author group.

#### **RECOMMENDATIONS**

That the Board approve the *Professional Practice Guidelines – Legislated Dam Safety Reviews in BC*, Version 4.0 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), the Board approve *Professional Practice Guidelines – Legislated Dam Safety Reviews in BC* to be published following editorial and legal review. The Board's approval is based on confirmation that the following criteria have been met as outlined in the Board Policy on Professional Practice Guidelines:

- The standard guideline development process was followed; and
- A robust and appropriate review and consultation process was followed.



## OPEN SESSION

### ITEM 5.5

|                           |  |
|---------------------------|--|
| DATE                      | April 4, 2023  |
| REPORT TO                 | Board for Decision   |
| FROM                      | Peter R. Mitchell, P.Eng. – Director, Professional Practice, Standards and Development |
| SUBJECT                   | <i>AIBC/EGBC Guide to the Certified Professional Program Edition #3, January 2023</i>  |
| LINKAGE TO STRATEGIC PLAN | Enhance registrants’ awareness and use of professional practice resources.             |

|         |   |
|---------|---|
| Purpose | For Board review and decision.  |
| Motion  | <p>Consistent with the authority granted under PGA 57 (1) (b) and Bylaw 7.3.1 (1), the Board approve <i>the AIBC/EGBC Guide to the Certified Professional Program</i> to be published following editorial and legal review. The Board’s approval is based on confirmation that the following criteria have been met as outlined in the Board Policy on Professional Practice Guidelines:</p> <ul style="list-style-type: none"> <li>- the standard guideline development process was followed; and</li> <li>- a robust and appropriate review and consultation process was followed.</li> </ul> |

## BACKGROUND

The Certified Professional (CP) Program was established by a joint advisory group of the Architectural Institute of BC ( AIBC ) , Building Officials Association of BC ( BOABC ) and Engineers and Geoscientists BC and was implemented in 1980.

The *Certified Professional* Program is voluntary and is offered as an alternative to the conventional *building* permitting process and monitoring of the construction process where a municipality uses internal staff ( plan reviewers and inspectors) to ascertain that the design will substantially comply and the construction of the project will substantially conform in all material respects with the fire and life safety, and accessibility aspects of the *building* code, other applicable safety enactments, and the related development permit. For municipalities that have voluntarily adopted the CP Program, rather than using internal staff as explained above, specially trained architects and professional engineers confirm that a building's design will substantially comply and the construction of the project will substantially conform in all material respects with the fire and life safety, and accessibility aspects of the *building* code, other applicable safety enactments, and the

related development permit. The municipalities' Chief *Building* Official relies upon the *CP*'s assurances in issuing *Building* Permits and Occupancy Permits for a project constructed under the *CP* Program.

The owner has an expectation that the *CP* is looking after the owner's interests. Since the *CP* is also acting on behalf of the Authority having Jurisdiction/municipality ( AHJ) undertaking plan reviews and site reviews, the *CP* also has an obligation to the *AHJ* in respect to "code coordination". Although there may be a perceived conflict of interest in these two roles of the *CP*, there is no conflict. The *CP* is bound by the by-laws, established standards of practice ( the AIBC/EGBC Guide to the Certified Professional Program Edition #3 ) and code of ethics of their professional regulator which mandates protection of the public as the primary responsibility of their members.

The CP Program has been hosted and administered by a number by a number of different organizations over the years and until 2016 was administered by the City of Vancouver. Currently the following municipalities and first nations communities have implemented the CP Program in their jurisdictions:

- City of Vancouver
- City of Abbotsford
- City of Surrey
- City of Burnaby
- District of Squamish
- District of West Vancouver
- University Endowment lands ( they are a separate municipality )
- Squamish Nation - Kitsilano Indian Reserve #6
- Tsleil-Waututh Nation

The City of Burnaby recently confirmed that they will also be adopting the CP Program.

Architects and Professional Engineers who meet the educational and training requirements to become a CP carry out CP services on the development of new and alterations to existing buildings that are greater then 600 meters squared and 3 stories ( known as part 3 buildings under the BC Building Code and Vancouver Building Bylaw ). CP's do not provide services on single family dwellings or duplexes. Virtually all Part 3 buildings constructed in Vancouver and Surrey have been permitted based on the assurances provided by a CP to the municipalities' Chief Building Official who then authorizes the issuance of a Building Permit and Occupancy Permit.

Building projects that are permitted using the CP Program are completed and occupied faster then those following the conventional building permitting process which as explained above utilizes internal staff within the municipality.

Further information on the CP program can be found by clicking on the following link to the CP Program located on the Engineers and geoscientists BC website <https://www.egbc.ca/Practice-Resources/Programs-Resources/Certified-Professional-Program> .

## DISCUSSION

Engineer and Geoscientists BC and AIBC took over the CP program from the City of Vancouver in 2016 for the following reasons:

- Concern that a municipality was establishing the standards of practice for architects and professional engineers carrying out professional activities as a certified professional and regulating the practice of architects and professional engineers practicing as CP's when the municipality had no authority to regulate the practice of architecture or professional engineering.
- If the services of a CP endangered public safety or caused injuries or death due to a building they had provided assurances on that its design substantially complies and the construction of the project substantially conforms in all material respects with the fire and life safety, and accessibility aspects of the building code, other applicable safety enactments, and the related development permit when it actually did not meet these requirements then AIBC and Engineers and Geoscientists BC could cause the public and the Office of the Superintendent of Professional Governance ( OSPG ) to question whether Engineers and Geoscientists BC was meeting their regulatory mandate under the Professional Governance Act.

The AIBC/EGBC Guide to the Certified Professional Program ( the Guide ) serves as a reference for Certified Professionals in their day-to-day activities while fulfilling their role as CPs on a project. The intent of the Guide is to establish a minimum baseline of professional practice to which all CPs must adhere. This minimum baseline will improve the uniformity and consistency of the application of CP services throughout the building construction industry. It is important to note that this minimum baseline of professional practice is not intended to define the ceiling of expectations for CPs, only the floor. In addition, the AIBC/EGBC Guide to the Certified Professional Program establishes the scope of practice for a certified professional. Importantly AIBC and Engineers and Geoscientists BC oversee the bylaw jurisdictions adopt when implementing the CP Program to assure that the municipalities' CP bylaw is consistent with the standard of practice and scope of practice outlined in the attached Guide approved by AIBC and Engineers and Geoscientists BC . As of January 2023 there are 56 CP's that are Architects and 90 that are Professional Engineers.

The AIBC/Engineers and Geoscientists BC CP Program is an important example of how AIBC and Engineers and Geoscientists BC delivers on the following provision in the Professional Governance Act.

Section 22 (2) (h) (i) and (ii) under **General duty and responsibilities of regulatory bodies**

“In the course of exercising the powers and performing the duties of the regulatory body under this Act or other enactments, to promote and enhance the following:

- (i)collaborative relations with other regulatory bodies, post-secondary education institutions and the government;
- (ii)interprofessional collaborative practice between its registrants and persons practising another profession;”

**Additional Information:**

The *AIBC/EGBC Guide to the Certified Professional Program* was last updated in 2018. The Guide is updated using the typical revision cycle of 5 years as per all other professional practice guidelines. Revisions are proposed and reviewed by registrants and participating municipalities as well as the development community.

**WAS THE STANDARD DEVELOPMENT PROCESS FOLLOWED AS PER THE POLICY ON PROFESSIONAL PRACTICE GUIDELINES?**

☒ Yes

☐ No

**Additional Information:** The development of the *AIBC/EGBC Guide to the Certified Professional Program Edition #3, January 202* took over a year and the Certified Professional Advisory Group was extensively consulted throughout the process. The Certified Professional Advisory Group is comprised of four professional engineers practicing as CP's , four architects practicing as CP's and representatives from each of the nine jurisdictions that have implemented the CP program, the Manager of the Certified Professional Program as well as staff from AIBc and Engineers and geoscientists BC. The AIBC /Engineers and Geoscientists BC Certified Professional Advisory Group recommended that AIBC and the Engineers and Geoscientists BC Board approve the Guide for final editorial and legal review before publication. The AIBC /Engineers and Geoscientists BC Certified Professional Advisory Group followed a documented process for addressing comments received during the year long review process.

As per the Board Policy on Professional Practice Guidelines, Board approval of professional practice guidelines is based on confirmation that that the development and consultative process has been followed. As such, there is no expectation for Board members to review the specific

content of the Guide. Any member of the Board who would like to review the guide prior to publishing may contact staff.

## RECOMMENDATION

That the Engineers and geoscientists BC Board approves the *AIBC/EGBC Guide to the Certified Professional Program Edition #3, January 2023* 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), the Engineers and Geoscientists BC Board approve the *AIBC/EGBC Guide to the Certified Professional Program Edition #3, January 2023* to be published following editorial and legal review. The Board's approval is based on confirmation that the following criteria have been met as outlined in the Board Policy on Professional Practice Guidelines:

- The standard guideline development process was followed; and
- A robust and appropriate review and consultation process was followed.

## OPEN SESSION

### ITEM 5.6

|                           |   |
|---------------------------|---|
| DATE                      | April 5, 2023   |
| REPORT TO                 | Board for Decision  |
| FROM                      | Governance Sub-Committee  |
| SUBJECT                   | Format of the 2023 Annual General Meeting                                     |
| LINKAGE TO STRATEGIC PLAN | We have efficient and effective systems in place to enable modern regulation. |

|         |   |
|---------|---|
| Purpose | To consider the format for the 2023 Annual General Meeting.   |
| Motion  | That the Board approve the 2023 Annual General Meeting be held in Whistler, BC, using a hybrid format on October 28, 2023 at 9:30 am. |

## BACKGROUND

Due to the Covid-19 pandemic, the last three Annual General Meetings have been held in an entirely virtual format. As the pandemic conditions have continually improved, more organizations are returning to large, in-person or hybrid, events. This year, the Annual Conference will be held in person in Whistler from October 26 to 27. The AGM has traditionally been held alongside the conference and space is being held to allow for an in-person AGM on October 28<sup>th</sup>.

The Governance Sub-committee reviewed the recommendation by staff that the 2023 AGM be held using a hybrid format at their meeting on March 8, 2023, and recommends that the Board approve the hybrid format.

## DISCUSSION

With the Annual Conference returning as an in-person event, staff began researching how other regulators and similarly sized organizations are managing their own returns to in-person events and AGMs. The research, which included discussions with representatives from other organizations on their experiences and lessons learned, shows that many have moved to hybrid formats with good results.

There are clear benefits to a hybrid event, particularly for registrants who don't have the time or ability to travel but who still wish to participate in the governance of their profession. The hybrid model may also lead to an increase in overall attendance as some number of registrants will have forgone attending the virtual-only AGMs the past three years, whereas others may continue to prefer a virtual option. In this regard, the hybrid option offers the best of both worlds. While holding a hybrid AGM will require more time, resources, and cost, management recommend moving forward with a hybrid model for 2023 and assessing the experience for future years.

The bylaws of Engineers and Geoscientists BC allow for the Board to determine the format of the AGM – in person, by electronic means or a combination. When the final format decision has been made by the Board, staff will work to update the AGM rules to account for the hybrid format.

## RECOMMENDATIONS

It is recommended that the 2023 Annual General Meeting be held using a hybrid format.

## MOTION

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



## OPEN SESSION

### ITEM 5.7.1

|                           |  |
|---------------------------|--|
| DATE                      | April 4, 2023  |
| REPORT TO                 | Board for Information  |
| FROM                      | Dan Rankin, Manager, Project Management Office                               |
| SUBJECT                   | Project Management Office Update   |
| LINKAGE TO STRATEGIC PLAN | We have efficient and effective systems in place to enable modern regulation |

|         |   |
|---------|---|
| Purpose | To update the Board on PMO activity and the progress of strategic projects. |
| Motion  | No motion required. For information only.                                   |

## BACKGROUND

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

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

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

## DISCUSSION

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



## **PMO Development**

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

- **Capacity Building**
  - PMO continues to work with a consultant to help guide and assist the development of PMO tools, methods, and processes.
  - PMO is now actively recruiting for two positions that will allow for increased capacity to support organization project management and change management functions.
- **Focus on the foundation**
  - PMO recently conducted a survey of staff to inform our understanding of staff perceptions regarding what functions the PMO should provide, and regarding our readiness for change. A key observation from the survey is that staff are noticing a lot of change at EGBC, but also appear ready to embrace change. The survey results will help inform next steps in the development of the PMO and its functions.
  - PMO continues to develop fundamental concepts related to the scope and mandate of PMO. Work is nearing completion that will clarify what is a PMO project, and the associated project classes and project phases, to better help our organization understand the role and extent of PMO. In parallel, PMO is planning the change management and internal communications strategy to promote these fundamental concepts.

## **Strategic Support**

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

Work is continuing to support planning of the FY23/24 initiatives, and will soon shift to facilitating the development of project charters for all projects that are planned to start in the upcoming fiscal year.

## **Project Support**

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

The Data Governance – Initiation Phase project commenced since the previous PMO report, and a status summary for that project is now included.

### *Aligning to Strategy Summary*

Aligning to Strategy work in this reporting period has continued to focus on planning for upcoming related tasks. “Aligning What We Do” preparations continue to focus on planning for the recommendations of the activity evaluation exercise. Within “Keeping Strategy Alive”, work has completed on the annual corporate planning calendar.

### *PGA Integration Status Summary*

Significant progress is achieved within the PGA Integration project to better characterize the scope and desired outcomes for each of the fourteen activities that comprise the project. As noted in the previous PMO update, charters are being developed to facilitate regular progress reporting and executive sponsor completion signoff. PMO is directly supporting the development, review, and approval of the charter documents. To date, of the ten activities within this project that are presently executing six have completed charters, with the other four activities have well-developed drafts of their charters. Completed and draft charter contents are now being used to track project progress where available.

Notable achievements within the PGA Integration project during this reporting period include:

- Hired and onboarded first individual audit assessor and practice reviewer.
- Completed Practice Reviewer Manual.
- Completed communications strategy for CE/AR enhancements.
- Implemented process for deciding topics for the annual mandatory learning modules.
- Interim report 1 complete for advocacy review action/transition implementation.

### *Data Governance Status Summary*

|  |  |                           |                  |
|--|--|---------------------------|------------------|
| <b>Project Name</b>                      | Data Governance - Initiation   | <b>Reporting Period:</b>  | Feb – March 2023 |
| <b>Associated Strategic Pillar(s):</b>   | Process  |                           |                  |
| <b>Project Scope/Objectives Summary:</b> | <ol style="list-style-type: none"><li>1. Assess and define change management approach.</li><li>2. Implement prioritized recommendations from prior data governance consultation.</li><li>3. Create plan for FY24</li></ol> |                           |                  |
| <b>Project Lead:</b>                     | Liza Aboud / Dan Rankin  | <b>Executive Sponsor:</b> | Liza Aboud       |
| <b>Scope Stability Status:</b>           | On track   | <b>Budget Status:</b>     | On track         |
| <b>Schedule Status:</b>                  | On track   | <b>Overall Status:</b>    | On track         |
|  |  |                           |                  |

| Notable achievements during reporting period:  |                |            |                  |         |
|--|----------------|------------|------------------|---------|
| <ul style="list-style-type: none"> <li>Completed kick off meeting.</li> <li>Completed project charters.</li> </ul> |                |            |                  |         |
| Significant open risks:  |                |            |                  |         |
|  | Description    | Likelihood | Potential Impact | Overall |
| Risk 1   | None presently |            |                  |         |

**Key:**

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

**MOTION**

No motion required. For information only.

## OPEN SESSION

### ITEM 5.7.2

|                           |   |
|---------------------------|---|
| DATE                      | April 4, 2023   |
| REPORT TO                 | Board for Information   |
| FROM                      | Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer                  |
| SUBJECT                   | Board Member Attendance Summary (as at April 21, 2023)                        |
| LINKAGE TO STRATEGIC PLAN | We have efficient and effective systems in place to enable modern regulation. |

|         |  |
|---------|--|
| Purpose | To provide updates on the Board Member attendance summary. |
| Motion  | No motion required. For information only.                  |

## BACKGROUND

The Board Member Attendance Summary is used to track individual attendance at the Board meetings and other Board related events as well as the meetings of Board Sub-Committees that Board Members are assigned to (e.g. the Executive Sub-Committee, the Governance Sub-Committee and the Audit Sub-Committee). Each Board Member is assigned a column which is regularly updated.

At the end of the Board term, each Board Member's column will be tallied and a percentage applied. The intent in curating this summary is to provide information that will assist with future correspondence relating to things such as the election; this will enable staff to display the high level of dedication that is required of candidates. The Board Member Attendance Summary will also provide a clear visual of the number of mandatory (and a select few strongly recommended) Board related meetings that the average Board Member is required to attend.

## APPENDIX A – Board Member Attendance Summary (as at April 21, 2023)

|   | Mark Adams, P.Eng. | Michelle Mahowich, P.Eng., P.Geo. | Carol Park, P.Eng. | Suky Cheema, CA, CPA | David Wells, JD | Emily Lewis, CPA, CMA | Leslie Hildebrandt, ICD.D., LL.B. | Jessica Steeves, P.Eng. | Jens Weber, P.Eng. | Mark Porter, P.Eng., Struct.Eng. | Mahsoo Dasouar Naderi, P.Eng. | Karen Ling, P.Eng. |
|---|--------------------|-----------------------------------|--------------------|----------------------|-----------------|-----------------------|-----------------------------------|-------------------------|--------------------|----------------------------------|-------------------------------|--------------------|
| Nov 3, 2022<br>(Inaugural Council Mtg)                                      | ✓                  | ✓                                 | ✓                  | ✗                    | ✗               | ✓                     | ✓                                 | ✓                       | ✓                  | ✓                                | ✓                             | ✓                  |
| Nov 3, 2022<br>(Governance Workshop- mandatory for<br>new councillors only) | ✓                  | ✓                                 |                    |                      |                 |                       |                                   |                         | ✓                  | ✓                                | ✓                             | ✓                  |
| Nov 9, 2022<br>(Gov Council Sub-Comm)                                       |                    |                                   |                    |                      |                 | ✓                     | ✓                                 | ✓                       | ✓                  | ✓                                |                               |                    |
| Nov 9, 2022<br>(Audit Council Sub-Comm)                                     |                    |                                   |                    | ✓                    | ✓               |                       | ✓                                 | ✓                       |                    |                                  |                               |                    |
| Nov 15, 2022<br>(Executive Council Sub-Comm)                                | ✓                  | ✓                                 | ✓                  |                      | ✓               |                       |                                   |                         |                    |                                  |                               | ✓                  |
| Nov 16, 2022<br>(President & VP Orientation)                                | ✓                  | ✓                                 |                    |                      |                 |                       |                                   |                         |                    |                                  |                               |                    |
| Nov 16, 2022<br>(New Council Orientation)                                   | ✓                  |                                   |                    |                      |                 |                       |                                   |                         | ✓                  | ✓                                | ✓                             |                    |
| Nov 25, 2022<br>(Council Mtg)   | ✓                  | ✓                                 | ✓                  | ✓                    | ✓               | ✓                     | ✓                                 | ✓                       | ✓                  | ✓                                | ✓                             | ✓                  |
| Dec 12, 2022<br>(Nomination Comm)   |                    |                                   | ✓                  |                      |                 |                       |                                   |                         |                    |                                  |                               |                    |
| Jan 11, 2023<br>(Executive Council Sub-Comm)                                | ✓                  | ✓                                 | ✓                  |                      | ✓               |                       |                                   |                         |                    |                                  |                               | ✓                  |
| Jan 25, 2023<br>(Audit Council Sub-Comm)                                    |                    |                                   |                    | ✓                    | ✓               |                       | ✓                                 | ✓                       |                    |                                  |                               |                    |
| Jan 25, 2023<br>(Gov Council Sub Comm)                                      |                    |                                   |                    |                      |                 | ✓                     | ✓                                 | ✓                       | ✓                  | ✓                                |                               |                    |
| Feb 1, 2023<br>(Nomination Comm)  |                    |                                   | ✓                  |                      |                 |                       |                                   |                         |                    |                                  |                               |                    |
| Feb 16, 2023<br>(Strategic Planning Session)                                | ✓                  | ✓                                 | ✓                  | ✓                    | ✓               | ✓                     | ✓                                 | ✓                       | ✓                  | ✓                                | ✓                             | ✓                  |
| Feb 17, 2023<br>(Council Mtg)   | ✓                  | ✓                                 | ✓                  | ✓                    | ✓               | ✓                     | ✓                                 | ✓                       | ✓                  | ✓                                | ✓                             | ✓                  |
| March 8, 2023<br>(Gov Council Sub-Comm)                                     |                    |                                   |                    |                      |                 | ✓                     | ✓                                 | ✗                       | ✓                  | ✓                                |                               |                    |
| March 15, 2023<br>(Nomination Comm)   |                    |                                   | ✓                  |                      |                 |                       |                                   |                         |                    |                                  |                               |                    |
| March 29, 2023<br>(Executive Council Sub-Comm)                              | ✓                  | ✓                                 | ✓                  |                      | ✓               |                       |                                   |                         |                    |                                  |                               | ✓                  |
| April 19, 2023<br>(Nomination Comm Mtg)                                     |                    |                                   | ✓                  |                      |                 |                       |                                   |                         |                    |                                  |                               |                    |
| April 20, 2023<br>(Council Forum Session)                                   | ✓                  | ✓                                 | ✓                  | ✓                    | ✓               | ✓                     | ✓                                 | ✓                       | ✓                  | ✓                                | ✓                             | ✓                  |
| April 21, 2023<br>(Council Mtg)   | ✓                  | ✓                                 | ✓                  | ✓                    | ✓               | ✓                     | ✓                                 | ✓                       | ✓                  | ✓                                | ✓                             | ✓                  |

Attendance Mandatory  
(counts towards final tally)

Attendance Strongly Encouraged  
(does not count towards final tally)

Attendance for Partial Meeting



OPEN SESSION

ITEM 5.7.3

|                           |   |
|---------------------------|---|
| DATE                      | April 4, 2023   |
| REPORT TO                 | Board for Information   |
| FROM                      | Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer                  |
| SUBJECT                   | 2022/2023 Workplan  |
| LINKAGE TO STRATEGIC PLAN | We have efficient and effective systems in place to enable modern regulation. |

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

## BACKGROUND

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

### **Changes as of April 21, 2023**

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

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

- *Annual PGA Audit Update:* Currently, the OSPG are working through our response, which we submitted in February. The OSPG have prioritised registration and foreign credentials, and we anticipate that they will arrange follow up meetings in late April, with results in the summer. The Investigation and Discipline process review results will be published in the fall of 2023.
- *Awards:* There were no awards nominations to present at the April 21, 2023 meeting
- *Annual Update from the Vancouver Airport Authority:* This item was removed from the Board Workplan agenda as there were higher priority items that needed to come before the Board at the meeting in April.
- *Annual Update Audit & Practice Review Committee:* This item was removed from the Board Workplan agenda as there were higher priority items that needed to come before the Board at the April meeting.

#### APPENDIX A – Board Road Map (as of April 21, 2023)

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

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

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

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

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





## OPEN SESSION

### ITEM 6.1

|                           |   |
|---------------------------|---|
| DATE                      | April 5, 2023   |
| REPORT TO                 | Board for Information   |
| FROM                      | Jennifer Cho, CPA, CGA, Chief Financial and Administration Officer<br>Alicia Tan, CPA, CMA, Director, Finance |
| SUBJECT                   | Financial Results as at February 28, 2023   |
| LINKAGE TO STRATEGIC PLAN | We have efficient and effective systems in place to enable modern regulation.                                 |

|         |  |
|---------|--|
| Purpose | For the Board to review financial results as at February 28, 2023. |
| Motion  | No motion required. For information only.                          |

## BACKGROUND

As approved by Board at the September 12, 2014 meeting, quarterly financial reports are to be made available to the Board for review. As the timing of Board meeting does not line up to the availability of third quarter (end of March 2023) results, the financial results as of end of February 2023 is provided here for information. Due to the timing of the Executive Sub-Committee, Audit Sub-Committee meetings, the Sub-committees have not had a chance to review February financial results.

## YEAR-TO-DATE FINANCIAL RESULTS AS AT END OF FEBRUARY 2023

This update includes a comparison of FY2023 year-to-date (YTD) actual results as at the end of February 2023 to the last forecast as presented to Board in February 2023, and to FY2023 budget, with a summary of major variances (in '000's).

| Table 1        |   | A            | B          | C              | D*                    | E*                    |
|----------------|---|--------------|------------|----------------|-----------------------|-----------------------|
|                |   | YTD Actual   | YTD Budget | YTD Forecast 2 | YTD Var-Act vs Budget | YTD Var-Act vs Fcst 2 |
| <b>Summary</b> |   |              |            |                |                       |                       |
| 1              | Revenue   | 17,780       | 17,210     | 17,902         | 569                   | (123)                 |
| 2              | Salaries and Benefits                                 | 9,598        | 10,334     | 9,458          | 736                   | (140)                 |
| 3              | Expenditures  | 5,112        | 6,433      | 5,596          | 1,321                 | 484                   |
| 4=(1-2-3)      | Surplus (Deficit) Before Grants and External Projects | 3,069        | 443        | 2,848          | 2,626                 | 221                   |
| 5              | Surplus (Deficit) from Grants                         | (79)         | 359        | 67             | (438)                 | (146)                 |
| <b>6=(4+5)</b> | <b>Surplus (Deficit)</b>                              | <b>2,990</b> | <b>802</b> | <b>2,915</b>   | <b>2,188</b>          | <b>75</b>             |

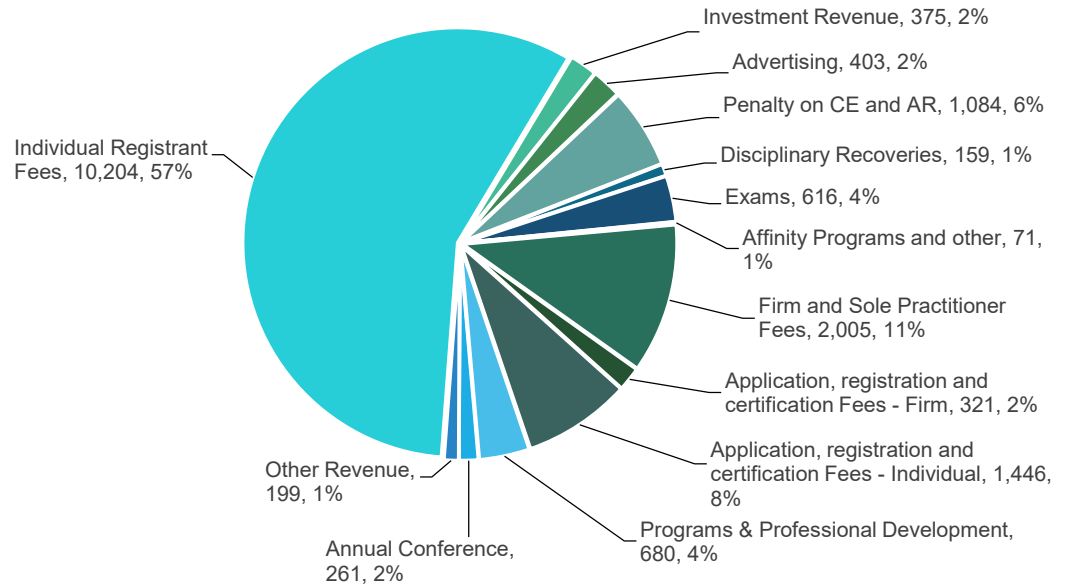
\* Positive figures add to the surplus and negative figures reduce surplus.

The financial result as at end of February 28, 2023 ended with a year-to-date (YTD) surplus of \$2,990K (A6). This is in line with the forecasted YTD surplus of \$2,915K (C6). A more detailed variance report is outlined in [Appendix A](#).

## YTD REVENUES

YTD total revenue is \$17,780K (cell A1). Figure 1 below shows the distribution of this revenue by source.

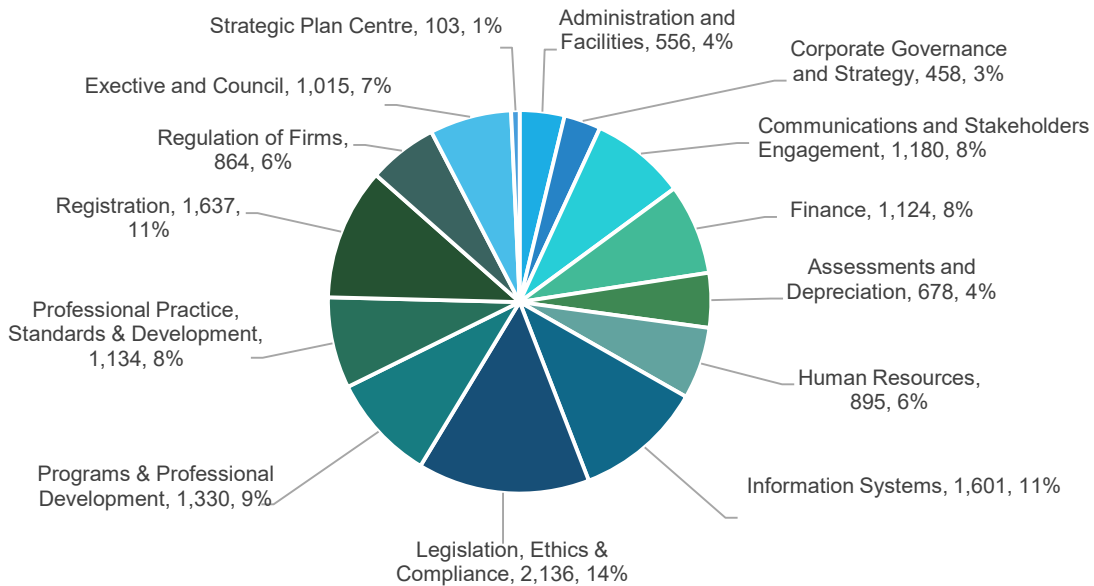
**FY2023 Feb YTD Revenue \$17,780K**  
**Distribution by Source (in '000's)**



**YTD EXPENDITURES INCLUDING SALARIES**

YTD total operating expenditure is \$14,710K (cell A2 and A3). Figure 2 below shows the distribution of this expenditure by function.

**FY2023 Feb YTD Expenditures \$14,710K**  
**Distribution by Function (in 000's)**



### **FY2023 Feb YTD Actuals vs YTD Forecast 2**

YTD revenue is \$123K (cell E1) lower than forecast 2 primarily due to:

- lower Affinity program revenue due to timing of actual vs forecast (actual revenue is occurring in March 2023)
- offset by higher bank interest revenue, timing of legal case recoveries, and higher professional development revenue due to full PD team capacity

YTD expenditure is \$344K (cell E2 and E3) lower than forecast 2 primarily due to:

- lower legal expenses due to timing of disciplinary files,
- lower overall contract services due to timing of project and expenses,
- lower expenses in meeting, events, and travelling
- offset by higher salaries and benefits expenses due to timing of vacation taken

### **FY2023 Feb YTD Actuals vs FY2023 YTD Budget**

YTD revenue is \$569K (cell D1) higher than budget primarily due to:

- higher late fee related to Continuing Education Program (CE) and Annual Reporting (AR)
- higher investment revenue due to rising interest rates
- higher individual application, registration and certification fees due to higher registration/application volume
- offset by lower firm annual fee and sole practitioner fees due to lower than expected number of firms in the 2<sup>nd</sup> year

YTD expenditure is \$2,057K (cell D2 and D3) lower than budget primarily due to:

- lower salaries and benefits expenses due to vacancies,
- lower legal expenses due to timing and rate of settlement on disciplinary files,
- lower overall contract services due to timing of project and expenses,
- lower expenses in meeting, events and travelling

### **MOTION**

No motion required. For information only.

### **APPENDIX A - FY2023 Feb YTD Statement of Revenue and Expenses Compared to Budget and Forecast 2 (in '000's)**

## 6.1 APPENDIX A

### FY2023 Feb YTD Statement of Revenue and Expenses Compared to Budget and Forecast 2 (in '000's)

|                |  | A             | B             | C                 | D* = A<br>vs B<br>Var -<br>Actual<br>vs<br>Budget | E  | F* = A<br>vs C<br>Var -<br>Actual<br>vs Fcst<br>2 | G   |
|----------------|--|---------------|---------------|-------------------|---|--|---|---|
|                |  | YTD<br>Actual | YTD<br>Budget | YTD<br>Forecast 2 |   | Comment - Actual vs<br>Budget  |   | Comment -<br>Actual vs Fcst2                              |
| <b>REVENUE</b> |  |               |               |                   |   |  |   |   |
| 1              | Annual Registrant Fees - Individual                            | 10,204        | 10,155        | 10,269            | 49  | Due to higher than budgeted volume of new applicants                   | (66)  | Due to timing of re-instatement from CE removal           |
| 2              | Annual Fees and Sole Practitioner Fee - Firm                   | 2,005         | 2,510         | 2,001             | (505)   | Due to lower than expected number of firms registering in the 2nd year | 3   |   |
| 3              | Application, registration, and certification fees – Individual | 1,442         | 1,312         | 1,426             | 130   | Higher than expected registration/application volume                   | 17  |   |
| 4              | Application, registration, and certification fees – Firm       | 321           | 230           | 330               | 91  | Mainly due to more than expected firm training fee                     | (9)   |   |
| 5              | Professional and academic examinations                         | 620           | 560           | 626               | 60  | Higher than expected academic exams taken                              | (5)   |   |
| 6              | Penalty on CE and AR   | 1,084         | 500           | 1,066             | 584   | Higher than expected late fee revenue related to CE and AR program     | 18  |   |
| 7              | Professional Development Revenue                               | 686           | 678           | 619               | 9   |  | 67  | Due to not full PD team capacity                          |
| 8              | Investment revenue   | 375           | 100           | 341               | 275   | Higher investment revenue due to rising interest rates                 | 34  | Due to slightly higher interest and timing of investments |
| 9              | Affinity Program revenue                                       | 27            | 255           | 252               | (228)   | Timing of revenue (will happen in March)                               | (225)   | Timing of revenue (will happen in March)                  |
| 10             | Annual conference and innovation magazine                      | 664           | 711           | 702               | (47)  | Due to more use of group discounts for annual conference               | (38)  | Less than expected innovation magazine subscription       |

|    |  |               |               |               |            |   |              |   |
|----|--|---------------|---------------|---------------|------------|---|--------------|---|
| 11 | Miscellaneous revenue and LEC recoveries | 351           | 200           | 270           | 152        | Due to higher bank interest revenue and higher number of registrants paying late fees | 81           | Due to higher bank interest revenue and timing of legal case recoveries |
| 12 | <b>TOTAL REVENUE</b>                     | <b>17,780</b> | <b>17,210</b> | <b>17,902</b> | <b>569</b> |   | <b>(123)</b> |   |

|                              |  | A             | B             | C                 | D* = A<br>vs B               | E  | F* = A vs<br>C               | G  |
|------------------------------|--|---------------|---------------|-------------------|------------------------------|--|------------------------------|--|
|                              |  | YTD<br>Actual | YTD<br>Budget | YTD<br>Forecast 2 | Var -<br>Actual vs<br>Budget | Comment - Actual vs<br>Budget                              | Var -<br>Actual vs<br>Fcst 2 | Comment - Actual vs<br>Fcst 2                              |
| <b>SALARIES AND EXPENSES</b> |  |               |               |                   |                              |  |                              |  |
| 13                           | Salaries and Employee Benefits                   | 9,598         | 10,334        | 9,458             | 736                          | Mainly due to vacancies                                    | (140)                        | Mainly due to timing of vacation taken                     |
| 14                           | Contract and consulting services                 | 1,597         | 2,153         | 1,807             | 556                          | Due to timing of projects and spend across organization    | 210                          | Due to timing of projects and spend across organization    |
| 15                           | Office, general and miscellaneous                | 2,119         | 2,299         | 2,151             | 180                          | Due to timing of actual expense vs budget                  | 32                           | Due to timing of actual expense vs budget                  |
| 16                           | Legal  | 506           | 793           | 642               | 287                          | Due to timing and rate of settlement on disciplinary files | 136                          | Due to timing and rate of settlement on disciplinary files |
| 17                           | Premises and operating costs                     | 272           | 330           | 281               | 58                           | Saving in building repairs and maintenance expenses        | 9                            |  |
| 18                           | Events, travel and other                         | 618           | 858           | 716               | 240                          | Less meeting, events and travelling                        | 98                           | Less meeting, events and travelling                        |
| 19                           | <b>Total salaries and Expenses before Grants</b> | <b>14,710</b> | <b>16,767</b> | <b>15,054</b>     | <b>2,057</b>                 |  | <b>344</b>                   |  |
| 20=(12-19)                   | <b>Surplus Before Grants</b>                     | <b>3,069</b>  | <b>443</b>    | <b>2,848</b>      | <b>2,626</b>                 |  | <b>221</b>                   |  |

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

## OPEN SESSION

### ITEM 6.2

|                           |  |
|---------------------------|--|
| DATE                      | April 05, 2023   |
| REPORT TO                 | Board for Decision   |
| FROM                      | Efrem Swartz, LLB, mMBA, Director, Legislation, Ethics & Compliance<br>Amrita Virk, Legal Counsel, Policy Manager<br>Klara Hillmann, Senior Policy Analyst |
| SUBJECT                   | Amendments to the Bylaws of Engineers and Geoscientists BC   |
| LINKAGE TO STRATEGIC PLAN | PGA Implementation   |

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

## BACKGROUND

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

The OSPG conducted a review of the proposed Bylaw amendments and gave us feedback which has been incorporated into the amendments being proposed. As such, we anticipate that the bylaw amendments will be approved by the OSPG following approval by the Board. If the proposed amendments are approved by the Board, the amended Bylaws will be sent to the OSPG for filing with the Attorney General pursuant to the procedure set out in section 37 of the *Professional Governance Act* (the “PGA”).

## DISCUSSION

### ***Proposed Amendments***

There are two areas of substantive amendments, a proposed fee increase, and several minor and housekeeping amendments.

#### **(1) Changes to Annual Reporting (“AR”) and the Continuing Education Program (“CEP”)**

##### **(A) Establish the Registrar’s authority to grant exemptions from AR requirements and set an application deadline for AR exemption requests**

During the 2022 reporting period, the Registrar approved a policy with a set of criteria (such as medical reasons) that staff could use to determine if a Registrant should be exempt from AR. There is currently no authority in the Bylaws to grant exemptions from AR requirements, therefore, the proposed new provision is meant to ensure that these exemptions are authorized and to provide transparency. The proposed new provisions also establish a June 30 deadline for AR exemption requests. Setting the same deadline for both AR and AR exemption requests is consistent with how other regulators address the same issue.

##### **(B) Set an application deadline for late fee exemption, reduction, deferral, or refund**

The authority to grant late fee exemptions, reductions, deferrals, or refunds is established in the existing Bylaws. However, without an application deadline, we continue to receive such requests and are compelled to review each application to be administratively fair. Setting a September 30 deadline in the Bylaws provides a clear timeframe within which applications will be considered.

##### **(C) Adjust approval authorities and application deadlines for CE exemption requests, and remove the CE late exemption fee**

**Adjust approval authorities:** After the first year of processing CE exemption requests, EGBC staff worked with the Audit and Practice Review Committee (the “APRC”) to build standard decision-making criteria for CE exemptions. The APRC would now like to delegate their authority to approve exemption requests related to parental, compassionate care, and medical leave to officers. Exemption requests for any other extenuating circumstances continue to require APRC approval.

**Adjust the application deadlines for CE exemption requests:** The standard exemption deadline is being changed from April 30 to June 30. The late exemption deadline is being changed from July 31 to December 31.

With the adjustment of application deadlines for CE exemptions, a consequential amendment is to repeal section 7.6.12. which allows the APRC to preclude or delay a suspension. The new exemption request deadlines provide Registrants with ample opportunity to apply for an exemption which eliminates the need for section 7.6.12. If a Registrant missed the June 30 deadline to apply for an exemption for CE, the Registrant can still apply for a late exemption by September 30 to avoid a suspension, or by December 31 to avoid cancellation.

**Remove the late exemption fee:** The late exemption fee was established to cover administrative costs associated with fast-tracking late applications, but we have learned that collecting late fees is an onerous task and unnecessarily punitive to individuals experiencing extenuating circumstances.



#### (D) Harmonize the collection of late fees

EGBC staff is currently working on a project to improve and streamline the process of AR, CE reporting, and the collection of late fees to make it more user-friendly. Part of that project requires Bylaw amendments with respect to the imposition of late fees. For reference, the late fees are:

- \$100 late reporting fee for failure to complete AR or failure to submit the CE declaration.
- \$200 late completion fee for failure to complete CE requirements.

Under the improved AR and CE reporting system, Professional Registrants will no longer be able to complete AR without completing their CE reporting. Therefore, if a Professional Registrant fails to complete CE and is charged the late completion fee, they are not charged the late reporting fee. Thus, the late fee for failure to complete both CE and AR is capped at \$200. Other Individual Registrants who are required to complete AR but do not have CE requirements to complete (e.g., Trainees, non-practising Registrants) will only be subject to the \$100 late reporting fee when failing to complete AR.

**Table 1: Overview of Deadlines, Consequences, and Exemption Opportunities when Individual Registrants Fail to meet AR and CE Requirements**

| Dates   | What is due?      | Consequences  | AR / CE Exemption Opportunities  |
|---|-------------------|---|--|
| June 30   | AR & CE reporting | <b>Late fees for failing to meet the June 30 deadline:</b> <ul style="list-style-type: none"><li>• Failing to meet AR requirements: \$100 Late reporting fee</li><li>• Failing to meet CE requirements: \$200 Late completion fee</li><li>• Failing to meet both: \$200 late completion fee applies</li></ul> | <b>AR / CE Exemption Application deadline.</b><br>If an exemption is granted, no late fee applies  |
| If a Registrant failed to complete AR / CE and has not applied for an AR / CE exemption by June 30: |                   |   |  |
| Sept 30   | Suspension        | <b>To avoid suspension:</b> <ul style="list-style-type: none"><li>• Complete AR / CE reporting, and</li><li>• Pay the late fee</li></ul>  | <b>To avoid suspension:</b> <ul style="list-style-type: none"><li>• Apply for a late exemption from CE by Dec 31</li><li>• No opportunity for late exemption from AR</li></ul>   |
|   |                   | <b>To avoid the late fee:</b> <ul style="list-style-type: none"><li>• Apply for a late fee exemption by Sept 30</li></ul>   | <b>To avoid the late fee:</b> <ul style="list-style-type: none"><li>• If a CE late exemption is granted, no late fee</li></ul>   |
| Dec 31  | Cancellation      | <b>To avoid cancellation:</b> <ul style="list-style-type: none"><li>• Complete AR / CE reporting, and</li><li>• Pay the late fee</li></ul>  | <b>To avoid cancellation:</b> <ul style="list-style-type: none"><li>• Apply for a late exemption from CE by Dec 31</li><li>• No opportunity for late exemption from AR</li><li>• No opportunity for a late fee exemption after Sept 30</li></ul> |

## **(2) Suspension and Cancellation for Failure to Comply with Regulatory Requirements, and Reinstatement Rules**

Amendments to the PGA came into force on June 2, 2022. The new section 50.1 provides bylaw-making authority to suspend or cancel Registrants for failure to comply with certain regulatory requirements. Section 50.1 also requires Bylaws to establish procedures for reinstatement. The following provides a brief overview of existing Bylaw provisions that require minor amendments [see **(A)** and **(B)**], as well as proposed new Bylaw provisions [see **(C)**, **(D)**, and **(E)**].

### **(A) Failure to pay fees**

The existing Bylaws establish suspension and cancellation of Registrants for failure to pay fees. Minor amendments are proposed to clearly set out the provisions for individual Registrants and Registrant Firms, and ensure the language matches the PGA.

The existing Bylaws for reinstatement capture that any amounts owed to EGBC must be paid as a pre-requisite for reinstatement.

### **(B) Failure to complete or provide proof of completion of CEP**

The existing Bylaws establish suspension and cancellation for failure to comply with the CE requirements. A minor change is proposed to formally establish the Registrar as the decision-maker.

The existing Bylaws for reinstatement at section 5.23 already address CE related requirements, so no changes are needed.

### **(C) Failure to participate in a Compliance Audit**

### **(D) Failure to cooperate with a Practice Review**

The proposed new bylaw provisions match the wording in section 50.1 of the PGA and specify what it means to “participate in a compliance audit” and “cooperate with a practice review”. A Registrant who fails to comply with these requirements within the specified time period may be suspended. If a suspended Registrant fails to comply within 90 days, the Registrant will be cancelled.

### **(E) Set reinstatement rules for former individual Registrants cancelled for failure to participate in a Compliance Audit or cooperate with a Practice Review**

For the reinstatement of a former individual Registrant who was cancelled due to failure to participate in a compliance audit or failure to cooperate with a practice review, the Credentials Committee may impose conditions or limitations on their registration, including a condition that the individual Registrant must be subject to a compliance audit or practice review. If the former Registrant’s refusal to participate in a compliance audit or to cooperate with a practice review indicates behavioural concerns, the Credentials Committee may order a credentials hearing on good character and good repute be conducted by the Registrar.

## **(3) Schedule C: Increase examination re-read fee**

EGBC relies on Professional Engineers Ontario (PEO) to mark examinations. If an applicant wants their initial exam results to be re-marked by another examiner, the PEO charges a re-read fee. PEO recently revised their examination re-read fee from \$200 to \$330. Typically, each examination session has two to three re-read requests. The \$200 listed in Schedule C and on the Engineers and Geoscientists BC website is currently being honoured but results in a \$130 loss for each re-read until Schedule C is updated.

#### (4) Minor amendments and Housekeeping

Multiple minor amendments are proposed to correct, clarify, or particularize the Bylaw requirements, reflect existing standard practices, or correct Bylaw provisions. Additionally, numerous housekeeping amendments are made to correct cross references, or revise language for clarity.

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

### RECOMMENDED MOTION

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

1. Changes to Annual Reporting and Continuing Education requirements, including:
  - a. Establish the Registrar's authority to grant exemptions from AR requirements and set an application deadline for AR Exemption Requests
  - b. Set an application deadline for late fee exemption, reduction, deferral, or refund;
  - c. Adjust approval authorities and application deadlines for CE exemptions, and remove the CE late CE exemption fee;
  - d. Harmonize the collection of late fees;
2. Suspension/Cancellation for Failure to Comply with Regulatory Requirements, and Reinstatement Rules, including
  - a. amendments to the Bylaws on suspension and cancellation for failing to
    - i. pay fees or a special assessment,
    - ii. complete or provide proof of completion of CE requirements,
  - b. addition of new Bylaw provisions to suspend and cancel Registrants for failing to
    - i. participate in a compliance audit,
    - ii. cooperate with a practice review;
  - c. reinstatement rules for former individual Registrants cancelled for failure to participate in a compliance audit or cooperate with a practice review;
3. Schedule C: Increase of examination re-read fee;
4. Minor amendments;
5. Housekeeping changes;

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

**APPENDIX A – Final Draft Amended Bylaws with Redline Revisions**

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

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

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# BYLAWS OF ENGINEERS AND GEOSCIENTISTS BC

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In Force Effective MONTH DATE, 2023



ENGINEERS &  
GEOSCIENTISTS  
BRITISH COLUMBIA

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# 1 Definitions and Communications

## 1.1 Definitions

(1) In these Bylaws the following definitions apply:

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

**“Accounting Records”** means true accounts of

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

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

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

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

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

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

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

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

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

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

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

**“Branch”** means a geographical group of Registrants.

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

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

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

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

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

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

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

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

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

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

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

**“Continuing Education Hour”** means one hour of a Continuing Education Activity that contributes to an individual Registrant’s maintenance of competency within the individual Registrant’s current area(s) of practice, including any anticipated future area(s) of practice, if the individual Registrant is a Professional Registrant.

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

**“Decision Maker”** means

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



- (b) the Discipline Hearing Panel in the case of a discipline hearing pursuant to section 10.7 of the Bylaws [*Discipline Hearings*].

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

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

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

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

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

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

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

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

**“Disciplinary Order”** means any of the following:

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



- (f) a determination made pursuant to sections 75(5)(b), 75(6), or 75(7) of the PGA [*Discipline hearings*], as applicable;
- (g) an assessment of costs made pursuant to section 81(1) of the PGA [*Costs*].

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

**“Individual With Authority”** means an individual that is:

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

**“Panel”** means one or more of the following:

- (a) Extraordinary Action Panel;
- (b) Discipline Resolution Panel;

(c) Discipline Hearing Panel.

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

**“Structural Design”** means a design of a Structure.

**“Structure”** means a series of connected, interrelated elements that form a system that provides adequate rigidity and can resist a series of external load effects applied to it, including its own weight. Examples include temporary or permanent structures such as buildings, retaining walls, large signage, support towers, bridges, dams, and tunnels.

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

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

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

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

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

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

## **1.2 Written Notice to Registrants**

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

## 2 Governance

### 2.1 Committees Established

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

### 2.2 Chairs, Vice-Chairs, and Members of Committees

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

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

### **2.3 Conduct of Committee Meetings**

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

### **2.4 Conduct of Board Meetings**

- (1) The Board may meet or adjourn as it sees fit, including meeting by any combination of Board Members attending in person or by Electronic Means.
- (2) The Board may adopt or establish policies, procedures, or rules of order, consistent with the PGA, applicable regulations, and the Bylaws, for the purpose of regulating the conduct of a meeting of the Board.
- (3) ~~The rules contained in Robert's Rules of Order must govern the conduct of Board meetings, as applicable, except where Robert's Rules of Order are inconsistent with the Bylaws or any policies, procedures, or rules of order adopted or established by the Board pursuant to subsection (2).~~ [Repealed 2021-06-25]
- (4) A meeting of the Board is open to the public.

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

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

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

## **2.6 Accounting Records of EGBC**

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

## **2.7 Financial Statements and Audit**

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

## **2.8 Seal of EGBC**

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

## **2.9 Branches**

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

### **3 General Meetings**

#### **3.1 Conduct of General Meetings**

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

#### **3.2 Request for General Meetings**

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

#### **3.3 Notice of General Meetings**

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



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

### **3.4 Chair of General Meetings**

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

### **3.5 Quorum for General Meetings**

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

### **3.6 Eligibility and Entitlement to Vote**

- (1) A Registrant is eligible to vote in a resolution, a referendum, and an election of the Board if the Registrant, at the time the Registrant casts the Registrant's vote
  - (a) is In Good Standing, and
  - (b) belongs to one of the following categories of Registrants:

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

### **3.7 Resolutions Proposed by Registrants**

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

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

### 3.8 Voting on Resolutions

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

### 3.9 Adjourning General Meetings

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

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

## **4 Nominations and Election of the Board**

### **4.1 Nomination Committee Composition**

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

### **4.2 Powers of the Nomination Committee**

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

### **4.3 Criteria for Nomination of Candidates**

- (1) Pursuant to section 25(2)(a) of the PGA [*Selection principles and criteria*], a candidate nominated by the Nomination Committee for a position as Registrant Board Member must be a Registrant In Good Standing.

### **4.4 List of Candidates**

- (1) The list of candidates nominated by the Nomination Committee must be
  - (a) signed by the chair of the Nomination Committee,

- (b) accompanied by the written consent of all candidates,
  - (c) provided to the Executive Director, and
  - (d) published on a public website maintained by EGBC
- at least 90 days prior to the annual general meeting.

#### 4.5 Election Procedures

~~(1.1)~~ (1.01) An election is held each year to fill vacancies on the Board.

- (1) The election of Registrant Board Members must be by electronic ballot.
- (2) The Executive Director must prepare a ballot containing the names of all candidates nominated by the Nomination Committee.
- (3) Voting must be closed at noon on the 15th day prior to the annual general meeting, and ballots received after that time must not be counted.
- (4) Voting for more than the number of Registrant Board Members to be elected will invalidate the ballot.
- (5) Voting for less than the number of Registrant Board Members to be elected will not invalidate the ballot.
- (6) Ballots cast in an election must be tabulated at least 10 days prior to the annual general meeting.
- (7) [Repealed 2023-02-28].
- (8) The candidates who receive the most votes in the election are elected as Registrant Board Members.
- (9) [Repealed 2023-02-28].
- (10) If there is a tie vote between 2 or more candidates, the Executive Director must hold a random draw to determine the successful candidate.
- (11) The Executive Director must inform each candidate in the election of the results of the election as soon as practicable, and the results of the election must be announced at the annual general meeting.
- (12) The successful candidates for positions as Registrant Board Members must take office at the close of the annual general meeting.

- (13) The Executive Director must not authorize the deletion of any electronic ballots cast in an election until 3 months after the date on which the annual general meeting was held.
- (14) At the beginning of the first meeting of the Board after an election of Registrant Board Members held pursuant to the Bylaws, the Board must elect by majority vote the Board Chair and Board Vice Chair from among the Registrant Board Members.

#### **4.6 Term Lengths**

- (1) Registrant Board Members must be elected for a 3-year term pursuant to section 24(1) of the PGA [*Term limits*].
- (2) The Board Chair and Board Vice Chair must each be elected pursuant to section 4.5(14) of the Bylaws [*Election Procedures*] for a one-year term pursuant to section 24(3) of the PGA [*Term limits*].

## 5 Credentials and Registrants

### 5.1 Powers of the Credentials Committee

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

### 5.2 Powers of the Audit and Practice Review Committee

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



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

### 5.3 Powers of the Registrar

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

### 5.4 Categories of Registrants

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

| Category of Registrant               | Subcategory of Registrant      | Bylaw Section |
|--------------------------------------|--------------------------------|---------------|
| Trainee                              |                                | 5.5           |
|                                      | Engineer-in-Training           | 5.5.1         |
|                                      | Geoscientist-in-Training       | 5.5.2         |
| Professional Engineer                | Designated Structural Engineer | 5.6<br>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 Board Member, or as a member of any Committee.

### 5.5.1 Engineer-in-Training

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

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

### 5.5.2 Geoscientist-in-Training

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

geoscience, or science approved by the Credentials Committee, by passing the Credentials Committee assigned

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

## 5.6 Professional Engineer

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

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

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

#### 5.6.1 Designated Structural Engineer

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

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

## 5.7 Professional Geoscientist

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



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

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

## 5.8 Professional Licensee Engineering

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

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

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

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

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

## 5.9 Professional Licensee Geoscience

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

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

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

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

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

#### 5.10 Life Member Prior to 1998

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

#### 5.11 Honorary Life Member

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



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

## 5.12 Registrant Firm

- (1) The category of Registrant called “Registrant Firm” is established pursuant to section 42(2) of the PGA [*Categories of registrants and bylaws for categories of registrants*].
- (2) A Registrant Firm may carry out the Reserved Practice and may have appropriately qualified individuals employed by or under contract with the Registrant Firm carry out the Reserved Practice on its behalf.
- (3) A Registrant Firm must not serve as a Board Member or as a member of any Committee.
- (4) ~~Pursuant to section 47(1) of the PGA [Admission and reinstatement of registrants], a~~ 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,~~ or put a limit or condition on 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 as a result of an order made pursuant to section 67 of the PGA [Extraordinary action] or section 75 of the PGA [Discipline hearings],~~ then
  - (a) EGBC must notify the Superintendent of Professional Governance of the decision,



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

#### **5.12.2 Private Sector Firm**

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

#### **5.13 Non-Practising Individual Registrant**

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

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

***Engineers***

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

***Geoscientists***

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

***Licensees***

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

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

#### 5.14 Non-Practising Registrant Firm

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

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

#### **5.15 Life Member or Life Limited Licensee**

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

##### ***Engineers***

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

##### ***Geoscientists***

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



(h) P.Geo. (Retired);

***Licensees***

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

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

(k) Professional Licensee Engineering (Retired);

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

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

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

(o) Professional Licensee Geoscience (Retired);

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

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

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

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

**5.16 Honorary Member**

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

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

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

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

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

#### **5.17 Registration and Exemptions from Registration as a Registrant Firm**

- (1) Subject to the PGA, associated regulations, and subsection (3), every Firm that engages in the Regulated Practice ~~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]~~ 5.20 of the Bylaws [Rejection of Application on the Basis of an Indictable Offense], and
  - (b) the Applicant may, by a specified date, make written submissions to the Credentials Committee, the Audit and Practice Review Committee, or an officer appointed by the Audit and Practice Review Committee, as applicable.
- (5) The Credentials Committee may order a credentials hearing by the Registrar for an individual Applicant, in the place of or in addition to the written submissions referred to in subsection (4)(b).
- (6) If an Applicant is an Applicant for registration as a Registrant Firm, the Audit and Practice Review Committee or an officer appointed by the Audit and Practice Review Committee may order that oral submissions be made in place of or in addition to the written submissions referred to in subsection (4)(b), which are to be made in accordance with the procedures set out in Schedule B of the Bylaws unless otherwise directed by the Audit and

Practice Review Committee or an officer appointed by the Audit and Practice Review Committee.

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

## **5.21 Reconsideration of a Decision of the Credentials Committee**

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

- (3) An application for a reconsideration submitted by an individual Applicant pursuant to subsection (1) must be accompanied by all applicable reconsideration fees as set out in section 6.3(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*].
- (4) After considering an application for a reconsideration, the Credentials Committee must, with written reasons,
  - (a) confirm the original decision of the Credentials Committee, or
  - (b) substitute the original decision of the Credentials Committee.
- (5) The Credentials Committee may approve policies and procedures for the conduct of reconsiderations pursuant to this section of the Bylaws.
- (6) Any policies and procedures for the conduct of reconsiderations that are approved by the Credentials Committee pursuant to subsection (5) must be published on a public website maintained by EGBC.
- (7) No Applicant for registration as a Registrant Firm may apply for a reconsideration pursuant to this section of the Bylaws.

## 5.22 Review on the Record

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

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



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

## 5.23 Reinstatement of Status as a Practising Professional Registrant

- (1) An Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee:
- (a) an application for reinstatement of status as a practising Professional Registrant;
  - (b) any applicable application, examination, interview, course or other applicable fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and any other outstanding amounts owing to EGBC, including a penalty imposed on the Registrant by a Disciplinary Order and any costs imposed on the Registrant pursuant to section 10.9 of the Bylaws [*Assessment of Costs After a Discipline Hearing*];
  - (c) evidence satisfactory to the Credentials Committee
    - (i) of Applicant's identity and legal name, if not previously submitted,
    - (ii) that the Applicant is of good character and good repute, including a declaration that the Applicant is of good character and repute, and
    - (iii) that the Applicant has provided the information required by section 5.29(1) of the Bylaws [*Information Collected Annually and Published on the Register*] and section 5.30(1) of the Bylaws [*Information Collected Annually and not Published on the Register*].
- (2) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide proof that the Applicant has complied with all applicable continuing education program requirements for practising Professional Registrants as set out in section 7.6 of the Bylaws [*Continuing Education Program*] if
- (a) the Applicant's registration as a Professional Registrant has lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for 6 months or less, or
  - (b) the Applicant is
    - (i) in good standing and has the right to practise with a Regulatory Authority, and
    - (ii) not subject to any practice limitations, restrictions, or conditions in the jurisdiction of the Regulatory Authority that are relevant to practice in British Columbia.



- (3) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee, if the Applicant's registration as a practising Professional Registrant has lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for between 6 months to 18 months:
- (a) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant;
  - (b) a declaration that the Applicant has read and is familiar with applicable standards, policies, plans, and practices established by the government or by EGBC, including applicable professional practice guidelines and advisories that are relevant to the intended practice of the Applicant;
  - (c) proof that the Applicant has complied with all applicable continuing education program requirements for Professional Registrants as set out in section 7.6 of the Bylaws [*Continuing Education Program*].
- (4) In addition to the requirements pursuant to subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee if the Applicant's registration as a Professional Registrant has lapsed or been cancelled, or the Registrant has been a non-practising individual Registrant, for between 18 months to 3 years:
- (a) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant;
  - (b) a declaration that the Applicant has read and is familiar with applicable standards, policies, plans, and practices established by the government or by EGBC, including applicable professional practice guidelines and advisories that are relevant to the intended practice of the Applicant;
  - (c) a letter of explanation as to how the Applicant has maintained practice competency, including through the completion of continuing education;
  - (d) professional references, in number satisfactory to the Credentials Committee and who are able to attest to the Applicant's good character, good reputation, and practice competency;
  - (e) a current professional record of the Applicant's work experience;
  - (f) evidence of completion of the Professional Engineering and Geoscience Practice in BC Online Seminar, or a seminar that is deemed equivalent by the Credentials Committee;
  - (g) at the discretion of the Credentials Committee, evidence of completion of continuing education on such terms as set by the Credentials Committee.

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

(6) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant whose registration was cancelled for failure to participate in a compliance audit pursuant to section 8.6(6.6) of the Bylaws or failure to cooperate with a practice review pursuant to section 8.9(4.6) of the Bylaws, must provide the following to the Credentials Committee:



- (a) a letter of explanation as to why the Applicant failed to participate in a compliance audit or failed to cooperate in a practice review; and
  - (b) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant and comply with all regulatory requirements.
- (7) On receiving an application for reinstatement of status as a practicing Professional Registrant pursuant to subsection (6),
  - (a) the Credentials Committee may
    - (i) grant the application subject to conditions or limitations on the registration, including the condition that the reinstated Professional Registrant must be subject to a compliance audit pursuant to section 8.6 of the Bylaws [Compliance Audit Program for Individual Registrants] or a practice review pursuant to section 8.9 of the Bylaws [Practice Review Program for Individual Registrants] within the period of time specified by the Credentials Committee, or
    - (ii) reject the application, with written reasons, or
  - (b) the Registrar may, after holding a credentials hearing on good character and good repute in accordance with subsection (9),
    - (i) grant the application subject to conditions or limitations on the registration, including the condition that the reinstated Professional Registrant must be subject to a compliance audit pursuant to section 8.6 of the Bylaws [Compliance Audit Program for Individual Registrants] or a practice review pursuant to section 8.9 of the Bylaws [Practice Review Program for Individual Registrants] within the period of time specified by the Registrar, or
    - (ii) reject the application, with written reasons.
- (8) The Credentials Committee may order a credentials hearing be conducted by the Registrar before the Registrar makes a decision pursuant to subsection (7)(b) if the Credentials Committee determines that there is a serious concern that an individual Applicant does not meet the requirement to be of good character and good repute.
- (9) A credentials hearing must be conducted in accordance with the procedure set out in Schedule B of the Bylaws, unless otherwise directed by the Registrar.
- (10) If a decision is posted publicly following a credentials hearing held pursuant to subsection (9), the Registrar may anonymize or redact any identifying, personal or sensitive information of
  - (a) a person other than the Applicant/Respondent, if the Registrar determines the disclosure of such information is not necessary to satisfy the public interest, or

(b) the Applicant/Respondent if the Applicant/Respondent suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs the Applicant's/Respondent's ability to practise.

## 5.24 Reinstatement of Status as a Practising Registrant Firm

- (1) A non-practising Registrant Firm applying for reinstatement of status as a practising Registrant Firm must provide the following to the Audit and Practice Review Committee:
  - (a) an application for reinstatement of status as a practising Registrant Firm;
  - (b) any applicable fees specified in section 6.2(3) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*], and any other outstanding amounts owing to EGBC, including a penalty imposed on the Registrant by a Disciplinary Order and any costs imposed on the Registrant pursuant to section 10.9 of the Bylaws [Assessment of Costs After a Discipline Hearing];
  - (c) 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 ~~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 [other](#) outstanding amounts owing to EGBC, [including a penalty imposed on the Registrant by a Disciplinary Order and any costs imposed on the Registrant pursuant to section 10.9 of the Bylaws \[Assessment of Costs After a Discipline Hearing\]](#);
  - (c) evidence satisfactory to the Credentials Committee
    - (i) of the Applicant's identity and legal name, if not previously submitted, and
    - (ii) that the Applicant is of good character and good repute.
- (2) An Applicant whose registration as a non-practising Registrant or a life member or life limited licensee has lapsed or been cancelled must provide the following to the Credentials Committee to apply for reinstatement as a non-practising Registrant or a life member or life limited licensee, as applicable:
  - (a) an application for reinstatement;
  - (b) any applicable application or other fees specified in section 6.1(1) of the Bylaws [*Application Fees*] and Schedule C of the Bylaws [*Fees*];
  - (c) evidence satisfactory to the Credentials Committee
    - (i) of the Applicant's identity and legal name, if not previously submitted, and
    - (ii) that Applicant is of good character and good repute.



- (3) In addition to the requirements set out in subsection (2), an Applicant for reinstatement as a non-practising Registrant whose registration was cancelled for failure to participate in a compliance audit pursuant to section 8.6(6.6) of the Bylaws or failure to cooperate with a practice review pursuant to section 8.9(4.6) of the Bylaws, must provide the following to the Credentials Committee:
- (a) a letter of explanation as to why the Applicant failed to participate in a compliance audit or failed to cooperate in a practice review;
  - (b) a letter of explanation as to why the Applicant wishes to reinstate status as a non-practising Registrant.
- (4) On receiving an application for reinstatement as non-practising Registrant pursuant to subsection (3),
- (a) the Credentials Committee may
    - (i) grant the application subject to conditions or limitations on the registration, including the condition that the reinstated non-practising Registrant must be subject to a compliance audit pursuant to section 8.6 of the Bylaws [Compliance Audit Program for Individual Registrants] or a practice review pursuant to section 8.9 of the Bylaws [Practice Review Program for Individual Registrants] within the period of time specified by the Credentials Committee, or
    - (ii) reject the application, with written reasons, or
  - (b) the Registrar may, after holding a credentials hearing on good character and good repute in accordance with subsection (6),
    - (i) grant the application subject to conditions or limitations on the registration, including the condition that the reinstated non-practising Registrant must be subject to a compliance audit pursuant to section 8.6 of the Bylaws [Compliance Audit Program for Individual Registrants] or a practice review pursuant to section 8.9 of the Bylaws [Practice Review Program for Individual Registrants] within the period of time specified by the Registrar, or
    - (ii) reject the application, with written reasons.
- (5) The Credentials Committee may order a credentials hearing be conducted by the Registrar before the Registrar makes a decision pursuant to subsection (4)(b) if the Credentials Committee determines that there is a serious concern that an individual Applicant does not meet the requirement to be of good character and good repute.
- (6) A credentials hearing must be conducted in accordance with the procedure set out in Schedule B of the Bylaws, unless otherwise directed by the Registrar.



- (7) If a decision is posted publicly following a credentials hearing held pursuant to subsection (6), the Registrar may anonymize or redact any identifying, personal or sensitive information of
- (a) a person other than the Applicant/Respondent, if the Registrar determines the disclosure of such information is not necessary to satisfy the public interest, or
  - (b) the Applicant/Respondent if the Applicant/Respondent suffers from a physical or mental ailment, an emotional disturbance or an addiction to alcohol or drugs that impairs the Applicant's/Respondent's ability to practise.

## 5.26 Ceasing Status as a Registrant

- (1) An individual Registrant seeking cancellation of the individual Registrant's enrolment or registration with EGBC must apply in writing to the Registrar for cancellation of enrolment or registration.
- (2) A Registrant Firm seeking cancellation of the Registrant Firm's registration and Permit to Practice with EGBC must apply in writing to the Audit and Practice Review Committee for cancellation of the Registrant Firm's registration and Permit to Practice, which must be signed by the Responsible Officer of the Registrant Firm.
- (3) A request made by a Registrant Firm pursuant to subsection (2) must include the following 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 declaration that the Firm is not involved in any~~a list of all~~ ongoing activities or work related to the Regulated Practice ~~in which the Registrant Firm is involved~~.

## 5.27 Register of Individual Registrants

- (1) The Registrar must maintain a Register of all current and former individual Registrants and Recent Historical Members.
- (2) A former individual Registrant or Recent Historical Member must be listed on the Register for 10 calendar years after the calendar year in which the former individual Registrant or Recent Historical Member ceased to be registered with EGBC.
- (3) Despite subsection (1), the Register must not include former Trainees.
- (4) For a currently registered individual Registrant, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:
  - (a) the individual Registrant's professional designation;



- (b) if an individual Registrant is a professional licensee engineering or a professional licensee geoscience, the authorized area of practice identified on the individual Registrant's licence;
- (c) the original discipline of the individual Registrant's registration;
- (d) for all Registrants with the right to engage in the Reserved Practice, the individual Registrant's self-declared industry or industries of practice and area(s) of practice;
- (e) the municipality, province or state, and country in which the individual Registrant is based;
- (f) if applicable, the name of the individual Registrant's employer;
- (g) for all Registrants with the right to engage in the Reserved Practice, as well as Trainees, business contact information for the individual Registrant, which may be provided by way of the individual Registrant's
  - (i) business email address,
  - (ii) business telephone number,
  - (iii) business mailing address, or
  - (iv) business website, if the business website contains any of the business contact information for the individual Registrant that is listed in subsections (g)(i) to (iii);
- (h) the later of the date on which the individual Registrant was first granted
  - (i) enrolment as a Trainee, or
  - (ii) registration as a Registrant other than a Trainee;
- (i) the start date of the individual Registrant's current registration as a Registrant or enrolment as a Trainee;
- (j) the expiry date of the individual Registrant's current registration as a Registrant or enrolment as a Trainee;
- (k) the date(s) of any:
  - (i) expiration(s) of the individual Registrant's registration;
  - (ii) cancellation(s) of the individual Registrant's registration; or,
  - (iii) suspension(s) of the individual Registrant's registration;

- (l) any Disciplinary Order(s) respecting the individual Registrant.
- (5) For a former individual Registrant, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:
- (a) the former individual Registrant's former professional designation(s);
  - (b) if the former individual Registrant was a professional licensee engineering or a professional licensee geoscience, the authorized area of practice that was previously identified on the former individual Registrant's licence;
  - (c) the original discipline of the former individual Registrant's registration;
  - (d) the municipality, province or state, and country in which the former individual Registrant was based;
  - (e) the date on which the former individual Registrant was first granted registration;
  - (f) the date(s) of any
    - (i) expiration(s) of the former individual Registrant's registration;
    - (ii) cancellation(s) of the former individual Registrant's registration; or,
    - (iii) suspension(s) of the former individual Registrant's registration;
  - (g) any Disciplinary Order(s) respecting the former individual Registrant.
- (6) For a Recent Historical Member, in addition to the information set out in section 31(3) of the PGA [*Registrar and register for regulatory body*], the Registrar must include the following information on the Register:
- (a) the Recent Historical Member's former professional designation(s);
  - (b) if the Recent Historical Member held a limited licence to practise professional engineering or geoscience pursuant to the EGA, the authorized area of practice identified on the Recent Historical Member's former licence;
  - (c) the original discipline of the Recent Historical Member's registration;
  - (d) the date on which the Recent Historical Member was first granted registration with EGBC;
  - (e) the date(s) of any:
    - (i) expiration(s) of the registration or membership of the Recent Historical Member;

- (ii) cancellation(s) of the registration or membership of the Recent Historical Member; or,
- (iii) suspension(s) of the registration or membership of the Recent Historical Member;
- (f) any Disciplinary Order(s) respecting the Recent Historical Member.
- (7) An individual Registrant may apply in writing to the Registrar to have the information listed in subsections (4)(e) to (g) omitted from the Register if the publication of such information would reasonably threaten the safety of the individual Registrant or another person.
- (8) The information listed in subsections (4)(k), (4)(l), (5)(e), (5)(f), (6)(e), and (6)(f) must appear on the Register for as long as a Registrant is listed on the Register pursuant to subsections (1) and (2).

## **5.28 Register of Registrant Firms**

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

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

- (e) the date on which the former Registrant Firm was first granted registration as a Registrant Firm;
  - (f) the date(s) of any:
    - (i) expiration(s) of the Registrant Firm's registration and Permit to Practice;
    - (ii) cancellation(s) of the Registrant Firm's registration and Permit to Practice;
    - (iii) suspension(s) of the Registrant Firm's registration and Permit to Practice;
    - (iv) condition(s) on the Registrant Firm's registration and Permit to Practice prohibiting the former Registrant Firm from engaging in the Regulated Practice;
  - (g) any Disciplinary Order(s) respecting the former Registrant Firm.
- (5) The information listed in subsections (3)(k), (3)(l), (4)(f), and (4)(g) must appear on the Register for as long as a Registrant Firm is listed on the Register pursuant to subsections (1) and (2).

## **5.29 Information Collected Annually and Published on the Register**

- (1) By 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, an individual Registrant must provide EGBC with the information that is required to be published on the Register pursuant to sections 5.27(4)(d), (e), (f), and (g) of the Bylaws [*Register of Individual Registrants*].
- (2) An individual Registrant must provide written notice to EGBC regarding any change to the information that is required pursuant to subsection (1) within 30 days of the change taking effect.
- (2.1) Life Members and Life Limited Licensees are exempt from the requirements in subsections (1) and (2).
- (3) By 11:59 PM (Pacific Time) on May 31 of each year, a Registrant Firm must provide EGBC with the information that is required to be published on the Register pursuant to sections 5.28(3)(b), (c), (d), (e), (f), and (g) of the Bylaws [*Register of Registrant Firms*].
- (4) A Registrant Firm must provide written notice to EGBC regarding any change to the information that is required pursuant to subsection (3) within 30 days of the change taking effect.

## **5.30 Information Collected Annually and not Published on the Register**

- (1) By 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, an individual Registrant must provide EGBC with
  - (a) the individual Registrant's personal and unique email address,

- (b) a declaration confirming whether the Registrant has, within the previous 12-month period, been:
  - (i) convicted of an offence under a federal or provincial statute, or an equivalent offence in another jurisdiction,
  - (ii) the subject of an investigation, inquiry, review, or other disciplinary proceeding by a Different Governing Body, that could result in
    - (A) the Registrant's entitlement to practise a profession being cancelled, suspended, restricted, or made subject to limits or conditions,
    - (B) if the Registrant is a Trainee, the Trainee's entrance to a profession being denied, or
    - (C) if the Registrant is a Registrant Firm, the Registrant Firm's permit, license, or authorization to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions, or
  - (iii) the subject of a disciplinary action taken by a Different Governing Body, including an agreement resulting in the resolution of an investigation or disciplinary process,

which is not to be published on the Register.

- (1.1) Life Members and Life Limited Licensees are exempt from the requirement in subsection (1).
- (2) An individual Registrant must provide written notice to EGBC regarding any change to the individual Registrant's personal and unique email address within 30 days of the change taking effect.
- (3) By 11:59 PM (Pacific Time) on May 31 of each year, a Registrant Firm must provide EGBC with
  - (a) the personal and unique email addresses of each Responsible Registrant and the Responsible Officer of the Registrant Firm,
  - (b) the names of all individual Registrants employed by or under contract with the Registrant Firm,
  - (c) the number of individuals employed by or under contract with the Registrant Firm who are registrants of each regulatory body under the PGA other than EGBC, and
  - (d) a declaration confirming whether the Registrant Firm has, within the previous 12-month period, been:

- (i) convicted of an offence under a federal or provincial statute, or an equivalent offence in another jurisdiction,
- (ii) the subject of an investigation, inquiry, review, or other disciplinary proceeding by a Different Governing Body, that could result in the Registrant Firm's permit, license, or authorization to practice a profession being cancelled, suspended, restricted, or made subject to limits or conditions, or
- (iii) the subject of a disciplinary action taken by a Different Governing Body, including an agreement resulting in the resolution of an investigation or disciplinary process,

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

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

### 5.31 Failure to Provide Required Information

- (1) An individual Registrant who fails to provide EGBC with any of the information required pursuant to section 5.29(1) of the Bylaws [*Information Collected Annually and Published on the Register*] or section 5.30(1) of the Bylaws [*Information Collected Annually and not Published on the Register*] must, by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year,

- (a) provide EGBC with the required information, and
- (b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws.

(1.1) Despite subsection (1)(b), an individual Registrant is not required to send to EGBC the late reporting fee specified in Schedule C of the Bylaws if the individual Registrant is required to send to EGBC the late completion fee pursuant to section 7.6.11(1)(d) of the Bylaws.

- (2) A Registrant Firm who fails to provide EGBC with any information required pursuant to section 5.29(3) of the Bylaws [*Information Collected Annually and Published on the Register*] or section 5.30(3) of the Bylaws [*Information Collected Annually and not Published on the Register*] must, by 11:59 PM (Pacific Time) on June 30 of the same year,

- (a) provide EGBC with the required information, and
- (b) send to EGBC the late reporting fee specified in Schedule C of the Bylaws.

- (3) If a Registrant fails to comply with the requirements set out in subsections (1) or (2), as applicable, the Registrant's registration must be suspended, and, if the Registrant is a Registrant Firm, a condition must be placed on the Registrant Firm's registration and

Permit to Practice prohibiting it from engaging in the Regulated Practice until such requirements are complete.

- (4) If an individual Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31 of the same year,
  - (a) the Registrant's registration is cancelled, or
  - (b) if the Registrant is a Trainee, the Trainee's enrolment is cancelled.
- (5) If a Registrant Firm fails to comply with the requirements set out in subsection (2) by 11:59 PM (Pacific Time) on August 31 of the same year, the Registrant Firm's registration and Permit to Practice are cancelled.
- (6) Despite subsections (1), (3) and (4), the Registrar may, on receiving a written application by an individual Registrant, exempt the individual Registrant from providing the information required pursuant to section 5.29(1) of the Bylaws [Information Collected Annually and Published on the Register] or section 5.30(1) of the Bylaws [Information Collected Annually and not Published on the Register].
- (7) An exemption pursuant to subsection (6) may be granted on an annual basis.
- (8) An application by an individual Registrant to be granted an exemption pursuant to subsection (6) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on June 30 in the Reporting Year.

### **5.32 Information Collected Immediately and not Published on the Register**

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

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



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

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

### **5.33 Issuance of Certificate or Permit to Practice**

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

## 6 Fees

### 6.1 Application Fees

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

### 6.2 Registration Fees

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

### 6.3 Reconsideration and Review on the Record Fees

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

### 6.4 Annual Fees

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

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

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

## 6.5 Special Assessments

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

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

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

## 6.7 Exemption, Reduction, Deferral, or Refund of Fees

- (1) On receiving a written application by an individual Applicant or Registrant, the Registrar may exempt, reduce, defer, or refund all or part of a fee or special assessment specified in Schedule C of the Bylaws if the Registrar is satisfied that the imposition of the fee or special assessment would cause undue financial hardship for the individual Applicant or Registrant, or if there are extenuating circumstances that warrant the exemption, reduction, deferral, or refund.

(1.1) An application by an individual Registrant pursuant to subsection (1) to be granted an exemption from, reduction, deferral, or refund of all or part of

(a) a late reporting fee specified in Schedule C of the Bylaws, or

(b) a late completion fee specified in Schedule C of the Bylaws

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

- (2) On receiving a written application by a Registrant Firm, the Registrar may waive payment of all or part of a fee for the Registrant Firm specified in section 6.1(1) of the Bylaws [*Application Fees*], sections 6.4(2) or (4) of the Bylaws [*Annual Fees*], section 6.5(2) of the

Bylaws [*Special Assessments*], or Schedule C of the Bylaws [*Fees*], ~~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).
- (4) The Council may waive payment of all or part of a fee, either annually or on a permanent basis, including the annual fee and special assessments, for an individual Registrant who demonstrates exemplary service to EGBC in the role of Council President and who the Council accordingly wishes to honour.

## 6.8 Failure to Pay Fees

- (1) An individual Registrant who fails to pay the full amount of an applicable annual fee or special assessment pursuant to section 6.4(1) of the Bylaws [*Annual Fees*] or section 6.5(1) of the Bylaws [*Special Assessments*] must send to EGBC the full amount of the applicable annual fee or special assessment and the applicable late fee specified in Schedule C of the Bylaws, by 11:59 PM (Pacific Time) on January 31 of the following year.
- (2) If an individual Registrant fails to pay a required
  - (a) registration fee pursuant to section 6.2(1) of the Bylaws [*Registration Fees*],
  - (b) designation fee pursuant to section 6.2(2) of the Bylaws [*Registration Fees*],
  - (c) ~~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 subsection 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~~ suspend the Registrant Firm until all fees outstanding pursuant to subsection (3) have been paid.
- (5) If a Registrant Firm or non-practising Registrant Firm ~~that is subject to a condition prohibiting it from engaging in the Regulated Practice~~ suspended pursuant to subsection (4) fails to pay the full amount of all applicable outstanding fees by 11:59 PM (Pacific Time) on August 31 of the same year, the Registrar must cancel the Registrant Firm or non-practising Registrant Firm's registration and Permit to Practice.

## 7 Standards of Conduct and Competence

### 7.1 Definitions

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

### 7.2 Code of Ethics

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

### 7.3 Standards of Competence – Quality Management Requirements

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

#### 7.3.1 Standard for Use of Professional Practice Guidelines

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

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

### **7.3.2 Standard for Retention and Preservation of Complete Project Documentation**

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

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



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

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

### 7.3.3 Standard for Field Reviews

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

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

#### **7.3.4 Standard for Checks**

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

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

### 7.3.5 Standard for Independent Review(s) of Structural Designs

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

### **7.3.8 Standard for Delegation and Direct Supervision**

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

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

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

#### **7.4 Practice Advice Program**

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

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

## **7.5 Professional Liability Insurance and Secondary Professional Liability Insurance**

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



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

## **7.6 Continuing Education Program**

### **7.6.1 Commencement of the Continuing Education Program**

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

### **7.6.2 Continuing Education Program for Professional Registrants**

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

### **7.6.3 Mandatory Continuing Education Hours and Activities for Professional Registrants**

- (1) In each Three-Year Rolling Period, a Professional Registrant must complete at least 60 Continuing Education Hours.
- (2) In each Reporting Year, a Professional Registrant must complete at least one Continuing Education Hour of Ethical Learning.
- (3) In each Reporting Year, a Professional Registrant must complete at least one Regulatory Learning module referred to in section 7.6.14(1) of the Bylaws [*Mandatory Regulatory Learning Modules*].
- (4) The mandatory Continuing Education Hours required pursuant to subsection (1) may include Continuing Education Hours related to Technical Learning or Communications and Leadership Learning.
- (5) In order for the Continuing Education Hours required pursuant to subsection (1) to be considered complete, a Professional Registrant must record in EGBC's electronic system the following information about the Continuing Education Activities associated with the Continuing Education Hours:
  - (a) the date(s) of each Continuing Education Activity;
  - (b) the provider or source of each Continuing Education Activity;

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

#### **7.6.4 Mandatory Continuing Education Plan for Professional Registrants**

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

#### **7.6.5 Mandatory Continuing Education Hours and Activities for Designated Structural Engineers**

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

#### **7.6.6 [Repealed 2023-02-28]**

### 7.6.7 Continuing Education Program Declaration

- (1) All Professional Registrants must electronically submit a continuing education program declaration to EGBC by 11:59 PM (Pacific Time) on June 30, the last day of each Reporting Year, which must confirm
  - (a) the number of completed Continuing Education Hours the Professional Registrant is reporting for that Reporting Year,
  - (b) that the Professional Registrant has recorded the details of the Continuing Education Activities associated with the declared Continuing Education Hours pursuant to section 7.6.3(5) of the Bylaws [*Mandatory Continuing Education Hours and Activities for Professional Registrants*],
  - (c) that the Professional Registrant has completed a valid and up-to-date continuing education plan pursuant to section 7.6.4 of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*], and
  - (d) that the information provided by the Professional Registrant pursuant to this section is true and correct to the best of the Professional Registrant's knowledge.
- (2) All Professional Registrants must retain all documentation that supports their continuing education program declaration for a minimum of 10 years after the continuing education program declaration was made.

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

- (1) A Professional Registrant may be granted an exemption, on an annual basis, from any or all of the continuing education program requirements set out in section 7.6.3 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Professional Registrants*], section 7.6.4 of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*], section 7.6.5 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Designated Structural Engineers*], or section 7.6.7 of the Bylaws [*Continuing Education Program Declaration*] for a specified Reporting Year by
  - (a) an officer appointed by the Audit and Practice Review Committee, if the Professional Registrant was on parental leave, medical leave, or compassionate care leave ~~for at least 6 months during the Reporting Year~~, or
  - (b) the Audit and Practice Review Committee, if the Professional Registrant
    - (i) ~~was on parental leave, medical leave, or compassionate care leave for less than 6 months during the Reporting Year, or~~ Repealed YYYY-MM-DD
    - (ii) has other extenuating circumstances.



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

#### 7.6.9 Failure to Submit a Continuing Education Program Declaration

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

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

- (1) A Professional Registrant who fails to comply with the obligations pursuant to section 7.6.3 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Professional Registrants*], section 7.6.4 of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*], or section 7.6.5 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Designated Structural Engineers*], as applicable, by 11:59 PM (Pacific Time) on the last day of the Reporting Year may be granted a late exemption from any or all of these requirement(s) on an annual basis by the Audit and Practice Review Committee, if the Professional Registrant
  - (a) was on parental leave, medical leave, or compassionate care leave during the Reporting Year, or
  - (b) has other extenuating circumstances.



- (2) An application by a Professional Registrant to be granted an exemption pursuant to subsection (1) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on July December 31 in the following Reporting Year.
- (3) If a late exemption granted pursuant to subsection (1) reduces the number of Continuing Education Hours that a Professional Registrant is required to complete for a Reporting Year, there must be a corresponding reduction in the number of Continuing Education Hours that the Professional Registrant is required to complete for the applicable Three-Year Rolling Period.
- (4) ~~[Repealed YYYY-MM-DD] A Professional Registrant who is granted an exemption pursuant to subsection (1) must send to EGBC the late exemption fee specified in Schedule C of the Bylaws, but is not required to pay to EGBC the late reporting fee specified in Schedule C or the late completion fee specified in Schedule C.~~
- (5) ~~[Repealed YYYY-MM-DD] The Audit and Practice Review Committee may, in its discretion, refund the late exemption fee required pursuant to subsection (4) if a Professional Registrant~~
  - ~~(a) failed to apply for an exemption by the deadline specified in section 7.6.8(2) of the Bylaws [Applications for Exemptions from the Continuing Education Program] due to extenuating circumstances,~~
  - ~~(b) submitted an application to be granted an exemption in writing to EGBC by 11:59 PM (Pacific Time) on the last day of the Reporting Year, and~~
  - ~~(c) was granted an exemption by the Audit and Practice Review Committee pursuant to subsection (1).~~

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

- (1) A Professional Registrant who fails to comply with the obligations pursuant to section 7.6.3 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Professional Registrants*] or section 7.6.4 of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*], as applicable, by 11:59 PM (Pacific Time) on the last day of the Reporting Year and is not granted a late exemption pursuant to section 7.6.10 of the Bylaws [*Late Exemption from Continuing Education Plan, Hours, or Activities*] must
  - (a) [Repealed 2023-02-28]
  - (b) complete the required Continuing Education Hours, Ethical Learning activities, or Regulatory Learning activities,
  - (c) submit a continuing education program declaration, and
  - (d) send to EGBC the late completion fee specified in Schedule C of the Bylaws, and

- (e) ~~send to EGBC the late reporting fee specified in Schedule C of the Bylaws, [Repealed YYYY-MM-DD]~~

by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.

- (2) If a Professional Registrant fails to comply with the requirements set out in subsection (1), the Registrar must suspend the Professional Registrant's registration ~~must be suspended~~ until such requirements are complete ~~and such completion is certified by the Audit and Practice Review Committee~~.
- (3) If a Professional Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31, the Registrar must cancel the Professional Registrant's registration ~~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, and
  - (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, [Repealed YYYY-MM-DD]~~

by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.

- (5) If a designated structural engineer fails to comply with the requirements set out in subsection (4), the Registrar must suspend the designated structural engineer's designation as a designated structural engineer ~~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 Registrar must cancel the designated structural engineer's designation as a designated structural engineer ~~is cancelled~~.
- (7) If a Professional Registrant is required to complete a continuing education plan, Continuing Education Hours, Ethical Learning activities, Regulatory Learning activities, or Technical Learning activities to fulfill a requirement for the previous Reporting Year, these cannot be applied to fulfill a requirement for the Reporting Year in which they are completed.



#### **7.6.12 Avoiding or Delaying a Suspension [Repealed YYYY-MM-DD]**

- ~~(1) If a Professional Registrant fails to comply with the requirements in section 7.6.9(1) of the Bylaws [Failure to Submit a Continuing Education Program Declaration], section 7.6.11(1) or (4) of the Bylaws [Failure to Complete Continuing Education Plan, Hours, or Activities] due to extenuating circumstances, including being on parental leave, medical leave, or compassionate care leave, the Audit and Practice Review Committee may order that~~
- ~~(a) the Professional Registrant's registration not be suspended pursuant to section 7.6.9(2) of the Bylaws [Failure to Submit a Continuing Education Program Declaration], section 7.6.11(2) or (5) of the Bylaws [Failure to Complete Continuing Education Plan, Hours, or Activities], or~~
  - ~~(b) the Professional Registrant's suspension pursuant to section 7.6.9(2) of the Bylaws [Failure to Submit a Continuing Education Program Declaration], 7.6.11(2) or (5) of the Bylaws [Failure to Complete Continuing Education Plan, Hours, or Activities] be delayed for a specified period of time.~~
- ~~(2) At least 60 days before a suspension pursuant to section 7.6.9(2) of the Bylaws [Failure to Submit a Continuing Education Program Declaration], section 7.6.11(2) or (5) of the Bylaws [Failure to Complete Continuing Education Plan, Hours, or Activities] can take effect, the Audit and Practice Review Committee must deliver to the Professional Registrant written notice of~~
- ~~(a) the date on which the suspension will take effect,~~
  - ~~(b) the reasons for the suspension, and~~
  - ~~(c) the deadline by which the Professional Registrant may submit a written application to the Audit and Practice Review Committee for an order pursuant to subsection (1).~~

#### **7.6.13 Continuing Education for Newly Registered Professional Registrants**

- (1) For an individual Registrant who is first granted registration with EGBC between July 1 and December 31 in a Reporting Year, the first Reporting Year and the first Three-Year Rolling Period are deemed to begin on July 1 of the same Reporting Year in which the individual Registrant is first granted registration with EGBC.
- (2) For an individual Registrant who is first granted registration with EGBC between January 1 and April 30 in a Reporting Year,
  - (a) the first Reporting Year is deemed to begin on July 1 of the same Reporting Year in which the individual Registrant is first granted registration with EGBC, and
  - (b) the first Three-Year Rolling Period is deemed to begin on July 1 of the next Reporting Year.



- (3) For an individual Registrant who is first granted registration with EGBC between May 1 and June 30 in a Reporting Year,
  - (a) the first Reporting Year is deemed to begin on July 1 of the next Reporting Year, and
  - (b) the first Three-Year Rolling Period is deemed to begin on July 1 of the next Reporting Year.
- (4) [Repealed 2022-04-22]

#### **7.6.14 Mandatory Regulatory Learning Modules**

- (1) EGBC will facilitate the development, maintenance, and updating of a series of mandatory Regulatory Learning modules to enable a Professional Registrant to meet the requirement set out in section 7.6.3(3) of the Bylaws [*Mandatory Continuing Education Hours, and Activities for Professional Registrants*].
- (2) The series of mandatory Regulatory Learning modules referred to in subsection (1) must be designed to ensure that there is at least one Regulatory Learning module in each Three-Year Rolling Period that focuses on Indigenous history, Indigenous engagement, and reconciliation as it relates to the Regulated Practice in British Columbia.

#### **7.6.15 Optional Continuing Education Opportunities**

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

#### **7.6.16 Continuing Education Program by Registrant Firms**

- (1) A Registrant Firm must develop, maintain, and follow documented procedures to support individual Registrants employed by or under contract with the Registrant Firm in
  - (a) meeting the Professional Registrants' continuing education program requirements pursuant to section 7.6.3 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Professional Registrants*], section 7.6.4 of the Bylaws [*Mandatory Continuing Education Plan for Professional Registrants*], section 7.6.5 of the Bylaws [*Mandatory Continuing Education Hours and Activities for Designated Structural Engineers*], and section 7.6.7 of the Bylaws [*Continuing Education Program Declaration*], as applicable, and



- (b) maintaining the individual Registrants' competency with respect to the role(s) of the individual Registrants and the activities or work engaged in by the individual Registrants on behalf of the Registrant Firm.
- (2) Each year, a Registrant Firm that has more than one Professional Registrant employed or under contract with the Registrant Firm must conduct a documented review with each Professional Registrant employed by or under contract with the Registrant Firm, in order to confirm that the Professional Registrant is maintaining the Professional Registrant's competency with respect to the Regulated Practice.
- (3) A Registrant Firm must retain all documentation that supports a documented review of a Professional Registrant conducted pursuant to subsection (2) for a minimum of 5 years after the documented review was completed.
- (4) A non-practising Registrant Firm is exempt from the requirements in this section of the Bylaws while maintaining its non-practising status.

## **7.7 Permit to Practice Requirements**

### **7.7.1 Regulation of Firms Training Program**

- (1) Each Responsible Registrant designated by a Registrant Firm upon the initial registration of the Registrant Firm who has not completed the Regulation of Firms Training Program within the last 5 years must complete the Regulation of Firms Training Program within
  - (a) 12 months of the date that the Permit to Practice is issued to the Registrant Firm, and
  - (b) every 5 years thereafter.
- (2) Each Responsible Registrant designated by a Registrant Firm after the initial registration of the Registrant Firm who has not completed the Regulation of Firms Training Program within the last 5 years must complete the Regulation of Firms Training Program within
  - (a) 3 months of the date that the Responsible Registrant's declaration is submitted to EGBC, and
  - (b) every 5 years thereafter.
- (3) An individual who is a Responsible Registrant for more than one Registrant Firm may complete the Regulation of Firms Training Program for more than one Registrant Firm at the same time.
- (4) A non-practising Registrant Firm and any individuals designated as a Responsible Registrant of the non-practising Registrant Firm are exempt from the requirements set out in this section of the Bylaws while the non-practising Registrant Firm maintains its non-practising status.

### 7.7.2 Failure to Complete Regulation of Firms Training Program

- (1) If any Responsible Registrant of a Registrant Firm fails to complete the Regulation of Firms Training Program pursuant to sections 7.7.1(1) or 7.7.1(2) of the Bylaws [*Regulation of Firms Training Program*],
  - (a) the Responsible Registrant identified in subsection (1) must complete the Regulation of Firms Training Program, and
  - (b) the Registrant Firm must send to EGBC the late completion fee specified in Schedule C of the Bylaws

by 11:59 PM (Pacific Time) on the date that is 2 months after the deadline specified in section 7.7.1(1) or 7.7.1(2) of the Bylaws [*Regulation of Firms Training Program*], as applicable.
- (2) If a Registrant Firm fails to comply with the requirements set out in subsection (1), a condition must be placed on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice until such requirements are complete.
- (3) If a Registrant Firm fails to comply with the requirements set out in subsection (1) within 2 months of having the condition placed on the Registrant Firm's registration and Permit to Practice pursuant to subsection (2), the Registrant Firm's registration and Permit to Practice must be cancelled.

### 7.7.3 Professional Practice Management Plan

- (1) A Registrant Firm must develop and maintain a Professional Practice Management Plan that contains, at a minimum, the following elements:
  - (a) a Code of Conduct that explains how the Registrant Firm will ensure compliance with ethical standards by the Registrant Firm and by all individuals employed by or under contract with the Registrant Firm, including compliance with
    - (i) the Code of Ethics of EGBC set out in Schedule A of the Bylaws,
    - (ii) any guidelines on human rights, equity, diversity, or inclusion that have been approved by the Board, and
    - (iii) ethical business practices addressing corruption, conflict of interest, and contractual matters;
  - (b) a plan for how the Registrant Firm will ensure compliance with the standards of competence and quality management requirements pursuant to section 7.3 of the Bylaws [*Standards of Competence – Quality Management Requirements*];

- (c) a plan for how the Registrant Firm will ensure compliance with the continuing education requirements pursuant to section 7.6 of the Bylaws [*Continuing Education Program*]; and
  - (d) a section setting out
    - (i) the organizational structure of the Registrant Firm,
    - (ii) the names of the Registrant Firm's Responsible Officer and Responsible Registrant(s),
    - (iii) the Registrant Firm's area(s) of practice, and
    - (iv) the Responsible Registrant(s) designated to each area of practice at the Registrant Firm.
  - (e) a policy regarding the use of the Permit to Practice Number by individuals employed by or under contract with the Registrant Firm.
- (2) A Registrant Firm's Professional Practice Management Plan must have documented approval by the Responsible Officer and each Responsible Registrant of the Registrant Firm.
  - (3) A Registrant Firm's Professional Practice Management Plan must be in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm.
  - (4) A Registrant Firm must adhere to the Registrant Firm's Professional Practice Management Plan.
  - (5) A Registrant Firm must ensure that individuals employed by or under contract with the Registrant Firm are provided access to, understand the content of, and adhere to the Registrant Firm's Professional Practice Management Plan.
  - (6) Despite subsections (4) and (5), a Registrant Firm or an individual Registrant may depart from the quality management requirements included in the Registrant Firm's Professional Practice Management Plan pursuant to subsection (1)(b) if it is appropriate to do so for an identified reason, which must be
    - (a) documented by the Registrant Firm or the individual Registrant, and
    - (b) supported by a written rationale that is consistent with the Registrant Firm's or the individual Registrant's obligations pursuant to the PGA, applicable regulations, and the Bylaws.
  - (7) A Registrant Firm must

- (a) annually review and, if necessary, revise the Registrant Firm's Professional Practice Management Plan to ensure its suitability and effectiveness,
  - (b) document the annual review conducted pursuant to subsection (a), and the approval of the review by the Responsible Officer and each Responsible Registrant at the Registrant Firm, and
  - (c) when requested by EGBC, submit the Registrant Firm's Professional Practice Management Plan to EGBC within 5 business days.
- (8) A Registrant Firm must retain all approved versions of the Registrant Firm's Professional Practice Management Plan for a minimum of 10 years after the Professional Practice Management Plan is no longer in use by the Registrant Firm.
- (9) A non-practising Registrant Firm is exempt from the requirements set out in subsections 7(a) and (b) of the Bylaws while maintaining its non-practising status.

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

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

#### **7.8 Prohibited Contracts**

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

## 8 Audit and Practice Review

### 8.1 Definitions

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

### 8.2 Powers of the Audit and Practice Review Committee

- (1) In addition to functions and powers assigned to it under the PGA and set out elsewhere in the Bylaws, the Audit and Practice Review Committee has the functions and duties delegated to it by the Board in subsections (2) and (3).
- (2) The Board authorizes the Audit and Practice Review Committee to exercise the Board’s powers pursuant to the following sections of the PGA:
  - (a) section 32(1) of the PGA [*Officers and committees*], in order to appoint officers for the purpose of
    - (i) carrying out the powers delegated in subsection (3)(a)(ii), and
    - (ii) granting exemptions and deferrals pursuant to section 7.6.8(1)(a) of the Bylaws [*Applications or Exemptions from the Continuing Education Program*], section 8.6(5)(a) of the Bylaws [*Compliance Audit Program for Individual Registrants*], and section 8.7(6) of the Bylaws [*Compliance Audit Program for Registrant Firms*];
  - (b) section 63(3) of the PGA [*Audits and practice reviews*] to authorize compliance audits as set out in section 8.6 of the Bylaws [*Compliance Audit Program for Individual Registrants*] and section 8.7 of the Bylaws [*Compliance Audit Program for Registrant Firms*];
  - (c) sections 63(4) and (5) of the PGA [*Audits and practice reviews*].
- (3) The Board authorizes the Audit and Practice Review Committee to act pursuant to the following sections of the PGA:
  - (a) section 32(5)(b) of the PGA [*Officers and committees*], to delegate the powers granted by the Board to the Audit and Practice Review Committee pursuant to section 63(2)(b) of the PGA [*Audits and practice reviews*] to
    - (i) the Registrar, so that the Registrar may appoint assessors for the purpose of conducting an area of practice audit, and
    - (ii) one or more other officers, so that the officer(s) may appoint assessors for the purposes of conducting a compliance audit or a practice review;
  - (b) section 63(2) of the PGA [*Audits and practice reviews*].

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

### 8.3 Powers of the Registrar

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

### 8.4 Appointment of Assessors

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

### 8.5 Commencement of Audit and Practice Review Programs

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

- (b) The compliance audit program for Registrant Firms, as set out in section 8.7 of the Bylaws [*Compliance Audit Program for Registrant Firms*];
- (c) The practice review program for Registrant Firms, as set out in section 8.10 of the Bylaws [*Practice Review of Registrant Firms*].
- (2) [Repealed 2021-12-03].
- (3) [Repealed 2021-12-03].
- (4) [Repealed 2021-12-03].
- (5) [Repealed 2021-12-03].

## **8.6 Compliance Audit Program for Individual Registrants**

- (1) The Board 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~~ participate in the compliance audit process, ~~including~~
- (a) ~~answering questions posed to the individual Registrant, [Repealed YYYY-MM-DD]~~
  - (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 [Repealed YYYY-MM-DD]~~
  - (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 [Repealed YYYY-MM-DD]~~
- (6.1) For the purposes of subsection (6), participation in the compliance audit process includes, but is not limited to, the following:
- (a) completing and submitting the conflict of interest declaration form;
  - (b) completing and submitting the compliance audit questionnaire;
  - (c) responding to requests and answering all questions;
  - (d) providing access to all requested information, files, or records in the individual Registrant's possession or control, including but not limited to information, files, or records related to the individual Registrant's compliance with applicable continuing education requirements, quality management standards, professional practice guidelines, practice advisories, and policies of EGBC;
  - (e) attending one or more interviews with the assessor, either in person or by Electronic Means; and
  - (f) facilitating office and site visits, in person or by Electronic Means, by the assessor or any person designated by the assessor, including taking reasonable steps to arrange for office and site access and any information required to comply with applicable health and safety legislation during the site visit.
- (6.2) For the purposes of subsection (6.1), the assessor or the Audit and Practice Review Committee may specify time periods within which the individual Registrant must comply.
- (6.3) If an individual Registrant fails to comply with subsection (6), the individual Registrant's registration must be suspended.
- (6.4) At least 15 days before a suspension pursuant to subsection (6.3) can take effect, the individual Registrant must be given written notice of



- (a) the date on which the suspension will take effect, and
  - (b) the reasons for the suspension.
- (6.5) A suspension pursuant to subsection (6.3) remains in place until the individual Registrant complies with subsection (6).
- (6.6) If an individual Registrant suspended pursuant to subsection (6.3) fails to comply with subsection (6) within 90 days of the date of the suspension, the individual Registrant's registration must be cancelled.
- (7) ~~The assessor must~~Through a review of the evidence provided ~~by the individual Registrant subject to a compliance audit in pursuant to subsection (6.1), including answers, information, files, or records, the assessor must assess and determine~~ whether the individual Registrant is in compliance with all applicable regulatory requirements, ~~which may include~~including
  - (a.01) the Bylaws and Code of Ethics,
  - (a) applicable requirements of the continuing education program,
  - (b) applicable quality management standards, ~~and~~ professional practice guidelines, practice advisories, and policies of EGBC, and
  - (c) appropriately declaring the individual Registrant's industry of practice and area(s) of practice, if applicable.
- (8) Based on the assessor's assessment pursuant to subsection (7), the assessor must do one of the following:
  - (a) in the case of full compliance, close the compliance audit file, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit;
  - (b) in the case of a Minor Non-Conformance, prescribe corrective action that the individual Registrant must satisfactorily complete within a specified time period;
  - (c) in the case of a Major Non-Conformance, refer the compliance audit file to the Audit and Practice Review Committee, in which case the Audit and Practice Review Committee and the individual Registrant must be provided with the assessor's report of the compliance audit.
- (9) If the individual Registrant subject to a compliance audit satisfactorily completes the corrective action prescribed pursuant to subsection (8)(b) within the specified time period,
  - (a) the assessor must close the compliance audit file, and

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

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

## 8.7 Compliance Audit Program for Registrant Firms

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

- (a) a written request for the deferral setting out the reasons for which the deferral is being requested and the anticipated length of the deferral, and
  - (b) any documents, information, records, declarations, or other information that supports the Registrant Firm's request or that may be requested by the Audit and Practice Review Committee in assessing the Registrant Firm's request for a deferral.
- (7) A deferral of a compliance audit granted to a Registrant Firm pursuant to subsection (6) has a maximum duration of one year from the date that the deferral is granted, upon which the deferral will expire and the compliance audit may proceed, unless a further deferral is granted pursuant to subsection (68).
- (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~~participate in the compliance audit process,~~;~~  
including
- (a) ~~if the Registrant Firm has more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate~~[Repealed YYYY-MM-DD]
    - (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,~~[Repealed YYYY-MM-DD]
  - (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,~~[Repealed YYYY-MM-DD]
  - (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~~[Repealed YYYY-MM-DD]
  - (e) ~~ensuring compliance with any requests by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm.~~[Repealed YYYY-MM-DD]



- (9.1) For the purposes of subsection (9), participation in the compliance audit process includes, but is not limited to, the following:
- (a) designating one Responsible Registrant, if the Registrant Firm has more than one Responsible Registrant, to coordinate
    - (i) the Registrant Firm's participation in the compliance audit, and
    - (ii) communications on behalf of the Registrant Firm;
  - (b) completing and submitting the conflict of interest declaration form;
  - (c) submitting the Registrant Firm's Professional Practice Management Plan;
  - (d) completing and submitting the compliance audit questionnaire;
  - (e) responding to requests and answering all questions;
  - (f) providing access to all requested information, files, or records in the Registrant Firm's possession or control, including but not limited to information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, Code of Conduct, and compliance with the Bylaws, applicable professional practice guidelines, practice advisories, and policies of EGBC;
  - (g) facilitating office and site visits, in person or by Electronic Means, by the assessor or any person designated by the assessor, including arranging for and providing office and site access, any necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit;
  - (h) ensuring compliance with any request by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm, including facilitating interviews with both Registrants and non-Registrants, either in person or by Electronic Means; and
  - (i) attending the opening, summary, and closing meetings with the assessor.
- (10) A Responsible Registrant designated pursuant to subsection (9.1)(a) must have sufficient knowledge of the subject matter of the audit, the ability and sufficient authority to facilitate the audit as required, and the authority to make binding decisions on behalf of the Registrant Firm with respect to the audit.
- (11) If an assessor determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (9.1)(a) does not meet the requirements set out in subsection (10), then the assessor may direct the Responsible Officer, an Individual With Authority, or any other individual employed by or under contract with the Registrant Firm to be



designated for the purpose of coordinating the compliance audit pursuant to subsection (9.1).

(11.1) For the purposes of subsection (9.1), the assessor or the Audit and Practice Review Committee may specify time periods within which the Registrant Firm must comply.

(11.2) If the Registrant Firm fails to comply with subsection (9), the Registrant Firm's registration and Permit to Practice must be suspended.

(11.3) At least 15 days before a suspension pursuant to subsection (11.2) can take effect, the Registrant Firm must be given written notice of

(a) the date on which the suspension will take effect, and

(b) the reasons for the suspension.

(11.4) A suspension pursuant to subsection (11.2) remains in place until the Registrant Firm complies with subsection (9).

(11.5) If a Registrant Firm suspended pursuant to subsection (11.2) fails to comply with subsection (9) within 90 days of the date of the suspension, the Registrant Firm's registration and Permit to Practice must be cancelled.

(12) ~~The assessor must~~ Through a review of the evidence provided by the Registrant Firm pursuant to subsection (9.1), including answers, information, files, or records, the assessor must assess and determine whether the Registrant Firm is in compliance with all applicable regulatory requirements, including

(a) the Bylaws and the Code of Ethics,

(b) professional practice guidelines, practice advisories, and policies of EGBC, and

(c) as well as the quality management and, continuing education requirements, 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~~ participate in the area of practice audit process, including
  - (a) if the Registrant is a Registrant Firm with more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate
    - (i) the Registrant Firm's ~~co-operation~~ participation with the area of practice audit, and
    - (ii) communications on behalf of the Registrant Firm,
  - (b) answering questions posed to the Registrant,
  - (c) providing all requested information, files, or records in the Registrant's possession or control, and
  - (d) undergoing an interview with the assessor, either in person or by Electronic Means, if the assessor determines that such an interview is desirable or necessary.
- (7) The evidence provided by all Registrants subject to an area of practice audit pursuant to subsection (6), including answers, information, files, or records, must be compiled to produce a report on the findings of the area of practice audit and subsequent recommendations.
- (8) The report on the findings of the area of practice audit and subsequent recommendations produced pursuant to subsection (7) must be provided to the Registrar, and the Registrar may determine what action to take based on the findings of the area of practice audit and subsequent recommendations.

## 8.9 Practice Review of Individual Registrants

- (1) The following categories of individual Registrants are exempt from practice reviews:
    - (a) Trainees;
    - (b) life members or life limited licensees.
  - (2) A practice review of an individual Registrant, other than a Registrant exempted pursuant to subsection (1), may be authorized by the Audit and Practice Review Committee pursuant to section 63(4) of the PGA [*Audits and practice reviews*], or by the Registrar or the Investigation Committee pursuant to section 65(4) of the PGA [*Complaints*], if
    - (a) the individual Registrant consents, or
    - (b) information obtained through an audit, a complaint, a practice review, or an investigation indicates that the individual Registrant might have
      - (i) contravened the PGA, the regulations or the Bylaws,
      - (ii) failed to comply with a standard, limit or condition imposed under the PGA,
      - (iii) acted in a manner that constitutes Professional Misconduct or Conduct Unbecoming a Registrant, or
      - (iv) acted in a manner that constitutes Incompetent performance of duties undertaken while engaged in the Regulated Practice.
  - (3) An individual Registrant subject to practice review must be provided with written notice of the practice review.
  - (4) Pursuant to section 63(5)(a) of the PGA [*Audits and practice reviews*], an individual Registrant subject to practice review must co-operate with the practice review process, including
    - (a) ~~answering questions posed to the individual Registrant,~~[Repealed YYYY-MM-DD]
    - (b) ~~providing access to all requested information, files, or records in the individual Registrant's possession or control, and~~[Repealed YYYY-MM-DD]
    - (c) ~~undergoing an interview with an assessor, either in person or by Electronic Means.~~[Repealed YYYY-MM-DD]
- (4.1) For the purposes of subsection (4), cooperation with the practice review process includes, but is not limited to, the following:



- (a) completing and submitting the practice review questionnaire;
  - (b) responding to requests and answering all questions;
  - (c) providing access to all requested information, files, or records in the individual Registrant's possession or control, including but not limited to information, files, or records related to the individual Registrant's compliance with applicable continuing education requirements, quality management standards, professional practice guidelines, practice advisories, and policies of EGBC;
  - (d) attending one or more interviews with the assessor, either in person or by Electronic Means; and
  - (e) facilitating office and site visits, in person or by Electronic Means, by the assessor or any person designated by the assessor, including taking reasonable steps to arrange for office and site access and any information required to comply with applicable health and safety legislation during the visit.
- (4.2) For the purposes of subsection (4.1), the assessor or the Audit and Practice Review Committee may specify time periods within which the individual Registrant must comply.
- (4.3) If an individual Registrant fails to comply with subsection (4), the individual Registrant's registration must be suspended.
- (4.4) At least 15 days before a suspension pursuant to subsection (4.3) can take effect, the individual Registrant must be given written notice of
  - (a) the date on which the suspension will take effect, and
  - (b) the reasons for suspension.
- (4.5) A suspension pursuant to subsection (4.3) remains in place until the individual Registrant complies with subsection (4).
- (4.6) If an individual Registrant suspended pursuant to subsection (4.3) fails to comply with subsection (4) within 90 days of the date of the suspension, the individual Registrant's registration must be cancelled.
- (5) Before an assessor provides the assessor's report of the practice review to the Audit and Practice Review Committee, the individual Registrant subject to practice review must be provided with
  - (a) the assessor's report of the practice review, and
  - (b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the practice review within a specified time period.

- (6) After reviewing the assessor's report of the practice review, any written response from the individual Registrant subject to practice review, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must
  - (a) close the practice review file,
  - (b) pursuant to section 63(5)(c) of the PGA [*Audits and practice reviews*], impose limits or conditions on the practice of the Regulated Practice by the individual Registrant, including
    - (i) restricting the practice that may be engaged in by the individual Registrant,
    - (ii) requiring that the individual Registrant be overseen by another Registrant when engaged in the Regulated Practice, and
    - (iii) requiring that the individual Registrant undertake additional training, or
  - (c) disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable,
 and provide written notice to the individual Registrant.
- (7) The Audit and Practice Review Committee may remove any limits or conditions imposed on an individual Registrant subject to practice review pursuant to subsection (6)(b) if the individual Registrant
  - (a) applies in writing to the Audit and Practice Review Committee to have the limits or conditions removed, and
  - (b) provides evidence acceptable to the Audit and Practice Review Committee that the limits or conditions are no longer necessary or have been fulfilled, as applicable.
- (8) After the removal of all limits or conditions imposed on an individual Registrant subject to practice review pursuant to subsection (6)(b), the Audit and Practice Review Committee must close the practice review file and provide written notice to the individual Registrant.
- (9) If the individual Registrant subject to practice review fails to abide by any limits or conditions imposed on the individual Registrant pursuant to subsection (6)(b), the Audit and Practice Review Committee must disclose or provide records or information from the practice review to the Investigation Committee pursuant to section 110(3) of the PGA [*Confidentiality – committee matters*] or notify the Investigation Committee pursuant to section 110(4) of the PGA [*Confidentiality – committee matters*], as applicable.

## 8.10 Practice Review of Registrant Firms

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

- (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. [Repealed YYYY-MM-DD]~~

(3.1) For the purposes of subsection (3), cooperation with the practice review process includes, but is not limited to, the following:

- (a) designating one Responsible Registrant, if the Registrant Firm has more than one Responsible Registrant, to coordinate
  - (i) the Registrant Firm's cooperation with the practice review, and
  - (ii) communications on behalf of the Registrant Firm;
- (b) submitting the Registrant Firm's Professional Practice Management Plan;
- (c) completing and submitting the practice review questionnaire;
- (d) responding to requests and answering all questions;
- (e) providing access to all requested information, files, or records in the Registrant Firm's possession or control, including but not limited to information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, Code of Conduct, and compliance with the Bylaws, applicable professional practice guidelines, practice advisories, and policies of EGBC;
- (f) facilitating office and site visits, in person or by Electronic Means, by the assessor or any person designated by the assessor, including arranging for and providing office and site access, any necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit; and
- (g) ensuring compliance with any request by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm, including facilitating interviews with both Registrants and non-Registrants, either in person or by Electronic Means.

- (4) A Responsible Registrant designated pursuant to subsection (3.1)(a) must have sufficient knowledge of the subject matter of the practice review, the ability and sufficient authority to facilitate the practice review as required, and the authority to make binding decisions on behalf of the Registrant Firm.

- (5) If an assessor determines that the Responsible Registrant designated by a Registrant Firm pursuant to subsection (3.1)(a) does not meet the requirements set out in subsection (4), then the assessor may direct the Responsible Officer, an Individual With Authority, or any other individual employed by or under contract with the Registrant Firm, to be designated for the purpose of coordinating the practice review pursuant to subsection (3.1).
- (5.1) For the purposes of subsection (3.1), the assessor or the Audit and Practice Review Committee may specify time periods within which the Registrant Firm must comply.
- (5.2) If the Registrant Firm fails to comply with subsection (3), the Registrant Firm's registration and Permit to Practice must be suspended.
- (5.3) At least 15 days before a suspension pursuant to subsection (5.2) can take effect, the Registrant Firm must be given written notice of
  - (a) the date on which the suspension will take effect, and
  - (b) the reasons for the suspension.
- (5.4) A suspension pursuant to subsection (5.2) remains in place until the Registrant Firm complies with subsection (3).
- (5.5) If a Registrant Firm suspended pursuant to subsection (5.2) fails to comply with subsection (3) within 90 days of the date of the suspension, the Registrant Firm's registration and Permit to Practice must be cancelled.
- (6) Before an assessor provides the assessor's report of the practice review to the Audit and Practice Review Committee, the Registrant Firm subject to practice review must be provided with:
  - (a) the assessor's report of the practice review, and
  - (b) an opportunity to provide a written response to the assessor with respect to the issues considered in the assessor's report of the practice review within a specified time period.
- (7) After reviewing the assessor's report of the practice review, any written response from the Registrant Firm subject to practice review, and any subsequent recommendations from the assessor, the Audit and Practice Review Committee must do one of the following:
  - (a) close the practice review file,
  - (b) pursuant to section 63(5)(c) of the PGA [*Audits and practice reviews*], impose limits or conditions on the practice of the Regulated Practice by the Registrant Firm, including:

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



## 9 Complaints and Investigation

### 9.1 Definitions

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

### 9.2 Powers of the Investigation Committee

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

### 9.3 Officers

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

### 9.4 Powers of the Registrar

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

### 9.5 Avoiding the Appearance of Bias

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

### 9.6 Disposition of Complaints by the Registrar

- (1) After receipt of a complaint, the Registrar may do any of the following:
  - (a) close all or part of the complaint without an investigation if the Registrar reasonably believes that any of the following apply:
    - (i) the complaint concerns a matter over which EGBC does not have jurisdiction;
    - (ii) the complaint does not, on its face, relate to an allegation that a Registrant is guilty of Professional Misconduct, Conduct Unbecoming a Registrant, or Incompetent performance of duties undertaken while engaged in the Regulated Practice;
    - (iii) the complaint is Trivial, Frivolous, Vexatious, or made in Bad Faith;
  - (b) close the complaint without an investigation and authorize a practice review of the Registrant subject to the complaint pursuant to section 65(4) of the PGA [*Complaints*], to be conducted by the Audit and Practice Review Committee, except where the Registrant subject to the complaint is a Trainee, who may not be referred to the Audit and Practice Review Committee for a practice review;

- (c) bring the complaint and any available evidence to the Investigation Committee in form of a written report for the Investigation Committee to consider authorizing an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*].
- (2) If the Registrar closes a complaint pursuant to subsection (1)(a), the Registrar must provide the Complainant, the Registrant subject to the complaint, and the Investigation Committee with a written report stating the nature of the complaint and the reasons for closure.
- (3) If the Registrar closes a complaint file and refers the Registrant subject to the complaint to the Audit and Practice Review Committee pursuant to subsection (1)(b), the Registrar must provide the Complainant, the Registrant subject to the complaint, and the Investigation Committee with a written report stating the nature of the complaint and the reasons for the referral.

## 9.7 Investigation

### 9.7.1 Authorizing an Investigation

- (1) If EGBC receives information from any source that indicates a Registrant may have been guilty of

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

the Registrar may bring such information and any available evidence to the Investigation Committee in the form of a written report for the Investigation Committee to consider authorizing an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*].

- (2) Upon receipt of a written report pursuant to subsection (1) or section 9.6(1)(c) of the Bylaws [*Disposition of Complaints by the Registrar*], the Investigation Committee may do one of the following:
  - (a) decline to authorize an investigation, if the Investigation Committee reasonably believes that any of the following apply with respect to the allegations in the written report:
    - (i) the allegations concern a matter over which EGBC does not have jurisdiction;
    - (ii) the report does not, on its face, relate to an allegation that a Registrant is guilty of Professional Misconduct, Conduct Unbecoming a Registrant, or Incompetent performance of duties undertaken while engaged in the Regulated Practice;

- (iii) the substance of the allegations has been or could be appropriately dealt with in another process or proceeding;
  - (iv) there is no reasonable prospect that the allegations, if proven, could substantiate a finding of Professional Misconduct, Conduct Unbecoming a Registrant, or Incompetent performance of duties undertaken while engaged in the Regulated Practice;
  - (v) the allegations are Trivial, Frivolous, Vexatious, or made in Bad Faith;
  - (vi) the allegations give rise to an Abuse of Process;
  - (vii) the allegations were raised for an improper purpose or motive;
  - (viii) the allegations relate to a contractual dispute between the Registrant and a third party and there is no public interest in authorizing an investigation;
- (b) authorize an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*] and
- (i) order further investigation to be conducted pursuant to sections 9.7.4 to 9.7.6 of the Bylaws, or
  - (ii) deem the investigation to be complete based on the written report provided pursuant to subsection (1) or section 9.6(1)(c) of the Bylaws [*Disposition of Complaints by the Registrar*] and make a decision pursuant to section 9.7.7 of the Bylaws [*Decision by the Investigation Committee*].
- (3) If the Investigation Committee declines to authorize an investigation pursuant to subsection (2)(a), the Investigation Committee must provide the Complainant and the Registrant subject to the complaint with a written report stating the nature of the complaint and the reasons for closure of the file.
- (4) If the written report brought to the Investigation Committee pursuant to subsection (1) or section 9.6(1)(c) of the Bylaws [*Disposition of Complaints by the Registrar*] contains evidence that a Registrant has been convicted of an indictable offence, the Investigation Committee may authorize an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*], deem the investigation to be complete based on the written report, and take action pursuant to section 9.7.2 of the Bylaws [*Suspension or Cancellation on the Basis of an Indictable Offence*].
- (5) If the Investigation Committee authorizes an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*] in relation to a public sector Firm, EGBC must notify the Superintendent of Professional Governance within 30 days of the decision to authorize the investigation.

### 9.7.2 Suspension or Cancellation on the Basis of an Indictable Offence

- (1) If the Investigation Committee is satisfied that a Registrant has been convicted of an indictable offence, the Investigation Committee may make an order to summarily suspend or cancel the registration of the Registrant, and if the Registrant is a Registrant Firm, suspend or cancel the Registrant Firm's Permit to Practice.
- (2) Before proceeding pursuant to subsection (1), the Investigation Committee must be satisfied that the nature of the indictable offence or the circumstances under which the offence was committed give rise to concerns that the Registrant has engaged in
  - (a) Professional Misconduct,
  - (b) Conduct Unbecoming a Registrant, or
  - (c) Incompetent performance of duties undertaken while engaged in the Regulated Practice.
- (3) The Investigation Committee may determine the process and procedure for making a determination pursuant to this section of the Bylaws, including determining whether Proceedings are to be conducted
  - (a) in writing,
  - (b) in person,
  - (c) by Electronic Means, or
  - (d) in any combination of (a), (b), or (c).
- (4) The Investigation Committee must, before initiating Proceedings held pursuant to this section of the Bylaws, provide written notice to the Registrant subject to investigation that
  - (a) action may be undertaken pursuant to subsection (1), and
  - (b) the Registrant may, by a specified date, make written submissions to the Investigation Committee.
- (5) The Investigation Committee may hear oral submissions from the Registrant, in the place of or in addition to the written submissions referred to in subsection (4)(b).
- (6) Despite subsections (4) and (5) if the Investigation Committee considers it necessary to protect the public interest, the Investigation Committee may initiate Proceedings pursuant to this section of the Bylaws or make an order pursuant to subsection (1) without
  - (a) providing notice to the Registrant, or

- (b) providing the Registrant with an opportunity to make written or oral submissions to the Investigation Committee.
- (7) If the Investigation Committee makes an order pursuant to subsection (1) to suspend or cancel the registration of the Registrant and, if the Registrant is a Registrant Firm, the Permit to Practice of the Registrant Firm, the Investigation Committee must deliver the order to the Registrant.
- (8) If the Investigation Committee makes an order pursuant to subsection (1) suspending the registration of the Registrant and, if the Registrant is a Registrant Firm, the Permit to Practice of the Registrant Firm, the Investigation Committee
  - (a) must determine the length and any conditions of the suspension in its order, and
  - (b) may amend or rescind the order.

### 9.7.3 Extraordinary Action to Protect the Public

- (1) At any time after authorizing an investigation pursuant to section 66(1)(a) of the PGA [*Investigations*], the Investigation Committee may, if it considers that it is necessary to protect the public interest,
  - (a) take action pursuant to section 67 of the PGA [*Extraordinary action*], or
  - (b) refer the file to the Discipline Committee, without the issuance of a citation, for the Discipline Committee to consider taking action pursuant to section 67 of the PGA [*Extraordinary action*].
- (2) The members of any Investigation Subcommittee carrying out an investigation or overseeing and taking responsibility for an investigation carried out by an Investigator and the members of any Resolution Subcommittee must not, for the same matter, participate in any Proceedings related to section 67 of the PGA [*Extraordinary action*].
- (3) If the Investigation Committee decides to proceed pursuant to subsection (1)(a), the Investigation Committee may determine the process and procedure for making a determination pursuant to this section of the Bylaws, including determining whether Proceedings are to be conducted
  - (a) in writing,
  - (b) in person,
  - (c) by Electronic Means, or
  - (d) in any combination of (a), (b), or (c).
- (4) The Investigation Committee may, before initiating Proceedings held pursuant to this section of the Bylaws, provide written notice to the Registrant subject to investigation that

- (a) action may be undertaken pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*], and
  - (b) the Registrant subject to investigation may, by a specified date, make written submissions to the Investigation Committee.
- (5) The Investigation Committee may hear oral submissions from the Registrant subject to investigation in the place of or in addition to the written submissions referred to in subsection (4)(b).
- (6) Despite subsections (4) and (5), if the Investigation Committee considers that it is necessary to protect the public interest, the Investigation Committee may initiate Proceedings held pursuant to this section of the Bylaws or make an order pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] without
- (a) providing notice to the Registrant subject to investigation, or
  - (b) providing the Registrant subject to investigation with an opportunity to make written or oral submissions to the Investigation Committee.
- (7) An order made by the Investigation Committee pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] must comply with sections 67(2) and (3) of the PGA [*Extraordinary action*].
- (8) Pursuant to section 67(4) of the PGA [*Extraordinary action*], if the Investigation Committee determines that its order pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is no longer necessary to protect the public interest, it must, in writing, cancel any limits, conditions, or suspension ordered pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] and notify the Registrant subject to investigation.
- (9) An order made by the Investigation Committee pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is effective until the final disposition of the matter by the Investigation Committee or the Discipline Committee, as applicable.

#### 9.7.4 Carrying out of an Investigation

- (1) The Investigation Committee may appoint Investigators as officers and delegate to those Investigators the Investigation Committee's powers pursuant to sections 66(1)(b) and (c) of the PGA [*Investigations*].

#### 9.7.5 Necessary Co-operation During an Investigation

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

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



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

#### 9.7.6 Conclusion of an Investigation

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

### 9.7.7 Decision by the Investigation Committee

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

### 9.8 Issuance and Rescission of a Citation

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

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

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

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

## 9.9 Resolution by the Investigation Committee

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

### 9.9.1 Reprimand or Remedial Action by Consent

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

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

### 9.9.2 Consent Orders

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

### 9.9.3 Alternative Complaint Resolution by the Investigation Committee

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

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

## 10 Discipline

### 10.1 Definitions

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

### 10.2 Powers of the Discipline Committee

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

### 10.3 Officers and Discipline Committee Panels

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

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

#### 10.4 Avoiding the Appearance of Bias

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

that would reasonably compromise the member's objectivity.

#### 10.5 Extraordinary Action to Protect the Public

- (1) An Extraordinary Action Panel may, if it considers that it is necessary to protect the public interest, take action pursuant to section 67 of the PGA [*Extraordinary action*]
- (a) during the course of an investigation pursuant to section 66 of the PGA [*Investigations*], upon recommendation by the Investigation Committee pursuant to section 9.7.3(1)(b) of the Bylaws [*Extraordinary Action to Protect the Public*], or
  - (b) pending a hearing pursuant to section 75 of the PGA [*Discipline Hearings*], on recommendation by the Investigation Committee pursuant to section 9.7.7(2) of the Bylaws [*Decision by the Investigation Committee*], or on application by EGBC.

- (2) An Extraordinary Action Panel may determine the process and procedure for making a determination pursuant to this section of the Bylaws, including determining whether Proceedings are to be conducted
  - (a) in writing,
  - (b) in person,
  - (c) by Electronic Means, or
  - (d) in any combination of (a), (b), or (c).
- (3) An Extraordinary Action Panel may, before initiating Proceedings held pursuant to this section of the Bylaws, provide written notice to the subject Registrant that
  - (a) action may be undertaken pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*], and
  - (b) the subject Registrant may, by a specified date, make written submissions to the Extraordinary Action Panel.
- (4) An Extraordinary Action Panel may hear oral submissions from the subject Registrant in the place of or in addition to the written submissions referred to in subsection (3)(b).
- (5) Despite subsection (3) and (4) if an Extraordinary Action Panel considers that it is necessary to protect the public interest, the Extraordinary Action Panel may initiate Proceedings held pursuant to this section of the Bylaws or make an order pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary Action*] without
  - (a) providing notice to the subject Registrant, or
  - (b) providing the subject Registrant with an opportunity to make written or oral submissions to the Investigation Committee.
- (6) An order made by an Extraordinary Action Panel pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] must comply with sections 67(2) and (3) of the PGA [*Extraordinary action*].
- (7) Pursuant to section 67(4) of the PGA [*Extraordinary action*], if the Discipline Committee or an Extraordinary Action Panel determines that the order made pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is no longer necessary to protect the public interest, it must, in writing, cancel any limits, conditions, or suspension ordered pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] and notify the subject Registrant as soon as possible.
- (8) An order made by an Extraordinary Action Panel pursuant to section 67(1)(a) or (b) of the PGA [*Extraordinary action*] is effective until the final disposition of the matter by the Discipline Committee.



## 10.6 Resolution by the Discipline Committee

- (1) Following the issuance of a citation by the Investigation Committee pursuant to section 66(1)(d) of the PGA [*Investigations*] or the Registrar pursuant to section 72(3) of the PGA [*Reprimand or remedial action by consent*], the chair or vice chair of the Discipline Committee may appoint a Discipline Resolution Panel to attempt to resolve one or more of the matters set out in the citation by one or more of the following methods:
  - (a) make a request in writing for an undertaking or reprimand by consent to the Registrant subject to discipline pursuant to section 72 of the PGA [*Reprimand or remedial action by consent*];
  - (b) propose a consent order in writing to the Registrant subject to discipline pursuant to section 73 of the PGA [*Consent orders*];
  - (c) enter into the Alternative Complaint Resolution process with the Registrant subject to discipline pursuant to section 74 of the PGA [*Alternative complaint resolution*].
- (2) If the Registrant subject to discipline is a Registrant Firm, any undertaking or reprimand by consent, consent order, or agreement entered into following an Alternative Complaint Resolution Process pursuant to subsection (1) must be agreed to and endorsed by an Individual With Authority at the Registrant Firm.

### 10.6.1 Reprimand or Remedial Action by Consent

- (1) In relation to one or more of the matters set out in the citation, the Discipline Resolution Panel may make a request pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*].
- (2) In case of an undertaking pursuant to section 72(1)(b) or (d) of the PGA [*Reprimand or remedial action by consent*], the record of the undertaking must specify
  - (a) the period of time during which the educational courses or any other action specified by the Audit and Practice Review Committee is to be completed or is binding on the Registrant subject to discipline, and
  - (b) the procedure, if any, that the Registrant subject to discipline may follow to be released from the undertaking.
- (3) If the Registrant subject to discipline rejects an undertaking or reprimand by consent requested pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*],
  - (a) the disciplinary processes may continue as though the offer to resolve one or more matters to be dealt with at the discipline hearing had not been made, and

- (b) the offer to resolve one or more matters to be dealt with at the discipline hearing must not be considered in determining the matters or in taking an action or imposing a penalty in respect of the matters during a discipline hearing.

#### 10.6.2 Consent Orders

- (1) In relation to one or more of the matters to be dealt with at the discipline hearing, the Discipline Resolution Panel may, pursuant to section 73 of the PGA [*Consent orders*], propose a consent order in writing to the Registrant subject to discipline.
- (2) A consent order made between the Discipline Resolution Panel and the Registrant subject to discipline must meet the requirements set out in section 73 of the PGA [*Consent orders*].

#### 10.6.3 Alternative Complaint Resolution by the Discipline Committee

- (1) In relation to one or more of the matters to be dealt with at the discipline hearing, the following parties may agree to engage in Alternative Complaint Resolution pursuant to section 74 of the PGA [*Alternative complaint resolution*]:
  - (a) the Discipline Resolution Panel;
  - (b) the Registrant subject to discipline;
  - (c) the Registrar.
- (2) Any party may withdraw from the Alternative Complaint Resolution process at any time by providing written notice to the other parties.
- (3) The apportionment of costs incurred through Alternative Complaint Resolution, other than any respective legal costs of the parties, must be agreed upon by the parties prior to the commencement of the Alternative Complaint Resolution process, unless the parties agree otherwise.

### 10.7 Discipline Hearings

- (1) Following the issuance of a citation by the Investigation Committee pursuant to section 66(1)(d) of the PGA [*Investigations*] or the Registrar pursuant to section 72(3) of the PGA [*Reprimand or remedial action by consent*], the chair or vice chair of the Discipline Committee must appoint a Discipline Hearing Panel to conduct the hearing pursuant to section 75 of the PGA [*Discipline hearings*].
- (2) A discipline hearing must be conducted in accordance with the procedure set out in Schedule B of the Bylaws, unless otherwise directed by the Discipline Hearing Panel.

## 10.8 Conduct in Another Jurisdiction

- (1) If the Registrar learns that a Different Governing Body has found, or a Registrant has admitted to a Different Governing Body, that the Registrant committed an act that may constitute Conduct of Concern, the Registrar must provide a written report to the Investigation Committee including any record of the relevant decision or findings made or action taken by the Different Governing Body.
- (1.1) If the Investigation Committee considers that the Registrant's act may constitute Conduct of Concern and it is in the public interest to proceed with the discipline process, the Investigation Committee, without issuing a Citation, must refer the matter to the Discipline Committee for the Discipline Committee to consider taking action pursuant to section 76 of the PGA [*Conduct in another jurisdiction*].
- (1.2) Upon recommendation by the Investigation Committee pursuant to subsection (1.1), the chair or vice chair of the Discipline Committee must appoint a Discipline Hearing Panel to consider making an order pursuant to section 76(2) of the PGA [*Conduct in another jurisdiction*].
- (2) The Discipline Hearing Panel must provide the Registrant with the following before taking any action pursuant to section 76(2) of the PGA [*Conduct in another jurisdiction*]:
  - (a) at least 14 days' written notice of the proposed action;
    - (a.1) a copy of the record of the relevant decision or findings made or action taken by the Different Governing Body; and
  - (b) an opportunity to be heard, which must be limited to a hearing in writing unless otherwise ordered by the Discipline Hearing Panel.

## 10.9 Assessment of Costs After a Discipline Hearing

- (1) If an adverse determination is made against a Respondent after a discipline hearing held pursuant to section 75 of the PGA [*Discipline hearings*] the Discipline Hearing Panel must require, through an order in writing, that the Respondent pay EGBC's costs, which may be up to the actual costs incurred by EGBC as a result of an investigation and a discipline hearing, provided that those actual costs are within the limits set out in section 81(2)(a) of the PGA [*Costs*].
- (2) For the purpose of calculating costs with respect to an investigation, recoverable costs are all costs incurred from the time the investigation is authorized pursuant to section 66(1)(a) of the PGA [*Investigations*] until the time that a citation is issued pursuant to section 66(1)(d) of the PGA [*Investigations*] or section 72(3) of the PGA [*Reprimand or remedial action by consent*].
- (3) For the purpose of calculating costs with respect to a discipline hearing, recoverable costs are all costs incurred from the time that the citation is issued pursuant to section 66(1)(d) of the PGA [*Investigations*] or 72(3) of the PGA [*Reprimand or remedial action by consent*].

until the conclusion of a hearing regarding the amount of costs to be assessed pursuant to section 81 of the PGA [*Costs*].

- (4) For the purposes of subsections (2) and (3), recoverable costs must include
- (a) salary costs for employees or officers engaged in the investigation and the discipline hearing, and
  - (b) the actual costs incurred by EGBC during the course of the investigation and the discipline hearing, including any motions, applications or pre-hearing conferences, or any other applications associated with a discipline matter, which may include some or all of the following:
    - (i) costs incurred to retain contractors who are engaged in the investigation and the discipline hearing, including contractors who are appointed as officers;
    - (ii) expenses incurred by persons appointed as Investigators for EGBC pursuant to section 68 of the PGA [*Investigators*];
    - (iii) fees charged and expenses incurred by legal counsel retained by EGBC;
    - (iv) fees charged and expenses incurred by expert witnesses retained by EGBC or EGBC's legal counsel;
    - (v) expenses incurred by witnesses called to testify by EGBC;
    - (vi) the cost of recording interviews, pre-hearing conferences, and hearings;
    - (vii) the cost of a court reporter for interviews, pre-hearing conferences, and hearings;
    - (viii) the cost of preparing a transcript of interviews, pre-hearing conferences, and hearings;
    - (ix) the cost of a translator for interviews, pre-hearing conferences, and hearings;
    - (x) costs incurred to rent facilities at which interviews, pre-hearing conferences, and hearings are held;
    - (xi) costs incurred to conduct interviews, pre-hearing conferences, and hearings, whether conducted in person, by Electronic Means, in writing or by any combination thereof;
    - (xii) any other reasonable costs, fees, or expenses paid or payable by EGBC as a result of the investigation or the hearing pursuant to section 75 of the PGA [*Discipline hearings*].

- (5) In determining the costs to require the Respondent to pay, the Discipline Hearing Panel

- (a) must consider whether EGBC did not prove all the allegations made against the Respondent set out in the citation to the requisite standard, and if so, the seriousness of the allegations which were not proven relative to those which were proven, and
- (b) may consider evidence that the Respondent previously rejected
  - (i) an undertaking or a consent requested by the Investigation Committee or the Discipline Committee, as applicable, pursuant to section 72(1) of the PGA [*Reprimand or remedial action by consent*], or
  - (ii) a consent order proposed by the Investigation Committee or the Discipline Committee, as applicable, pursuant to section 73(1) of the PGA [*Consent orders*].

## 10.10 Payment of Costs

- (1) A Respondent must pay the full amount of any costs imposed on the Respondent pursuant to section 10.9 of the Bylaws [*Assessment of Costs After a Discipline Hearing*] within 30 days of the date of the order for costs, unless an extension for payment of costs is obtained pursuant to section 10.10.1(1) of the Bylaws [*Extension of Time for Payment of Costs*].

### 10.10.1 Extension of Time for Payment of Costs

- (1) Upon receipt of a written request from a Respondent stating that the Respondent will suffer financial hardship if the Respondent is required to pay costs within 30 days of the date of the order for costs, the Registrant 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*], [section 5.23\(8\)-\(10\) of the Bylaws \[\*Reinstatement of Status as a Practicing Professional Registrant\*\]](#), or [section 5.25\(5\)-\(7\) of the Bylaws \[\*Reinstatement of Status as a Trainee, a Non-Practicing Registrant, or a Life Member or Life Limited Licensee\*\]](#), and
- (b) the Discipline Hearing Panel in the case of a discipline hearing pursuant to section 10.7 of the Bylaws [*Discipline Hearings*].

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

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

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

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

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

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

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

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

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

## 1.2 Application of this Schedule

- (1) The procedural rules in this Schedule apply only to
  - (a) a credentials hearing held by the Registrar pursuant to section 5.19 of the Bylaws [*Credentials Hearing on Good Character and Good Repute of an Individual Applicant*], [section 5.23\(8\)-\(10\) of the Bylaws \[\*Reinstatement of Status as a Practicing Professional Registrant\*\]](#), or [section 5.25\(5\)-\(7\) of the Bylaws \[\*Reinstatement of Status as a Trainee, a Non-Practicing Registrant, or a Life Member or Life Limited Licensee\*\]](#), and
  - (b) a discipline hearing held by a Discipline Hearing Panel pursuant to section 10.7 of the Bylaws [*Discipline Hearings*],

unless otherwise ordered by the respective Decision Maker.

## 1.3 Parties and Representation

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

- (b) after receiving written notice of the name and contact information of the Applicant's/Respondent's legal counsel, any information or documents that EGBC is required to deliver to the Applicant/Respondent must be delivered to the Applicant's/Respondent's legal counsel which will constitute delivery to the Applicant/Respondent.
- (6) If the legal counsel for the Applicant/Respondent withdraws as legal counsel, EGBC is entitled to use the personal and unique email address of the Applicant/Respondent, or if the Applicant/Respondent is a Registrant Firm, the contact information for the individual designated to represent the Registrant Firm pursuant to subsection (2), as the address for delivery for any information or documents to the Applicant/Respondent, unless the withdrawing legal counsel or the Applicant/Respondent specify a different email address for delivery.
- (7) The Decision Maker may retain legal counsel or other assistance in conducting a Proceeding.

#### **1.4 Combining Proceedings**

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

#### **1.5 Disclosure and Evidence**

- (1) Unless otherwise agreed by the parties or ordered by the Decision Maker, EGBC must make disclosure to the Applicant/Respondent in the following manner:
  - (a) expert reports, or a summary of the anticipated evidence of an expert if no report is produced, at least 60 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 2024-04-12-2145]

### 1.1 Fees for Individual Registrants

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

| Fee Description   | Amount         |
|---|----------------|
| b. after 6 months and within 18 months of resignation, removal or conversion to non-practising registration                       | \$100.00       |
| c. over 18 months after resignation, removal or conversion to non-practising registration   | \$300.00       |
| <b>Application fee for reinstatement as a Trainee, non-practising Registrant, life member or life limited licensee Registrant</b> | <b>\$50.00</b> |
| <b>EXAMINATION FEES</b>   |                |
| <b>Examination fee for Trainee (EIT/ GIT) Applicant, Professional Engineer Applicant, or Professional Geoscientist Applicant</b>  |                |
| a. Per Examination  | \$360.00       |
| b. Defer Examination to a subsequent session  | \$220.00       |
| c. Request Examination Re-read per Examination  | \$20330.00     |
| <b>Examination fees for designated structural engineer Applicant</b>  |                |
| a. BC Codes and Practices Examination   | \$500.00       |
| b. Institution of Structural Engineers Chartered Membership Examination   | \$1,000.00     |
| <b>Examination fee for professional licensee engineering/ professional licensee geoscience Applicant</b>                          |                |
| a. Per Examination  | \$360.00       |
| b. Defer Examination to a subsequent session  | \$220.00       |
| c. Request Examination Re-read per Examination  | \$20330.00     |
| <b>Professional Practice Examination fee for all applicable Applicants or Registrants</b>   |                |
| a. Multiple Choice and Essay sections   | \$260.00       |
| b. [Repealed 2021-04-23]  |                |
| <b>INTERVIEW FEES</b>   |                |
| <b>Interview fee for all applicable Applicants</b>  |                |
| a. In-person interview at EGBC office   | \$0.00         |
| b. Rescheduling (For applicant-initiated postponement or cancellation of a confirmed interview)                                   | \$ 200.00      |
| c. Remote Interview by Videoconference  | \$200.00       |
| <b>Interview fee for reinstatement as a Professional Registrant</b>   |                |
| a. In-person interview at EGBC office   | \$0.00         |
| b. Rescheduling (For applicant-initiated postponement or cancellation of a confirmed interview)                                   | \$200.00       |

| Fee Description   | Amount              |
|---|---------------------|
| c. Remote Interview by Videoconference  | \$200.00            |
| <b>COURSE FEES</b>  |                     |
| 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            |
| <b>REGISTRATION &amp; DESIGNATION FEES</b>  |                     |
| 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            |
| <b>ANNUAL FEES</b>  |                     |
| <b>Annual fee 2021</b>  |                     |
| Trainee (EIT/GIT)   |                     |
| a. Full Fee   | \$276.00            |
| b. Reduced Fee for Hardship   | \$138.00            |
| c. Medically unable to work   | \$0.00              |
| Professional Registrant   |                     |
| a. Professional Engineer/Professional Geoscientist Full Fee   | \$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 |
| <b>Annual Fee 2022</b>  |                     |
| Trainee (EIT/GIT)   |                     |
| a. Full Fee   | \$276.00            |



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



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

## 1.2 Fees for Registrant Firms

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

| Fee Description                 | Amount          |
|---------------------------------|-----------------|
| <b>REVIEW ON THE RECORD FEE</b> |                 |
| Review on the record fee        | <b>\$500.00</b> |

## Schedule D – Responsible Registrant Declaration

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

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

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

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

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

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

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

## Schedule E – Responsible Officer Declaration

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

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



- b. the Registrant Firm must ensure that the Responsible Registrant(s) have the necessary authority to oversee the Regulated Practice within the areas of practice that each Responsible Registrant has been designated to oversee pursuant to section 5.12(5) of the Bylaws [*Registrant Firm*], and to take the steps necessary to ensure that the Registrant Firm complies with the requirements in the PGA and regulations, as well as the Bylaws, guidelines, standards, practice advisories, and policies of EGBC;
  - c. the Regulated Practice carried out by individuals operating under the Registrant Firm's Permit to Practice must conform to the PGA and regulations, as well as the Bylaws, Code of Ethics, guidelines, standards, practice advisories, and policies of EGBC;
  - d. the Registrant Firm must develop and enforce a Professional Practice Management Plan that conforms with the requirements of section 7.7.3 of the Bylaws [*Professional Practice Management Plan*], including setting out quality management policies and procedures applicable to the Regulated Practice carried out by the Registrant Firm;
  - e. the Registrant Firm must have its Professional Practice Management Plan in place no later than 12 months after the date that a Permit to Practice is issued to the Registrant Firm;
  - f. I must document my approval of the Professional Practice Management Plan on behalf of the Registrant Firm upon its implementation, as well as after each annual review conducted pursuant to section 7.7.3(7)(a) and (b) of the Bylaws [*Professional Practice Management Plan*]; and
  - g. the Registrant Firm is obligated to 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    | April 21, 2023  |
| SUBJECT | Proposed Bylaw Amendments for the Board meeting of April 21, 2023 |

Overview and Navigation

|     |  |    |
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(1) CHANGES TO ANNUAL REPORTING (“AR”) AND THE CONTINUING EDUCATION PROGRAM (“CEP”)

(A) Establish the Registrar’s authority to grant exemptions from AR requirements and set an application deadline for AR exemption requests

| Bylaw Section   | Description of Proposed Amendment  | Redlined Excerpt   |
|---|--|--|
| During the 2022 reporting period there were multiple occurrences of Registrants experiencing situations (e.g. medical reasons) that made it difficult for to complete AR. For these cases, the Registrar approved a policy with a set of criteria that staff could use to determine if the Registrant should be exempt from AR. As there is currently no authority in the Bylaws to grant exemptions from AR requirements, we propose adding a new provision to the Bylaws to ensure these exemptions are authorized and to provide transparency. The new Bylaws also establish a deadline for AR exemption requests. |  |  |
| 5.31(6), (7), (8)<br><i>[Failure to Provide Required Information]</i>   | Provide an application process where an individual Registrant may request an exemption from AR. An exemption may be granted by the Registrar on an annual basis. The application deadline is the end of the Reporting Year, June 30. If an individual Registrant fails to comply with AR or with the exemption application deadline, the individual Registrant will be suspended in accordance with the existing Bylaws. | (6) Despite subsections (1), (3) and (4), the Registrar may, on receiving a written application by an individual Registrant, exempt the individual Registrant from providing the information required pursuant to section 5.29(1) of the Bylaws <i>[Information Collected Annually and Published on the Register]</i> or section 5.30(1) of the Bylaws <i>[Information Collected Annually and not Published on the Register]</i> .<br><br>(7) An exemption pursuant to subsection (6) may be granted on an annual basis.<br>(8) An application by an individual Registrant to be granted an exemption pursuant to subsection (6) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on June 30 in the Reporting Year. |

(B) Set an application deadline for late fee exemption, reduction, deferral, or refund

| Bylaw Section   | Description of Proposed Amendment   | Redlined Excerpt   |
|---|---|--|
| The authority to grant late fee exemptions, reductions, deferrals, or refunds is established in the existing Bylaws. However, without an application deadline, we continue to receive such requests and are compelled to review each application to be administratively fair. Setting a deadline in the Bylaws provides a clear timeframe within which applications will be considered. |   |  |
| 6.7(1.1)<br><i>[Exemption, Reduction, Deferral, or Refund of Fees]</i>  | Set an application deadline of September 30 for late fee exemptions, reductions, deferral, or refunds requests. The deadline of September 30 aligns with existing key dates: Registrants are required to complete AR and CE by June 30 each year. If they fail do so, a late fee applies. If they fail do so by September 30, a suspension is issued. To avoid a suspension, the Registrant must complete AR and CE by September 30 (unless the Registrant has been granted an exemption from AR / CE). To avoid the late fee, a Registrant may apply for an exemption by September 30. The criteria for granting an exemption from, reduction, deferral, or refund of a late fee are stipulated in policy. | (1.1) An application by an individual Registrant pursuant to subsection (1) to be granted an exemption from, reduction, deferral, or refund of all or part of<br>(a) a late reporting fee specified in Schedule C of the Bylaws, or<br>(b) a late completion fee specified in Schedule C of the Bylaws<br>must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on September 30 of the following year. |

| (C) Adjust approval authorities and application deadlines for CE exemption requests, and remove the CE late exemption fee |   |   |
|---|---|---|
| Bylaw Section   | Description of Proposed Amendment   | Redlined Excerpt  |
| 7.6.8(1)<br>[Applications for Exemptions from the Continuing Education Program]   | <p>Adjust the authorities to grant CE exemptions to enhance administrative timeliness. After the first year of processing CE exemption requests, EGBC staff worked with the Audit and Practice Review Committee (the “APRC”) to build standard decision-making criteria based on documented precedents. The APRC would now like to delegate their authority to approve the exemption requests related to parental, compassionate care, and medical leave to officers. Exemption requests for any other reasons continue to require APRC approval.</p> <p>The amendment to allow officers to grant exemptions related to parental, compassionate care, and medical leave is also consistent with a similar provision for exemption requests from compliance audits pursuant to section 8.6(5).</p> | <p>(1) A Professional Registrant may be granted an exemption, on an annual basis, from any or all of the continuing education program requirements set out in section 7.6.3 of the Bylaws [<i>Mandatory Continuing Education Hours and Activities for Professional Registrants</i>], section 7.6.4 of the Bylaws [<i>Mandatory Continuing Education Plan for Professional Registrants</i>], section 7.6.5 of the Bylaws [<i>Mandatory Continuing Education Hours and Activities for Designated Structural Engineers</i>], or section 7.6.7 of the Bylaws [<i>Continuing Education Program Declaration</i>] for a specified Reporting Year by</p> <p>(a) an officer appointed by the Audit and Practice Review Committee, if the Professional Registrant was on parental leave, medical leave, or compassionate care leave <del>for at least 6 months during the Reporting Year</del>, or</p> <p>(b) the Audit and Practice Review Committee, if the Professional Registrant</p> <p>(i) <del>was on parental leave, medical leave, or compassionate care leave for less than 6 months during the Reporting Year, or</del> [Repealed YYYY-MM-DD]</p> <p>(ii) has other extenuating circumstances.</p> |
| 7.6.8(2)<br>[Applications for Exemptions from the Continuing Education Program]   | <p>Adjust the deadlines for exemption applications. The April 30 deadline was meant to allow staff enough time to administer exemption requests prior to the June 30 reporting deadline. After a year of this being in place, we learned that exemption applications can be processed very quickly by staff so there is no longer a need to require an early submission.</p>  | <p>(2) An application by a Professional Registrant to be granted an exemption pursuant to subsection (1) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on <del>April</del> June 30 of the applicable Reporting Year.</p>  |
| 7.6.10(2) [Late Exemption from Continuing Education Plan, Hours, or Activities]   | <p>Adjust the deadline for late exemption applications from July 31 to December 31.</p>   | <p>(1) An application by a Professional Registrant to be granted an exemption pursuant to subsection (1) must be submitted in writing to EGBC by 11:59 PM (Pacific Time) on <del>July</del> December 31 in the following Reporting Year.</p>  |
| 7.6.10(4) and (5) [Late Exemption from Continuing   | <p>Remove the late exemption fee. It was established to cover administrative costs associated with fast-tracking late applications, but we have learned that collecting late fees is an onerous task and unnecessarily punitive to</p>  | <p>7.6.10 (4) <del>A Professional Registrant who is granted an exemption pursuant to subsection (1) must send to EGBC the late exemption fee specified in Schedule C of the Bylaws, but is not required to pay to EGBC the late reporting fee specified in Schedule C or the late completion fee specified in Schedule C.</del> [Repealed YYYY-MM-DD]</p>   |

| Bylaw Section  | Description of Proposed Amendment  | Redlined Excerpt   |
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| <i>Education Plan, Hours, or Activities]; and Schedule C</i> | individuals experiencing extenuating circumstances. If an exemption request or a late exemption request is granted, late fees do not apply.  | <p>7.6.10 (5) <del>The Audit and Practice Review Committee may, in its discretion, refund the late exemption fee required pursuant to subsection (4) if a Professional Registrant</del></p> <p><del>(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,</del></p> <p><del>(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</del></p> <p><del>(c) was granted an exemption by the Audit and Practice Review Committee pursuant to subsection (1).</del></p> <p><del>[Repealed YYYY-MM-DD]</del></p> <p>Schedule C:</p> <p><del>Late exemption fee for failure to request an exemption to any CEP requirements prior to April 30 [Repealed YYYY-MM-DD] \$50.00</del></p>  |
| 7.6.12 [Avoiding or Delaying a Suspension]                   | Repeal section 7.6.12. With the adjusted deadlines to apply for exemptions and late exemptions, Registrants are given ample opportunity to apply for an exemption thereby eliminating the need for this provision. If a Registrant missed the June 30 deadline to complete and report CE requirements or to apply for an exemption for CE, the Registrant can still apply for a late exemption by September 30 to avoid a suspension, or by December 31 to avoid cancellation. | <p><b>7.6.12-Avoiding or Delaying a Suspension [Repealed YYYY-MM-DD]</b></p> <p><del>(1) If a Professional Registrant fails to comply with the requirements in section 7.6.9(1) of the Bylaws [Failure to Submit a Continuing Education Program Declaration], section 7.6.11(1) or (4) of the Bylaws [Failure to Complete Continuing Education Plan, Hours, or Activities] due to extenuating circumstances, including being on parental leave, medical leave, or compassionate care leave, the Audit and Practice Review Committee may order that</del></p> <p><del>(a) the Professional Registrant's registration not be suspended pursuant to section 7.6.9(2) of the Bylaws [Failure to Submit a Continuing Education Program Declaration], section 7.6.11(2) or (5) of the Bylaws [Failure to Complete Continuing Education Plan, Hours, or Activities], or</del></p> <p><del>(b) the Professional Registrant's suspension pursuant to section 7.6.9(2) of the Bylaws [Failure to Submit a Continuing Education Program Declaration], 7.6.11(2) or (5) of the Bylaws [Failure to Complete Continuing Education Plan, Hours, or Activities] be delayed for a specified period of time.</del></p> <p><del>(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 Professional Registrant written notice of</del></p> <p><del>(a) the date on which the suspension will take effect,</del></p> <p><del>(b) the reasons for the suspension, and</del></p> <p><del>(c) the deadline by which the Professional Registrant may submit a written application to the Audit and Practice Review Committee for an order pursuant to subsection (1) and 7.6.14</del></p> |

(D) Harmonize the collection of late fees

| Bylaw Section   | Description of Proposed Amendment   | Redlined Excerpt  |
|---|---|---|
| <p>EGBC staff is currently working on a project to improve and streamline the process of AR, CE reporting, and the collection of late fees to make it more user-friendly. Part of that project requires Bylaw amendments with respect to the imposition of late fees. For reference, the late fees are:</p> <ul style="list-style-type: none"><li>• \$100 late reporting fee for failure to complete AR or failure to submit the CE declaration.</li><li>• \$200 late completion fee for failure to complete or provide proof of completion of CE requirements.</li></ul> <p>Under the improved AR and CE reporting system, Professional Registrants will no longer be able to complete AR without completing their CE reporting. Therefore, if a Professional Registrant fails to complete CE and is charged the late completion fee, they are not charged the late reporting fee. Thus, the late fee for failure to complete both CE and AR is capped at \$200. Other Individual Registrants who are required to complete AR but do not have CE requirements to complete (e.g., Trainees, non-practising Registrants) will only be subject to the \$100 late reporting fee when failing to complete AR.</p> |   |   |
| 5.31(1.1)   | Exempt an individual Registrant from paying the late reporting fee if the individual Registrant is already required to pay the late completion fee. | (1.1) Despite subsection (1)(b), an individual Registrant is not required to send to EGBC the late reporting fee specified in Schedule C of the Bylaws if the individual Registrant is required to send to EGBC the late completion fee pursuant to section 7.6.11(1)(d) of the Bylaws.   |
| 7.6.11(1) and (4)<br><i>[Failure to Complete Continuing Education Plan. Hours, or Activities]</i>   | Remove the requirement to pay the late reporting fee.   | <p>(1) A Professional Registrant who fails to comply with the obligations pursuant to [...], 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 [...] must</p> <p>(a) –(b) [...],</p> <p>(c) submit a continuing education program declaration, <b>and</b></p> <p>(d) send to EGBC the late completion fee specified in Schedule C of the Bylaws, <b>and</b></p> <p>(e) <del>send to EGBC the late reporting fee specified in Schedule C of the Bylaws</del>, [Repealed YYYY-MM-DD] by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.</p> <p>(4) A designated structural engineer who fails to complete required Technical Learning activities pursuant to [...] 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 [...] must</p> <p>(a) complete the required Technical Learning activities, (b) submit a continuing education program declaration, <b>and</b></p> <p>(c) send to EGBC the late completion fee specified in Schedule C of the Bylaws, <b>and</b></p> <p>(d) <del>send to EGBC the late reporting fee specified in Schedule C of the Bylaws</del>, [Repealed YYYY-MM-DD] by 11:59 PM (Pacific Time) on September 30 in the following Reporting Year.</p> |



(2) SUSPENSION AND CANCELLATION FOR FAILURE TO COMPLY WITH REGULATORY REQUIREMENTS, AND REINSTATEMENT RULES

(A) Failure to pay fees

| Bylaw Section   | Description of Proposed Amendment   | Redlined Excerpt  |
|---|---|---|
| The existing Bylaws cover suspension and cancellation of registrants for failure to pay fees. Minor amendments are proposed to clearly set out the provisions for individual Registrants and Registrant Firms, and ensure the language matches the PGA. Note: The existing Bylaws for reinstatement also capture that any amounts owed to EGBC must be paid as a pre-requisite for reinstatement (see sections 5.23(1)(b), 5.24(1)(b), 5.25(1)(b)). |   |   |
| 6.8(2) [ <i>Failure to Pay Fees</i> ]   | Revise subsection (2) to only apply to individual Registrants and correct Bylaw cross-references.   | (2) If an individual Registrant fails to pay a required<br>(a) registration fee pursuant to section 6.2(1) of the Bylaws [ <i>Registration Fees</i> ],<br>(b) designation fee pursuant to section 6.2(2) of the Bylaws [ <i>Registration Fees</i> ],<br>(c) <del>for an individual Registrant,</del> a prorated annual fee pursuant to section 6.4(5) of the Bylaws [ <i>Annual Fees</i> ], or<br>(d) annual fee, special assessment, or late fee pursuant to subsection 6.8(1) of the Bylaws [ <i>Failure to Pay Fees</i> ],<br>the Registrar must cancel the Registrant's registration, or if the Registrant is a Trainee, the Trainee's enrolment, <del>or if the Registrant is a Registrant Firm, the Registrant Firm's registration and Permit to Practice.</del>  |
| 6.8(4) and (5) [ <i>Failure to Pay Fees</i> ]   | Change the language from "placing a condition prohibiting practice" to "suspend" a Registrant Firm for failure to pay fees. This amendment aligns the language with PGA section 50.1(1)(a). | (4) If a Registrant Firm or non-practising Registrant Firm fails to comply with the requirements set out in subsection (3), the Registrar must <del>place a condition on the Registrant Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice</del> suspend the Registrant Firm until all fees outstanding pursuant to subsection (3) have been paid.<br>(5) If a Registrant Firm or non-practising Registrant Firm <del>suspended that is subject to a condition prohibiting it from engaging in the Regulated Practice</del> 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 |



(B) Failure to complete or provide proof of completion of continuing education program (“CEP”)

| Bylaw Section  | Description of Proposed Amendment   | Redlined Excerpt  |
|--|---|---|
| The existing Bylaws establish suspension and cancellation for failure to comply with the continuing education (“CE”) requirements. A minor change is proposed to formally establish the Registrar as the decision-maker to suspend or cancel. Note: The existing Bylaws for reinstatement at section 5.23 already address CE related requirements, so no changes are needed. |   |   |
| 7.6.9(2) and (3)<br>[Failure to Submit a Continuing Education Program Declaration]   | Change from passive drafting to make the Registrar the decision-maker to suspend and cancel registration. | (2) If a Professional Registrant fails to comply with the requirements set out in subsection (1), <b>the Registrar must suspend</b> the Professional Registrant’s registration <del>must be suspended</del> until such requirements are complete.<br>(3) If a Professional Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31, <b>the Registrar must cancel</b> the Professional Registrant’s registration <del>must be cancelled</del> .   |
| 7.6.11(2), (3), (5) and (6) [Failure to Complete Continuing Education Plan, Hours, or Activities]  | Change from passive drafting to make the Registrar the decision-maker to suspend and cancel registration. | (2) If a Professional Registrant fails to comply with the requirements set out in subsection (1), <b>the Registrar must suspend</b> the Professional Registrant’s registration <del>must be suspended</del> until such requirements are complete <del>and such completion is certified by the Audit and Practice Review Committee</del> .<br>(3) If a Professional Registrant fails to comply with the requirements set out in subsection (1) by 11:59 PM (Pacific Time) on December 31, <b>the Registrar must cancel</b> the Professional Registrant’s registration <del>must be cancelled</del> .<br>(5) If a designated structural engineer fails to comply with the requirements set out in subsection (4), <b>the Registrar must suspend</b> the designated structural engineer’s designation as a designated structural engineer <del>must be suspended</del> until such requirements are complete <del>and such completion is certified by the Audit and Practice Review Committee</del> .<br>(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, <b>the Registrar must cancel</b> the designated structural engineer’s designation as a designated structural engineer <del>is cancelled</del> . |

(C) Failure to participate in a Compliance Audit

| Bylaw Section  | Description of Proposed Amendment   | Redlined Excerpt  |
|--|---|---|
| <b>Specifying what it means to “participate” in a compliance audit:</b>  |   |   |
| 8.6(6), (6.1) and (6.2)[ <i>Compliance Audit for Individual Registrants</i> ]; 8.7(9), (9.1), and (11.1) [ <i>Compliance Audit for Registrant Firms</i> ]; | Change the language from “co-operate” to “participate” to match section 50.1 of the PGA. The new subsections outline the general requirements for participation in a compliance audit (with slight nuances between the provisions for audits of individual Registrants vs. Registrant Firms). The new subsections at 8.6(6.2) and 8.7(11.1) also allow assessors or the Audit and Practice Review Committee (“APRC”) to set time periods within which a Registrant must comply with any request during the compliance audit or practice review. Such set time periods will be important to determine when a Registrant is considered to have failed to “participate”. | <p><b>8.6 Compliance Audit for Individual Registrants</b></p> <p>(6) An individual Registrant subject to a compliance audit must <del>co-operate with</del> participate in the compliance audit process., including</p> <p>(a) <del>answering questions posed to the individual Registrant, [Repealed YYYY-MM-DD]</del></p> <p>(b) <del>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 [Repealed YYYY-MM-DD]</del></p> <p>(c) <del>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. [Repealed YYYY-MM-DD]</del></p> <p>(6.1) For the purposes of subsection (6), participation in the compliance audit process includes, but is not limited to, the following:</p> <p>(a) completing and submitting the conflict of interest declaration form;</p> <p>(b) completing and submitting the compliance audit questionnaire;</p> <p>(c) responding to requests and answering all questions;</p> <p>(d) providing access to all requested information, files, or records in the individual Registrant’s possession or control, including but not limited to information, files, or records related to the individual Registrant’s compliance with applicable continuing education requirements, quality management standards, professional practice guidelines, practice advisories, and policies of EGBC;</p> <p>(e) attending one or more interviews with the assessor, either in person or by Electronic Means; and</p> <p>(f) facilitating office and site visits, in person or by Electronic Means, by the assessor or any person designated by the assessor, including taking reasonable steps to arrange for office and site access and any information required to comply with applicable health and safety legislation during the site visit.</p> <p>(6.2) For the purposes of subsection (6.1), the assessor or Audit and Practice Review Committee may specify time periods within which the individual Registrant must comply.</p> <p><b>8.7 Compliance Audit for Registrant Firms</b></p> <p>(9) A Registrant Firm, the Responsible Officer, and the Responsible Registrant(s) of the Registrant Firm must <del>co-operate with</del> participate in the compliance audit process., including</p> |

| Bylaw Section | Description of Proposed Amendment | Redlined Excerpt   |
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|               |                                   | <p>(a) <del>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, [Repealed YYYY-MM-DD]</del></p> <p>(b) <del>answering all questions posed to the Registrant Firm, [Repealed YYYY-MM-DD]</del></p> <p>(c) <del>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, [Repealed YYYY-MM-DD]</del></p> <p>(d) <del>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 [Repealed YYYY-MM-DD]</del></p> <p>(e) <del>ensuring compliance with any requests by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm. [Repealed YYYY-MM-DD]</del></p> <p>(9.1) For the purposes of subsection (9), participation in the compliance audit process includes, but is not limited to, the following:</p> <ul style="list-style-type: none"><li>(a) designating one Responsible Registrant, if the Registrant Firm has more than one Responsible Registrant, to coordinate<ul style="list-style-type: none"><li>(i) the Registrant Firm's participation in the compliance audit, and</li><li>(ii) communications on behalf of the Registrant Firm;</li></ul></li><li>(b) completing and submitting the conflict of interest declaration form;</li><li>(c) submitting the Registrant Firm's Professional Practice Management Plan;</li><li>(d) completing and submitting the compliance audit questionnaire;</li><li>(e) responding to requests and answering all questions;</li><li>(f) providing access to all requested information, files, or records in the Registrant Firm's possession or control, including but not limited to information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, Code of Conduct, and compliance with the Bylaws, applicable professional practice guidelines, practice advisories, and policies of EGBC;</li><li>(g) facilitating office and site visits, in person or by Electronic Means, by the assessor or any person designated by the assessor, including arranging for and providing office and site access, any necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit;</li><li>(h) ensuring compliance with any request by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm, including facilitating interviews with both Registrants and non-Registrants, either in person or by Electronic Means; and</li></ul> |

| Bylaw Section  | Description of Proposed Amendment  | Redlined Excerpt   |
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|  |  | <p>(i) attending the opening, summary, and closing meetings with the assessor.</p> <p>(11.1) For the purposes of subsection (9.1), the assessor or the Audit and Practice Review Committee may specify time periods within which the Registrant Firm must comply.</p>  |
| <b>Suspension and Cancellation provisions:</b>   |  |  |
| 8.6(6.3)-(6.6) [Compliance Audit for Individual Registrants];<br>8.7(11.2)-(11.5) [Compliance Audit for Registrant Firms]; | A Registrant must be given written notice 15 days before a suspension takes effect. A suspension can be lifted if the Registrant demonstrates compliance within 90 days, otherwise the Registrant's registration is cancelled. | <p><b>8.6 Compliance Audit for Individual Registrants</b></p> <p>(6.3) If an individual Registrant fails to comply with subsection (6), the individual Registrant's registration must be suspended.</p> <p>(6.4) At least 15 days before a suspension pursuant to subsection (6.3) can take effect, the individual Registrant must be given written notice of</p> <p>(a) the date on which the suspension will take effect, and</p> <p>(b) the reasons for the suspension.</p> <p>(6.5) A suspension pursuant to subsection (6.3) remains in place until the individual Registrant complies with subsection (6).</p> <p>(6.6) If an individual Registrant suspended pursuant to subsection (6.3) fails to comply with subsection (6) within 90 days of the date of the suspension, the individual Registrant's registration must be cancelled.</p> <p><b>8.7 Compliance Audit for Registrant Firms</b></p> <p>(11.2) If the Registrant Firm fails to comply with subsection (9), the Registrant Firm's registration and Permit to Practice must be suspended.</p> <p>(11.3) At least 15 days before a suspension pursuant to subsection (11.2) can take effect, the Registrant Firm must be given written notice of</p> <p>(a) the date on which the suspension will take effect, and</p> <p>(b) the reasons for the suspension.</p> <p>(11.4) A suspension pursuant to subsection (11.2) remains in place until the Registrant Firm complies with subsection (9).</p> <p>(11.5) If a Registrant Firm suspended pursuant to subsection (11.2) fails to comply with subsection (9) within 90 days of the date of the suspension, the Registrant Firm's registration and Permit to Practice must be cancelled.</p> |

(D) Failure to cooperate with a Practice Review

| Bylaw Section   | Description of Proposed Amendment   | Redline Excerpt   |
|---|---|---|
| Specifying what it means to “cooperate” with a practice review.   |   |   |
| 8.9(4), (4.1), (4.2) [ <i>Practice Review of Individual Registrants</i> ]; 8.10(3), (3.1), (5.1) [ <i>Practice Review of Registrant Firms</i> ] | Change the spelling of the word “co-operate” to “cooperate” to match section 50.1 of the PGA. The new subsections outline the general requirements for cooperation with the practice review process (with slight nuances between the provisions for practice reviews of individual Registrants and Registrant Firms). The new subsections 8.9(4.2) and 8.10(5.1) also allow assessors or the Audit and Practice Review Committee (“APRC”) to set time periods within which a Registrant must comply with any request during the audit or practice review. Such set time periods will be important to determine when a Registrant is considered to have failed to “cooperate”. | <p><b>8.9 Practice Review of Individual Registrants</b></p> <p>(4) Pursuant to section 63(5)(a) of the PGA [<i>Audits and practice reviews</i>], an individual Registrant subject to practice review must <del>co-operate</del> <b>cooperate</b> with the practice review process., <del>including</del></p> <p>(a) <del>answering questions posed to the individual Registrant,</del> [Repealed YYYY-MM-DD]</p> <p>(b) <del>providing access to all requested information, files, or records in the individual Registrant's possession or control, and</del> [Repealed YYYY-MM-DD]</p> <p>(c) <del>undergoing an interview with an assessor, either in person or by Electronic Means.</del> [Repealed YYYY-MM-DD]</p> <p>(4.1) For the purposes of subsection (4), cooperation with the practice review process includes, but is not limited to, the following:</p> <p>(a) completing and submitting the practice review questionnaire;</p> <p>(b) responding to requests and answering all questions;</p> <p>(c) providing access to all requested information, files, or records in the individual Registrant's possession or control, including but not limited to information, files, or records related to the individual Registrant's compliance with applicable continuing education requirements, quality management standards, professional practice guidelines, practice advisories, and policies of EGBC;</p> <p>(d) attending one or more interviews with the assessor, either in person or by Electronic Means; and</p> <p>(e) facilitating office and site visits, in person or by Electronic Means, by the assessor or any person designated by the assessor, including taking reasonable steps to arrange for office and site access and any information required to comply with applicable health and safety legislation during the visit.</p> <p>(4.2) For the purposes of subsection (4.1), the assessor or Audit and Practice Review Committee may specify time periods within which the individual Registrant must comply.</p> <p><b>8.10 Practice Review of Registrant Firms</b></p> <p>(3) Pursuant to section 63(5)(a) of the PGA [<i>Audits and practice reviews</i>], a Registrant Firm, the Responsible Officer, and the Responsible Registrant(s) of the Registrant Firm must <del>co-operate</del> <b>cooperate</b> with the practice review process., <del>including</del></p> <p>(a) <del>if the Registrant Firm has more than one Responsible Registrant, designating one Responsible Registrant to co-ordinate</del> [Repealed YYYY-MM-DD]</p> <p><del>(i) the Registrant Firm's co-operation with the practice review, and</del></p> <p><del>(ii) communications on behalf of the Registrant Firm,</del></p> |

| Bylaw Section   | Description of Proposed Amendment | Redline Excerpt   |
|---|-----------------------------------|---|
|   |                                   | <p><del>(b) answering questions posed to the Registrant Firm, [Repealed YYYY-MM-DD]</del></p> <p><del>(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, [Repealed YYYY-MM-DD]</del></p> <p><del>(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 [Repealed YYYY-MM-DD]</del></p> <p><del>(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. [Repealed YYYY-MM-DD]</del></p> <p>(3.1) For the purposes of subsection (3), cooperation with the practice review process includes, but is not limited to, the following:</p> <ul style="list-style-type: none"><li>(a) designating one Responsible Registrant, if the Registrant Firm has more than one Responsible Registrant, to coordinate<ul style="list-style-type: none"><li>(i) the Registrant Firm's cooperation with the practice review, and</li><li>(ii) communications on behalf of the Registrant Firm;</li></ul></li><li>(b) submitting the Registrant Firm's Professional Practice Management Plan;</li><li>(c) completing and submitting the practice review questionnaire;</li><li>(d) responding to requests and answering all questions,</li><li>(e) providing access to all requested information, files, or records in the Registrant Firm's possession or control, including but not limited to information, files, or records related to the Registrant Firm's quality management program, continuing education program, Professional Practice Management Plan, Code of Conduct, and compliance with the Bylaws, applicable professional practice guidelines, practice advisories, and policies of EGBC;</li><li>(f) facilitating office and site visits, in person or by Electronic Means, by the assessor or any person designated by the assessor, including arranging for and providing office and site access, any necessary personnel, and any information required to comply with applicable health and safety legislation during the site visit; and</li><li>(g) ensuring compliance with any request by an assessor to conduct interviews of individuals employed by or under contract with the Registrant Firm, including facilitating interviews with both Registrants and non-Registrants, either in person or by Electronic Means.</li></ul> <p>(5.1) For the purposes of subsection (3.1), the assessor or Audit and Practice Review Committee may specify time periods within which the Registrant Firm must comply.</p> |
| Suspension and Cancellation provisions are equivalent to the provisions for compliance audits described in the table above. |                                   |   |

| (E) Set reinstatement rules for former individual Registrants cancelled for failure to participate in a Compliance Audit or cooperate with a Practice Review  |  |  |
|---|--|--|
| Bylaw Section   | Description of Proposed Amendment  | Redline Excerpt  |
| The proposed new reinstatement provisions are summarized in the “Description of Proposed Amendment” column. Note that the “Redline Excerpt” contains the provisions for reinstatement as Professional Registrant (section 5.23 of the Bylaws). Equivalent provisions are also established for the reinstatement as Non-Practising Registrant (at section 5.25 of the Bylaws). |  |  |
| 5.23(6) [ <i>Reinstatement of Status as Practising Professional Registrant</i> ];<br>5.25(3) [ <i>Reinstatement as a Trainee, a Non_practising Registrant, or a Life Member or Life Limited Licensee</i> ];   | For reinstatement, former individual Registrants who were cancelled due to failure to participate in an audit or cooperate with a practice review must go through the regular reinstatement process. In addition, they are required to provide the Credentials Committee with letters of explanation.  | (6) In addition to the requirements set out in subsection (1), an Applicant for reinstatement of status as a practising Professional Registrant whose registration was cancelled for failure to participate in a compliance audit pursuant to section 8.6(6.6) of the Bylaws or failure to cooperate with a practice review pursuant to section 8.9(4.6) of the Bylaws, must provide the following to the Credentials Committee:<br><br>(a) a letter of explanation as to why the Applicant failed to participate in a compliance audit or failed to cooperate in a practice review; and<br><br>(b) a letter of explanation as to why the Applicant wishes to reinstate status as a practising Professional Registrant and comply with all regulatory requirements.  |
| 5.23(7)-(10) [ <i>Reinstatement of Status as Practising Professional Registrant</i> ];<br>5.25(4)-(7) [ <i>Reinstatement as a Trainee, a Non_practising Registrant, or a Life Member or Life Limited Licensee</i> ];  | On receiving an application for reinstatement, the Credentials Committee can do one of the following:<br>(a) grant the application subject to conditions or limitations on the registration, including the condition that the individual Registrant must be subject to a compliance audit or practice review;<br>(b) order a credentials hearing on good character and good reputation to be conducted by the Registrar;<br>(c) reject the application with written reasons.<br><br>If a credentials hearing is ordered, then the Registrar may, after holding the credentials hearing on good character and good reputation, decide whether to:<br>(a) grant the application subject to conditions or limitations on the registration, including the condition that | (7) On receiving an application for reinstatement of status as a practicing Professional Registrant pursuant to subsection (6),<br>(a) the Credentials Committee may<br>(i) grant the application subject to conditions or limitations on the registration, including the condition that the reinstated Professional Registrant must be subject to a compliance audit pursuant to section 8.6 of the Bylaws [ <i>Compliance Audit Program for Individual Registrants</i> ] or a practice review pursuant to section 8.9 of the Bylaws [ <i>Practice Review Program for Individual Registrants</i> ] within the period of time specified by the Credentials Committee, or<br>(ii) reject the application, with written reasons, or<br>(b) the Registrar may, after holding a credentials hearing on good character and good reputation in accordance with subsection (9),<br>(i) grant the application subject to conditions or limitations on the registration, including the condition that the reinstated Professional Registrant must be subject to a compliance audit pursuant to section 8.6 of the Bylaws [ <i>Compliance Audit Program for Individual Registrants</i> ] or a practice review pursuant to section 8.9 of the Bylaws [ <i>Practice Review Program for Individual Registrants</i> ] within the period of time specified by the Registrar, or<br>(ii) reject the application, with written reasons. |



| Bylaw Section | Description of Proposed Amendment   | Redline Excerpt   |
|---------------|---|---|
|               | the individual Registrant must be subject to a compliance audit or practice review;<br>(b) reject the application with written reasons. | (8) The Credentials Committee may order a credentials hearing be conducted by the Registrar before the Registrar makes a decision pursuant to subsection (7)(b) if the Credentials Committee determines that there is a serious concern that an individual Applicant does not meet the requirement to be of good character and good repute.<br>(9) A credentials hearing must be conducted in accordance with the procedure set out in Schedule B of the Bylaws, unless otherwise directed by the Registrar.<br>(10) If a decision is posted publicly following a credentials hearing held pursuant to subsection (9), the Registrar may anonymize or redact any identifying, personal or sensitive information of<br>(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<br>(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. |



(3) SCHEDULE C: INCREASE EXAMINATION RE-RED FEE

| Bylaw Section                 | Description of Proposed Amendment  | Redline Excerpt   |
|-------------------------------|--|---|
| Schedule C – Examination Fees | Increase the examination fee to match Professional Engineers Ontario (PEO) revision of their examination re-read fee from \$200 to \$330. EGBC relies on PEO to mark examinations. Typically, each examination session has two to three re-read requests. The \$200 listed in Schedule C and on the Engineers and Geoscientists BC website is currently being honoured but results in a \$130 loss for each re-read until Schedule C is updated. | <p><b>Examination fee for Trainee (EIT/ GIT) Applicant, Professional Engineer Applicant, or Professional Geoscientist Applicant</b><br/>Request Examination Re-read per Examination: <del>\$200</del><b>330.00</b></p> <p><b>Examination fee for professional licensee engineering/ professional licensee geoscience Applicant</b><br/>Request Examination Re-read per Examination: <del>\$200</del><b>330.00</b></p> |

(4) MINOR AMENDMENTS

| Bylaw Section   | Description of Proposed Amendment   | Redline Excerpt   |
|---|---|---|
| 5.12.1(3) [ <i>Public Sector Firm</i> ]   | Specify when to notify the Superintendent of orders imposed on a Public Sector Firm.  | 5.12.1(3) If a decision is made pursuant to the PGA or the Bylaws to suspend, <del>or</del> cancel, <b>or impose a limit or condition, including a condition prohibiting practice, on</b> the registration and Permit to Practice of a Public Sector Firm, <del>or to put a condition on a Public Sector Firm's registration and Permit to Practice prohibiting it from engaging in the Regulated Practice,</del> then<br><br>(a) EGBC must notify the Superintendent of Professional Governance of the decision,<br>(b) any suspension, cancellation, <b>limit</b> , or condition on a Public Sector Firm's registration and Permit to Practice <del>prohibiting it from engaging in the Regulated Practice</del> must take effect no earlier than 10 days after the notice pursuant to subsection (a) has been provided, and<br>(c) [...] |
| 5.17(1) [ <i>Registration and Exemptions from Registration as a Registrant Firm</i> ]   | Correct the Bylaws to require a firm that is engaged in the Regulated Practice to register and obtain a Permit to Practice. The current Bylaws only applies to firms owned by or employing at least one professional registrant. A firm engaged in the Regulated Practice could potentially avoid registration by ensuring the firm has no professional registrants on staff. | 5.17(1) Subject to the PGA, associated regulations, and subsection (3), every Firm that engages in the Regulated Practice <del>and is owned by or employs at least one Professional Registrant</del> must register as a Registrant Firm and obtain a Permit to Practice from EGBC.  |
| 5.23(1)(b) [ <i>Reinstatement of Status as a Practising Professional Registrant</i> ];<br>5.24(1)(b) [ <i>Reinstatement of Status as a Practising Registrant Firm</i> ];<br>5.25(1)(b) [ <i>Reinstatement as a Trainee, a NonPractising Registrant, or a Life Member or Life Limited Licensee</i> ] | Specify that the reinstatement requirement to provide any outstanding amounts owed to EGBC includes any unpaid penalty or unpaid costs resulting from a consent order or discipline order.  | 5.23 Reinstatement of Status as a Practising Professional Registrant<br><br>(i) An Applicant for reinstatement of status as a practising Professional Registrant must provide the following to the Credentials Committee:<br><br>(c) [...];<br>(d) any applicable application, examination, interview, course or other applicable fees specified in section 6.1(1) of the Bylaws [ <i>Application Fees</i> ] and Schedule C of the Bylaws [ <i>Fees</i> ], and any <b>other</b> outstanding amounts owing to EGBC, <b>including a penalty imposed on the Registrant by a Disciplinary Order and any costs imposed on the Registrant pursuant to section 10.9 of the Bylaws [<i>Assessment of Costs After a Discipline Hearing</i>];</b>   |
| 5.26(3) [ <i>Ceasing Status as a Registrant</i> ]   | Correct what a firm must provide when seeking cancellation as a Registrant Firm. A firm seeking cancellation should not provide a list of ongoing activities related to the Regulated   | 5.26(3) A request made by a Registrant Firm pursuant to subsection (2) must <b>state include the following:</b>   |

| Bylaw Section                     | Description of Proposed Amendment  | Redline Excerpt  |
|-----------------------------------|--|--|
|                                   | Practice because such work requires registration and a Permit to Practice. Instead, firms must submit a declaration confirming that the firm is no longer involved in any activities related to the Regulated Practice.  | (a) the reason(s) that the Registrant Firm is seeking cancellation of the Registrant Firm's registration and Permit to Practice <del>;</del> and<br>(b) <del>a declaration that the Firm is not involved in any list of all</del> ongoing activities or work related to the Regulated Practice <del>in which the Registrant Firm is involved</del> .   |
| 8.4(2) [Appointment of Assessors] | Expand the avoiding bias and conflict of interest provision to include employees and contractors retained by EGBC acting as assessors in a compliance audit or practice review. The conflict of interest check for employees and contractors is already standard practice. | (2) <del>An employee of EGBC, contractor retained by EGBC, or subject matter expert cannot</del> must not be appointed as an assessor <del>to conduct a compliance audit or a practice review pursuant to for the purposes of</del> subsection (1) if the <del>employee, contractor, or</del> subject matter expert has or <del>previously</del> had a relationship with a Registrant subject to a compliance audit or a <del>Registrant subject to</del> practice review that would reasonably compromise <del>that subject matter expert's</del> objectivity as an assessor. |

## (5) HOUSEKEEPING

| Bylaw Section   | Description of Proposed Amendment  | Redline Excerpt  |
|---|--|--|
| 1.1 [Definitions]   | Align formatting style of quotation marks.   | <del>“Individual With Authority”</del> means an individual that is: [...]  |
| 2.4(3) [Conduct of Board Meetings]  | Correct an oversight. Council passed a motion in June 2021 to repeal section 2.4(3) of the Bylaws. Section 2.4(3) has not been in force since.   | (3) <del>The rules contained in Robert's Rules of Order must govern the conduct of Board meetings, as applicable, except where Robert's Rules of Order are inconsistent with the Bylaws or any policies, procedures, or rules of order adopted or established by the Board pursuant to subsection (2).</del> [Repealed 2021-06-25]   |
| 4.5(1.1) [Election Procedures]  | Correct the numbering on an added subsection.  | <del>(1.1)</del> (1.01) An election is held each year to fill vacancies on the Board.  |
| 5.1(2)(b) [Powers of the Credentials Committee];<br><br>5.2(2)(b) [Powers of the Audit and Practice Review Committee] | Remove an incorrect delegation provision to properly reflect the legal framework for summarily rejecting the application of an applicant convicted of an indictable offence (PGA section 66(2)(a)(ii)).<br><br>Section 66(2)(a)(ii) of the PGA is bylaw-making authority that cannot be delegated. This correction is an oversight from December 2021 when EGBC corrected related Bylaw provisions in section 9.2(2)(c), 9.7.2(1), (4), (6), (7), and 1.1 (definitions of “Disciplinary Order”). | 5.1(2) The Board authorizes the Credentials Committee to exercise the Board’s powers pursuant to the following sections of the PGA, other than the Board’s bylaw-making authority:<br>(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).;<br>(b) <del>section 66(2)(a)(ii) [Investigations] with respect to applications for registration as an individual Registrant.</del> [Repealed YYYY-MM-DD]<br><br>5.2(2) The Board authorizes the Audit and Practice Review Committee to exercise the Board’s powers pursuant to the following sections of the PGA, other than the Board’s bylaw-making authority:<br>(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).;<br>(b) <del>section 66(2)(a)(ii) [Investigations] with respect to applications for registration as a Registrant Firm.</del> [Repealed YYYY-MM-DD] |
| 5.20 [Rejection of Application on the Basis of an Indictable Offence]   | Remove reference to a PGA bylaw-making authority provision. See also bylaw amendment at Bylaw sections 5.1(2) and 5.2(2) above.  | 5.20 (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 <del>pursuant to section 66(2)(a)(ii) of the PGA [Investigations].</del><br><br>5.20(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 <del>pursuant to section 66(2)(a)(ii) of the PGA [Investigations].</del>   |

| Bylaw Section   | Description of Proposed Amendment  | Redline Excerpt  |
|---|--|--|
|   |  | <p>5.20(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</p> <p>(a) action may be undertaken pursuant to section <del>66(2)(a)(ii) of the PGA [Investigations]</del> 5.20 of the Bylaws <i>[Rejection of Application on the Basis of an Indictable Offence]</i>, and [...]</p>  |
| 5.12(4) <i>[Registrant Firm]</i>  | Remove a reference to a PGA bylaw-making authority provision.  | 5.12(4) <del>Pursuant to section 47(1) of the PGA [Admission and reinstatement of registrants], a</del> An Applicant for registration as a Registrant Firm must provide the following to the Audit and Practice Review Committee: [...]  |
| 5.24(2) <i>[Reinstatement of Status as a Practising Registrant Firm]</i>  | Revise the language in subsection (2) for clarity.   | (2) In granting a non-practising Registrant Firm's <del>application for</del> 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 [...]  |
| 6.7(2) <i>[Exemption, Reduction, Deferral, or Refund of Fees]</i>   | Remove reference to a PGA section establishing a bylaw-making power.   | <p>(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 <i>[Application Fees]</i>, sections 6.4(2) or (4) of the Bylaws <i>[Annual Fees]</i>, section 6.5(2) of the Bylaws <i>[Special Assessments]</i>, or Schedule C of the Bylaws <i>[Fees]</i>; <del>pursuant to section 50(1)(h) of the PGA [Fees and special assessments]</del>, if the Registrar is satisfied that</p> <p>(a) the Registrant Firm was a member of EGBC's Organizational Quality Management Program as of June 30, 2021, and</p> <p>(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.</p>   |
| 8.6(7) <i>[Compliance Audit Program for Individual Registrants]</i> ;<br>8.7(12) <i>[Compliance Audit Program for Registrant Firms]</i> | Revise the provision to improve legibility and add regulatory requirements for the compliance check by the assessor. | <p><b>8.6 Compliance Audit Program for Individual Registrants</b></p> <p>(7) <del>The assessor must Through a review of the evidence provided by the individual Registrant subject to a compliance audit in pursuant to subsection (6.1), including answers, information, files, or records, the assessor must assess and determine</del> whether the individual Registrant is in compliance with all applicable regulatory requirements, <del>which may include including</del></p> <p>(a.01) the Bylaws and Code of Ethics,</p> <p>(a) applicable requirements of the continuing education program,</p> <p>(b) applicable quality management standards, <del>and</del> professional practice guidelines, <i>practice advisories, and policies of EGBC</i>, and</p> <p>(c) appropriately declaring the individual Registrant's industry of practice and area(s) of practice, if applicable.</p> <p><b>8.7 Compliance Audit Program for Registrant Firms</b></p> |

| Bylaw Section   | Description of Proposed Amendment  | Redline Excerpt   |
|---|--|---|
|   |  | (12) <del>The assessor must Through a review of the evidence provided by the Registrant Firm pursuant to subsection (9.1), including answers, information, files, or records, the assessor must assess and determine whether the Registrant Firm is in compliance with all applicable regulatory requirements, including</del><br>(a) the Bylaws <del>and the Code of Ethics,</del><br>(b) <del>professional practice</del> guidelines, practice advisories, and policies of EGBC, <del>and as well as</del><br>(c) the quality management, <del>and continuing education, and ethics standards.</del>  |
| 8.7(7) [ <i>Compliance Audit Program for Registrant Firms</i> ]   | Correct a cross-reference.   | (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 (68).   |
| 9.7.5(1)(a), (g)(iii), and (4) [ <i>Necessary Co-operation During an Investigation</i> ]; and Schedule E, para. 7(g) [ <i>Responsible Officer Declaration</i> ] | Change from “co-operate” to “cooperate” to match the PGA, and also change from “co-ordinate” to “coordinate”.                              | Multiple provisions.  |
| Schedule B, section 1.1(1)(a) [ <i>Definitions</i> ]; section 1.2 [ <i>Application of this Schedule</i> ]   | Add references to the new reinstatement Bylaw provisions allowing for a credentials hearing to be conducted in accordance with Schedule B. | <b>1.1 Definitions</b><br><b>Decision Maker”</b> means<br>(a) the Registrar in the case of a credentials hearing pursuant to section 5.19 of the Bylaws [ <i>Credentials Hearing on Good Character and Good Repute of an Individual Applicant</i> ], <del>section 5.23(8)-(10) of the Bylaws [Reinstatement of Status as a Practicing Professional Registrant], or section 5.25(5)-(7) of the Bylaws [Reinstatement of Status as a Trainee, a Non-Practicing Registrant, or a Life Member or Life Limited Licensee]</del> , and [...]<br><br><b>1.2 Application of this Schedule</b><br>(1) The procedural rules in this Schedule apply only to<br>(a) a credentials hearing held by the Registrar pursuant to section 5.19 of the Bylaws [ <i>Credentials Hearing on Good Character and Good Repute of an Individual Applicant</i> ], <del>section 5.23(8)-(10) of the Bylaws [Reinstatement of Status as a Practicing Professional Registrant], or section 5.25(5)-(7) of the Bylaws [Reinstatement of Status as a Trainee, a Non-Practicing Registrant, or a Life Member or Life Limited Licensee]</del> , and [...] |



## OPEN SESSION

### ITEM 6.3

|                           |  |
|---------------------------|--|
| DATE                      | April 5, 2023  |
| REPORT TO                 | Board for Decision   |
| FROM                      | Executive Sub-Committee<br>Jennifer Cho, CPA, CGA, Chief Financial and Administration Officer<br>Alicia Tan, CPA, CMA, Director, Finance |
| SUBJECT                   | EGBC Draft FY2024 Budget Summary   |
| LINKAGE TO STRATEGIC PLAN | We have efficient and effective systems in place to enable modern regulation.  |

|         |  |
|---------|--|
| Purpose | For the Board to review draft FY2024 budget scenarios and approve one of the scenarios.  |
| Motions | That the Board to approve:   |
|         | a. no change in ancillary fees for both individual and firm registrants for FY2024;<br>and   |
|         | b. Scenario C of the draft FY2024 Engineers and Geoscientists BC Operating and Capital Budget with a \$50 fee increase to the Professional Registrants (P. Eng and P. Geo and combination) and \$10 inflationary fee increase to Trainees (EIT and GIT). |

## BACKGROUND

In the fall of 2021, the organization embarked on the journey of creating a new multi-year Strategic Plan. At the April 2022 Board meeting, the new 5-year Strategic Plan was approved. The Strategic Plan will provide direction and focus to the organization's decisions and activities over the coming years. For FY2024, we will be entering Year 2 of the Strategic Plan and the tandem budgeting process began with the creation and approval of the Budget Guidelines for FY2024 Budget at the February Board meeting. The Budget Guidelines serve as a guiding post for the creation of a budget.

In developing the draft budget, consideration must be given to the Strategic Plan, Budget Guidelines, and the overall landscape of what the organization faces working under the requirements of the PGA. As we continue to integrate PGA mandates into our operations and renew our approach in delivering on the Strategic Plan, the organization continues to be challenged with workload. This budget aims to support balancing this workload so that focus can be placed on supporting employee wellbeing and on delivering on the new Strategic Plan.

The first year of the Strategic Plan focused on aligning the organization to our strategy and integrating the requirements of the PGA into the organization. In addition, focus was on building capacity and balancing workload through the hiring of 13 FTE as part of FY2023's budget. The second year of the Strategic Plan focuses on completion of PGA integration, ramping up capacity in the organization, as well as embarking on some of the initiatives set out in the Strategic Plan.

The draft FY2024 budget was created with two major components:

- **Base Budget** - revenues and expenditures required to operate the business as it is today; and
- **Strategic Plan – Year Two** – highlights of funding for the second year of the Strategic Plan are in the assumptions portion on of this memo.

Base Budget considerations with the current landscape are:

- Continuation of PGA programs that have been integrated into our operations
- FIPPA compliance requirements
- Increasing number of complaints (63% increase between FY21 vs. FY22), investigations, disciplinary hearings and FOI requests
- Increasing trends in individual registrant applications
- Hybrid work environment
- Rising inflation
- Resources to balance organizational workload

The draft Engineers and Geoscientists BC FY2024 budget scenarios have been reviewed by the Executive Sub-Committee and are before the Board for approval. The draft budget scenarios have been prepared in accordance with the Board approved FY2024 Budget Guidelines (***Budget Book Appendix A***).

### **FY2023 Forecast as at February 17, 2023**

As presented to the Board on February 17th, 2023, for FY2023 ending June 30, 2022, Engineers and Geoscientists BC is forecasting a financial surplus in the range of \$1.7 to \$2 Million compared to a \$150k budget for the fiscal year.



| Table 1        |   | A                                     | B             | C*                                |
|----------------|---|---------------------------------------|---------------|-----------------------------------|
|                |   | FY2023<br>Forecast 2<br>Feb. 17, 2023 | FY2023 Budget | FY2023<br>Forecast 2 vs<br>Budget |
| <b>Summary</b> |   |                                       |               |                                   |
| 1              | Revenue   | 26,828                                | 26,235        | 593                               |
| 2              | Salaries and Benefits                                 | 15,510                                | 15,761        | 250                               |
| 3              | Expenditures  | 9,698                                 | 10,426        | 728                               |
| 4=(1-2-3)      | Surplus (Deficit) Before<br>Grants, External Projects | 1,620                                 | 48            | 1,572                             |
| 5              | Surplus (Deficit) from<br>Grants                      | 119                                   | 102           | 17                                |
| <b>6=(4+5)</b> | <b>Surplus (Deficit)</b>                              | <b>1,739</b>                          | <b>150</b>    | <b>1,589</b>                      |

The significant surplus is primarily driven by three key factors:

- higher late and penalty fee revenue due to higher 1<sup>st</sup> year non-compliance related to Continuing Education (CE) and Annual Information Reporting (AIR)
- lower salaries and benefits expenses mainly due to vacancies on timing of hiring of new roles, refill of existing ones, as well as internal movements of staff, these savings are offset by addition of new roles to support strategic plan implementation
- higher investment revenue because of rising interest rates

## FY2024 BUDGET ASSUMPTIONS

Three scenarios of the draft budget have been created for the Board to consider. All scenarios include the following assumptions:

### General

- In compliance with the Budget Guidelines assumption of transition back to pre-pandemic conditions (e.g., Travel and in person meetings and events)
- Allowance of \$200K of contingency fund – consistent with prior years

### Revenues

- Registrant revenue net growth of 5.5% prior to any fee increase
- Regulation of firms growth in volume tapering as we enter Y3 of the program
- Higher investment revenue due to increasing interest rates and larger investment base from larger general operating and reserve funds
- Lower penalty fees (40% of FY2023) on Continuing Education (CE) and Annual Information Reporting (AIR) as we enter Y2 of the programs
- Other revenue changes as summarized in **Budget Book Appendix B**

## Salaries and Expenditures

- Salary and expenditure changes as summarized in **Budget Book Appendix C**
- Merit increase allocation of 3.7%
- Salary rate adjustment as a result of the triennial salary review performed in FY2023
- Over \$866K in funding for expenditures related to planned initiatives as summarized in **Budget Book Appendix D – 4.1 Initiatives**. This includes \$355K of funding on key initiatives under the Strategic Planning pillars:
  - Stakeholder Engagement Pillar: Stakeholder Relations/External Communications Strategy/Key Stakeholder Engagement Activities
  - Process Pillar: PGA Integration (all projects/programs will be integrated and operational by end of FY2024)
  - Process Pillar: Advancing on Data Governance maturity with consultant support
  - Process Pillar: Starting process improvement (train & equip staff with tools to carry out continuous process improvement as well choose a couple of processes to improve with consultant support)
  - Process Pillar: Business Systems Audit (Phase 1 to identify current state of what foundational business systems are missing)
  - People and Culture Pillar: Advancing Volunteer Management Program – designing & creating the program
  - People and Culture Pillar: Modernizing the Work Environment (Future space planning & work standards development)
  - Social Responsibility Pillar: Advance work on Climate Change Action Plan.
- Approximately \$629K of staff resources to enable flexibility to execute and sustain the strategy long term
- The addition of 13 new full-time employees (FTE) to fill the current resource gap - **See Budget Book Appendix D – 4.2 New Positions** for details.

## THREE DRAFT FY2024 BUDGET SCENARIOS TO CONSIDER

Three draft budget scenarios have been created for Board to consider.

**Scenario A: Without Fee Increase** – resulting in a (\$800K) deficit

**Scenario B: With an \$20 Inflationary Fee Increase on Professional Registrant categories (P. Eng and P. Geo), and \$10 Inflationary Fee Increase on Trainees (EIT and GIT)** – resulting in a (\$455K) deficit

**Scenario C: With a \$50 Fee Increase on the Professional Registrants category (P. Eng and P. Geo) and \$10 Fee Increase on Trainees (EIT and GIT)** – resulting in a break-even budget

Here is a summary of the three scenarios (in '000s):

**Table 2**

|   | Scenario A<br>\$0 Fee Increase | Scenario B<br>+\$20<br>(P.Eng/P.Geo) and<br>+\$10 (EIT/GIT) | Scenario C<br>+\$50<br>(P.Eng/P.Geo) and<br>+\$10 (EIT/GIT) |
|---|--------------------------------|---|---|
| <b>Draft FY2024 Budget</b>                          |                                |   |   |
| Fee Increase (Professional Registrants)             | \$0                            | \$20  | \$50  |
| New Annual Fee (PEng/Pgeo)                          | \$470                          | \$490   | \$520   |
| New Annual Fee (EIT/GIT))                           | \$276                          | \$286   | \$286   |
| Non/Practicing Fees                                 | \$118                          | \$123   | \$130   |
| (in \$'000)   |                                |   |   |
| Revenue   | \$28,334                       | \$28,689  | \$29,133  |
| Salaries and Benefits                               | 18,097                         | 18,097  | 18,097  |
| Expenditures  | 9,870                          | 9,870   | 9,870   |
| Strategic Initiative Funding                        | 984                            | 984   | 984   |
| General Contingency                                 | 200                            | 200   | 200   |
| Gross Surplus/(Deficit) before grants               | (818)                          | (463)   | (18)  |
| Net Surplus (Deficit) from External Grants/Projects | 18                             | 18  | 18  |
| Surplus/(Deficit)                                   | (800)                          | (445)   | (0)   |
| Transfer to Building Reserve                        | 0                              | 0   | 0   |
| Add to General Operating Fund                       | (\$800)                        | (\$445)   | (\$0)   |

## BENCHMARKING TO SISTER ASSOCIATIONS & INFLATION CONSIDERATION

Please refer to **Budget Book - Appendix I** for the benchmark comparison of annual dues for both individuals and firms registrants to sister associations across the country. Engineers and Geoscientists BC is currently on the mid-end of the spectrum in terms of annual dues. Many factors affect the fees being charged by different organization including. This may include the size of the organization, the number of registrants they support, mix of registrant or member types, mix and quality of programs, fee structure, as well as external environment like the one we have been navigating through.

This chart is updated to March 2023 and does not consider 2024 fee increases that sister associations may apply.

## RESERVES

As per Budget Guideline 5, a review and assessment of the appropriate level of funding for the General Operating Fund, Property, Equipment and Systems Replacement Fund (Building Reserve) and the Legal & Insurance Fund is to be done as a part of the budgeting process.

Presented here is the projections of three fund balances for Scenario C.

**Table 3**

| <b>Scenario C - \$520 Annual Fee - \$50 Fee Increase to P.Eng &amp; P.Geo and \$10 increase to trainee</b> | <b>General Fund ('000's)</b> |   | <b>Internally Restricted Funds ('000's)</b>                 |                                     | <b>Total Net Assets ('000's)</b> |
|--|------------------------------|---|---|-------------------------------------|----------------------------------|
|  | <b>Operating Fund</b>        | <b>Invested in property and equipment</b> | <b>Property, Equipment and Systems Replacement ('000's)</b> | <b>Legal and Insurance ('000's)</b> |                                  |
| June 30, 2022  | 9,909                        | 2,489                                     | 2,256   | 1,000                               | 15,654                           |
| FY2023 Forecast  | 1,741                        | 254                                       | (256)   |                                     | 1,739                            |
| FY2023 Forecast Transfer   | 0                            |   | 0   | 0                                   | -                                |
| <b>June 30, 2023 Forecast</b>  | <b>11,650</b>                | <b>2,743</b>                              | <b>2,000</b>  | <b>1,000</b>                        | <b>17,393</b>                    |
| Draft FY2024 Budget  | (0)                          | 0   | 0   | 0                                   | (0)                              |
| Draft FY2024 Budget - transfer   | 0                            | 0   | 0   | -                                   | -                                |
| <b>June 30, 2024 Estimate - Scenario C</b>   | <b>11,650</b>                | <b>2,743</b>                              | <b>2,000</b>  | <b>1,000</b>                        | <b>17,393</b>                    |

The net assets at June 30, 2024 are projected to be approximately \$17.4M with the assumption of a surplus of \$1.7M in the current fiscal year. Board can at any point in time re-appropriate the Legal & Insurance Fund and the Property, Equipment and Systems Replacement Fund back to the General Operating Fund.

#### Property, Equipment and Systems Replacement Fund (Building Reserve)

The balance of the Property, Equipment and Systems Replacement Fund is projected to be approximately \$2.M at the end of FY2023. This balance is sufficient to address building maintenance and expected major repairs for the longer term as per the Stantec building assessment report completed in 2021. Work on the building will advance as per the suggested Stantec recommendations.

The current balance of the fund is sufficient for building repairs (\$1M) and possible renovations to accommodate for immediate and short-term space needs or new working conditions. We have had the opportunity over the past year to test the hybrid working environment and gathered some preliminary data and staff input on space usage. Evaluation of longer-term future space needs will be completed in FY2024 as part of Work Place Modernization Project in the Strategic Plan. Once this information is available, further evaluation of what funds are required can be determined.

#### Legal & Insurance Fund

The current balance of the Legal & Insurance fund is \$1M. This fund is sufficient to cover the cost of two large unexpected legal cases. This fund was increased in the prior year to ensure there were sufficient funds given the addition of Regulation of Firms.

## General Operating Fund

As per independent consultant MNP, Industry standard of total reserve funds is 3-6 months of operating expenses. At the September 11, 2020 Board meeting, Board approved that the organization maintain a minimum 6 months of operating expense.

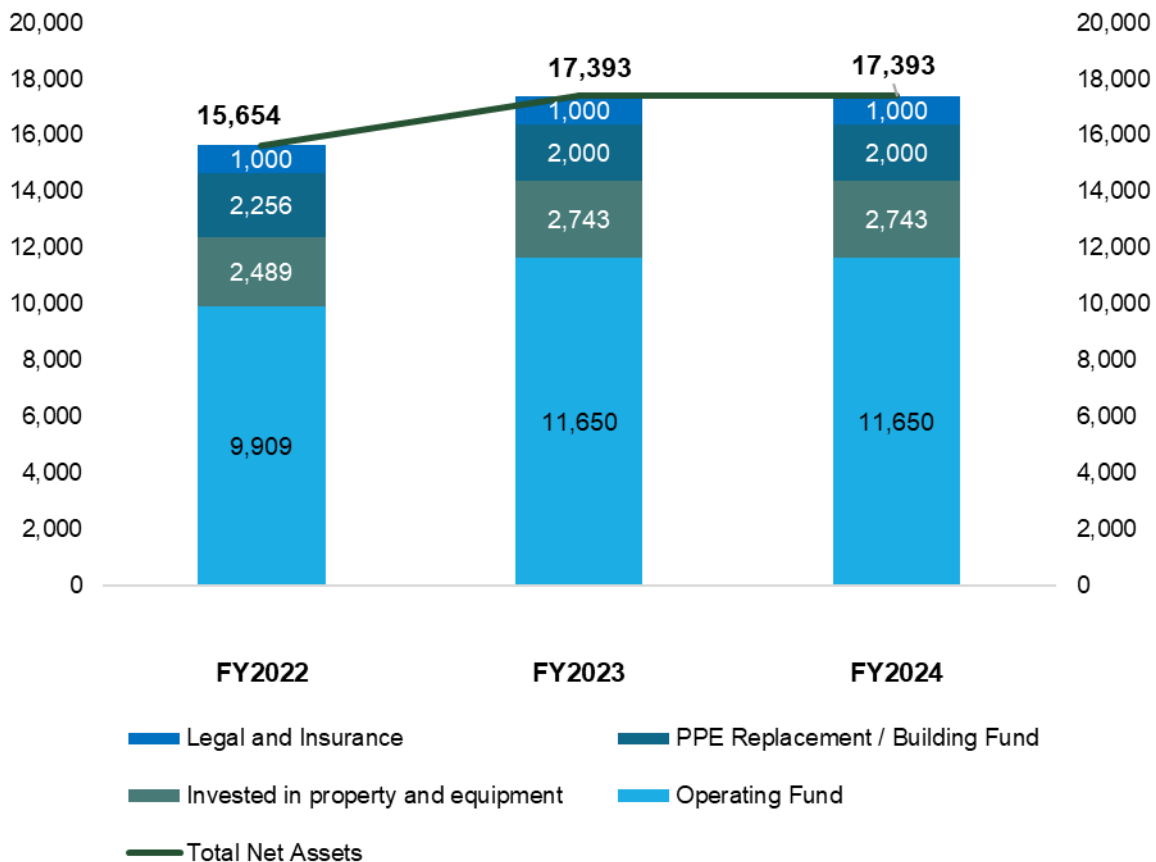
Based on a projected FY2024 operating expenses of \$2.4M per month and the assumption of \$1.74M in surplus at the end of FY2023, the General Operating Fund balance at end of FY2024 is projected to sit at approximately \$11.6M or equivalent to 4.8 months of operating reserve.

This indicates for the immediate year ahead; the organization should be financially stable with the current reserves.

To ensure long term financial stability of the organization, building up this reserve to reach 6 months over the next 5 years will be a long-term goal for the organization to be achieved as an additional 1/2 months of operating expenses is still \$1.2M, and the additional funding to reach 6 months is currently at \$2.9M.

The following diagram illustrates this concept using Scenario A figures:

**Figure 1**



## RECOMMENDATION

In a year where inflation is high and regulatory demands are increasing, a fee increase is necessary to financially support the organization through such change. With Scenario B a deficit of \$445K, there is 200K contingency that may not be utilized which leaves the deficit to be \$245K to which the FY2023 projected \$1.7M surplus would be able to absorb. With Scenario C, it would be break even/balanced budget and perhaps a small surplus if contingency of \$200K were not utilized. Given fluctuations with revenue & expenditures due to unpredictability with the economy and new program growth/changes, as well for long term financial sustainability of the organization, the Executive Sub-Committee recommends that a fee increase of \$50 in Scenario C of the draft FY2024 Engineers and Geoscientists BC Operating and Capital Budget be approved by Board at the April Board meeting.

## MOTIONS

That the Board to approve:

- a. no change in ancillary fees for both individual and firm registrants for FY2024; and
- b. Scenario C of the draft FY2024 Engineers and Geoscientists BC Operating and Capital Budget with a \$50 fee increase to the Professional Registrants (P. Eng and P. Geo and combination) and \$10 inflationary fee increase to Trainees (EIT and GIT).

## APPENDIX A – DRAFT 2024 BUDGET BOOK

**Engineers and Geoscientists BC  
Draft FY2024 Budget Book**

**Table of Contents**

| #  | Item   | Description   | Appendix #        |
|----|--|---|-------------------|
| 1  | Budget Guidelines  | The guidelines are observed and incorporated in the process of preparing and compiling draft FY2024 Budget. | <a href="#">A</a> |
| 2  | Program Statement (Scenario C)<br>Revenues   | Comparative of draft FY2024 Budget against FY2023 Forecast 2 Revenues                                       | <a href="#">B</a> |
| 3  | Program Statement (Scenario C)<br>Expenditures                                       | Comparative of draft FY2024 Budget against FY2023 Forecast 2 Expenditures                                   | <a href="#">C</a> |
| 4  | List of Initiatives and New Positions<br>4.1 Initiatives<br>4.2 New Positions        | List of Initiatives and new positions   | <a href="#">D</a> |
| 5  | Other Fees<br>5.1 Ancillary Fees   | Annual review of Individual ancillary fees  | <a href="#">E</a> |
| 6  | Schedule C - Individuals   | Ancillary fees for Individual Registrants   | <a href="#">F</a> |
| 7  | Regulation of Firms Ancillary Fee Review   | Annual review of Firm ancillary fees  | <a href="#">G</a> |
| 8  | Schedule C - Firms   | Ancillary fees for Firm Registrants   | <a href="#">H</a> |
| 9  | Benchmark Report of Engineers and Geoscientists BC and other provincial associations | Provides visual comparison of regular full-fee rate amongst cross-country sister associations.              | <a href="#">I</a> |
| 10 | Capital Budget Spending  | Provides a proposed draft capital budget for FY2024 required to support the operations of the Association.  | <a href="#">J</a> |

**Engineers and Geoscientists BC**  
**Draft FY2024 Budget**  
**Budget Guidelines**

**Budget guidelines**

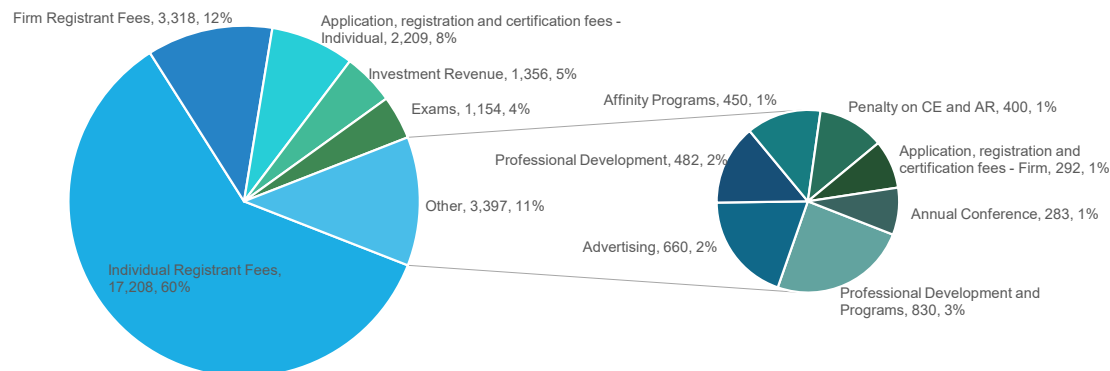
1. All initiatives/projects and expenditures are aligned to the Strategic Plan.
2. Revenue sources, including registrant fees, are reviewed, and analyzed with a financial sustainability mindset, which includes the following elements:
  - i. Consider a fee increase to cover inflation
  - ii. Consider all revenue sources and expected growth for registrant and firm related fees
  - iii. Distinction between single year versus sustained revenue sources
  - iv. Consider any potential fluctuation or interruption of revenue sources
3. There is an annual review of economies, efficiencies and effectiveness of current staffing levels, expenditures, along with revenue strategies. Such a review would consider the following elements:
  - a. Salaries and Benefits
    - i. Review staffing levels against future needs
    - ii. Compare in-house resources against contracted services for efficiencies and value evaluation
    - iii. Review short term staffing needs versus long-term permanent staffing needs
    - iv. Annual merit increase
  - b. Expenditures
    - i. Review departmental spend for efficiency and value of service
    - ii. Distinction between short-term initiatives/projects versus recurring commitments
    - iii. Consider potential savings and new requirements
4. Review and assess any necessary funding to address Risk Register items and mitigation strategies.
5. Review and assess the requirements and appropriate level of funding for the General Operating Fund, Property, Equipment and Systems Replacement Fund and the Legal and Insurance Fund.
6. Final 2024 budget approval will be finalized at the Board meeting in April 2023.



**Engineers and Geoscientists BC**  
**Draft FY2024 Budget Scenario C**  
**(in \$'000)**

| Revenues by Programs  | FY2024 Budget |
|---|---------------|
| Individual Registrant Fees                                    | 17,208        |
| Firm Registrant Fees  | 3,318         |
| Application, registration and certification fees - Individual | 2,209         |
| Investment Revenue  | 1,356         |
| Exams   | 1,154         |
| Professional Development and Programs                         | 830           |
| Advertising   | 660           |
| Professional Development                                      | 482           |
| Affinity Programs   | 450           |
| Penalty on CE and AR  | 400           |
| Application, registration and certification fees - Firm       | 292           |
| Annual Conference   | 283           |
| Other Revenue   | 185           |
| Disciplinary Recoveries                                       | 170           |
| Notarius Digital Stamps                                       | 135           |
| <b>Grand Total</b>  | <b>29,133</b> |

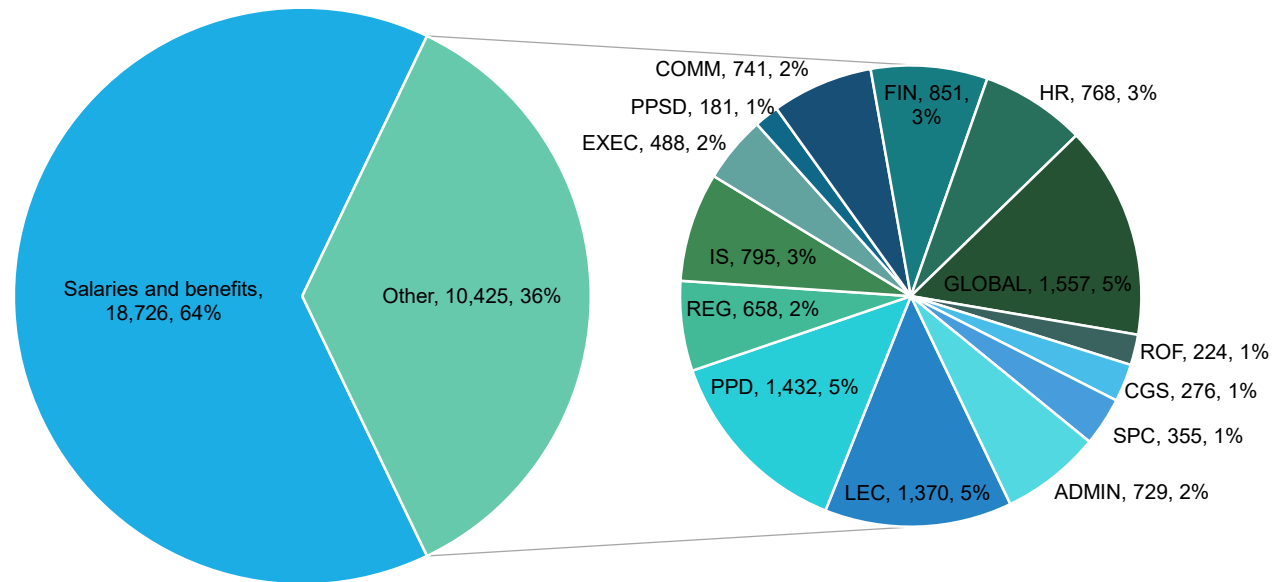
**Draft FY2024 Budget Revenue Distribution**



|   | A             | B             | C = B - A    | *Positive variances indicate higher revenue and negative variances indicate lower revenue |  |
|---|---------------|---------------|--------------|---|--|
| Revenue Type  | FY2023 FCST   | FY2024 Budget | Variance \$  | Variance %  | Comments   |
| Individual Registrant Fees                                    | 15,550        | 17,209        | 1,659        | 10.7%   | Due to a larger registrant base and annual fee increase with scenario C (\$50 to P.Eng & P.Geo and \$10 to trainees) |
| Firm Registrant Fees  | 3,008         | 3,318         | 310          | 10%   | Due to increased number of firms in FY2024   |
| Application, registration and certification fees - Individual | 2,164         | 2,209         | 45           | 2%  | Due to 3 % increase in applicant volume offset by less re-instatement revenue  |
| Investment Revenue  | 680           | 1,356         | 676          | 99%   | Due to higher interest rate and more available funds for investment  |
| Exams   | 1,057         | 1,154         | 97           | 9%  | Higher volume due to more application from internationally trained engineers and PEO's new legislation               |
| Professional Development and Programs                         | 568           | 830           | 262          | 46%   | Higher revenue due to staff capacity returning to normal level in FY2024   |
| Advertising   | 665           | 660           | (5)          | -1%   |  |
| Professional Development                                      | 476           | 482           | 7            | 1%  |  |
| Affinity Programs   | 408           | 450           | 43           | 10%   | Anticipating higher participation due to higher registrant base  |
| Penalty on CE and AR  | 1,066         | 400           | (666)        | -62%  | Due to expected drop in rates of non-compliance in the 2nd year compared to 1st year                                 |
| Application, registration and certification fees - Firm       | 432           | 292           | (140)        | -32%  | Less application revenue due to most one-time application fees have been collected to date                           |
| Annual Conference   | 261           | 283           | 22           | 8%  |  |
| Late fee and other revenues                                   | 201           | 185           | (16)         | -8%   |  |
| Disciplinary Recoveries                                       | 158           | 170           | 12           | 8%  |  |
| Notarius Digital Stamps                                       | 135           | 135           | 0            | 0%  |  |
| <b>Total Revenue</b>  | <b>26,828</b> | <b>29,133</b> | <b>2,305</b> | <b>8.6%</b>   |  |

**Engineers and Geoscientists BC**  
**Draft FY2024 Budget Scenario C**  
**(in \$'000)**

**Draft FY2024 Budget (in \$'000)**  
**Total Expenses, Salaries and Benefits Distribution**



| A  |               | B             |               | C                  | D                        | *E = A - B                             |   |
|--|---------------|---------------|---------------|--------------------|--------------------------|--|---|
| FY2023 FCST 2                                  |               | FY2024 Budget |               | FY2024 Budget Base | FY2024 Budget Initiative | Variance \$ - FY23 FCST vs FY24 Budget | Comments  |
| Expenses                                       | 9,698         | 10,425        | 9,559         | 867                |                          | (727)                                  | See variance analysis below   |
| Salaries and benefits                          | 15,510        | 18,726        | 17,619        | 1,107              |                          | (3,216)                                | FY2024 Budgeted Salaries include a 3.7% merit increase, filled new positions from FY2023 and new positions. See Appendix D 4.2 for information on proposed new staff resources. |
| <b>Total Expenses, Salaries &amp; Benefits</b> | <b>25,208</b> | <b>29,151</b> | <b>27,178</b> | <b>1,974</b>       |                          | <b>(3,943)</b>                         |   |

\*Positive variances indicate lower expenses and negative variances indicate higher expenses

| A                   |  |              | B             | C                  | D                        | *E = A - B                             | *Positive variances indicate lower expenses and negative variances indicate higher expenses  |
|---------------------|--|--------------|---------------|--------------------|--------------------------|--|--|
| Dept                | Program  | FY2023 FCST  | FY2024 Budget | FY2024 Budget Base | FY2024 Budget Initiative | Variance \$ - FY23 FCST vs FY24 Budget | Comments   |
| ADMIN               | Building Operations                                  | 484          | 545           | 520                | 25                       | (61)                                   | Higher Colliers property management and service fees   |
|                     | Human Resources & Organizational Development         | 34           | 45            | 45                 | 0                        | (10)                                   | More office desk and chair expenses due to increased head count  |
|                     | Office and Administrative Service                    | 224          | 140           | 140                | 0                        |  | One-time building seismic review completed in 2023 contract service 83 and less office equipment lease cost                            |
| <b>ADMIN Total</b>  |  | <b>741</b>   | <b>729</b>    | <b>704</b>         | <b>25</b>                | <b>12</b>                              |  |
| CGS                 | CGS-Other  | 29           | 61            | 61                 | 0                        | (32)                                   | Higher cost in hybrid AGM meeting  |
|                     | Council Planning Education                           | 117          | 107           | 107                | 0                        | 10                                     | Higher cost in venue, facilitator and governance workshop  |
|                     | Governance   | 64           | 45            | 45                 | 0                        | 19                                     |  |
|                     | Government Relations                                 | 47           | 5             | 5                  | 0                        | 42                                     | Due to reduction in strategic government relation services   |
|                     | Nominations  | 56           | 58            | 58                 | 0                        | (3)                                    |  |
| <b>CGS Total</b>    |  | <b>312</b>   | <b>276</b>    | <b>276</b>         | <b>0</b>                 | <b>36</b>                              |  |
| COMM                | Awards   | 90           | 74            | 69                 | 5                        | 16                                     | Due to one-time special luncheon in 2023   |
|                     | Comm-Other   | 16           | 12            | 12                 | 0                        | 4                                      |  |
|                     | Innovation Magazine                                  | 401          | 415           | 415                | 0                        | (14)                                   | Increased postage and printing due to higher subscription  |
|                     | Public Relations & Stakeholder Engagement            | 195          | 241           | 111                | 130                      |  | Due to website content rewrite and development, offset by less (46) advertising expense  |
| <b>COMM Total</b>   |  | <b>701</b>   | <b>741</b>    | <b>606</b>         | <b>135</b>               | <b>(40)</b>                            |  |
| FIN                 | Bank Charges, Financial Audit and Services           | 722          | 785           | 745                | 40                       |  | Due to more consultant expense for three financial policies and (63) increased bank charge due to anticipated more credit card payment |
|                     | Risk, Insurance and Other                            | 57           | 66            | 66                 | 0                        | (9)                                    |  |
| <b>FIN Total</b>    |  | <b>779</b>   | <b>851</b>    | <b>811</b>         | <b>40</b>                | <b>(72)</b>                            |  |
| GLOBAL              | Assessment - Engineers Canada & Geoscientists Canada | 672          | 710           | 710                | 0                        | (38)                                   | Due to larger member base  |
|                     | Depreciation & Miscellaneous Allocation              | 634          | 747           | 747                | 0                        | (113)                                  | Due to more capital expenditure  |
|                     | General Contingency                                  | 100          | 100           | 100                | 0                        | 0                                      |  |
| <b>GLOBAL Total</b> |  | <b>1,406</b> | <b>1,557</b>  | <b>1,557</b>       | <b>0</b>                 | <b>(150)</b>                           |  |
| HR                  | Compensation Management                              | 135          | 80            | 20                 | 60                       | 55                                     | Due to triennial review in FY2023  |
|                     | Employee Programs                                    | 82           | 98            | 98                 | 0                        | (16)                                   | Due to higher headcount  |
|                     | FST (Flourishing Staff Team)                         | 63           | 80            | 80                 | 0                        | (17)                                   | Due to higher headcount  |
|                     | HR-Other   | 31           | 30            | 30                 | 0                        | 1                                      |  |
|                     | Human Resources & Organizational Development         | 0            | 0             | 0                  | 0                        | 0                                      |  |
|                     | Recruitment  | 263          | 255           | 255                | 0                        | 8                                      |  |
|                     | Staff Training                                       | 126          | 161           | 161                | 0                        | (36)                                   | Due to higher head count   |
|                     | Volunteer Management                                 | 52           | 64            | 64                 | 0                        | (11)                                   | Due to inflation   |
| <b>HR Total</b>     |  | <b>752</b>   | <b>768</b>    | <b>708</b>         | <b>60</b>                | <b>(16)</b>                            |  |

| A                 |  |              | B             | C                  | D                        | *E = A - B                             |  |
|-------------------|--|--------------|---------------|--------------------|--------------------------|--|--|
| Dept              | Program  | FY2023 FCST  | FY2024 Budget | FY2024 Budget Base | FY2024 Budget Initiative | Variance \$ - FY23 FCST vs FY24 Budget | Comments   |
| IS                | Business Continuity - IS                       | 640          | 699           | 643                | 56                       | (59)                                   | Increased cost in business tools, server and hardware due to increase subscription costs, more staffs and higher USD exchange rate, offset by less consultant expense due to less projects |
|                   | IS-Other                                       | 13           | 15            | 15                 | 0                        | (1)                                    |  |
|                   | Telecommunications                             | 79           | 82            | 67                 | 16                       | (3)                                    |  |
| <b>IS Total</b>   |  | <b>732</b>   | <b>795</b>    | <b>724</b>         | <b>72</b>                | <b>(63)</b>                            |  |
| LEC               | Discipline                                     | 926          | 780           | 780                | 0                        | 146                                    | Expect fewer legal hearings than FY23  |
|                   | Enforcement                                    | 40           | 36            | 36                 | 0                        | 4                                      |  |
|                   | Investigations                                 | 384          | 406           | 366                | 40                       | (22)                                   | More cost due to a few large case offset by saving in external investigator due to larger staff capacity   |
| <b>LEC Total</b>  |  | <b>1,536</b> | <b>1,370</b>  | <b>1,330</b>       | <b>40</b>                | <b>38</b>                              | Less legal expense due to fewer hearings   |
| PPD               | Annual Conference                              | 185          | 396           | 396                | 0                        | (210)                                  | Increased cost as transition from virtual to in-person meeting   |
|                   | Branches/Divisions                             | 66           | 78            | 78                 | 0                        | (12)                                   |  |
|                   | Career Awareness                               | 85           | 67            | 67                 | 0                        | 18                                     |  |
|                   | Equity, Diversity, & Inclusion                 | 120          | 48            | 48                 | 0                        | 72                                     | Converting EDI external resource into a staff position   |
|                   | Mandatory CE                                   | 60           | 60            | 60                 | 0                        | 0                                      |  |
|                   | PPD-Other                                      | 74           | 129           | 129                | 0                        | (55)                                   | Mainly due to more induction ceremony cost   |
|                   | Professional Development & Online Law & Ethics | 0            | 140           | 0                  | 140                      | (140)                                  | Review and updating of the Professional Engineering and Geoscience Practice in BC Online Seminar   |
|                   | Student Program                                | 37           | 46            | 46                 | 0                        | (9)                                    |  |
|                   | Professional Development and Programs          | 322          | 471           | 471                | 0                        | (149)                                  | Expected more volumes of PD events as new team members come up to speed  |
| <b>PPD Total</b>  |  | <b>948</b>   | <b>1,432</b>  | <b>1,292</b>       | <b>140</b>               | <b>(484)</b>                           |  |
| PPSD              | Climate Change & Sustainability Initiatives    | 8            | 10            | 10                 | 0                        | (2)                                    |  |
|                   | Individual Audit Program                       | 106          | 82            | 82                 | 0                        | 24                                     | Less individual audit travel cost due to switch to virtual audits  |
|                   | PPSD-Other                                     | 28           | 47            | 47                 | 0                        | (20)                                   | Increase in individual practice review   |
|                   | Professional Practice, Standards & Development | 47           | 43            | 43                 | 0                        | 5                                      |  |
|                   | Notarius Digital Stamps                        | 0            | 0             | 0                  | 0                        | 0                                      |  |
| <b>PPSD Total</b> |  | <b>189</b>   | <b>181</b>    | <b>181</b>         | <b>0</b>                 | <b>8</b>                               |  |
| REG               | Applications/Registration                      | 197          | 172           | 172                | 0                        | 26                                     | Saving in postage due to printing of agenda packages no longer needed  |
|                   | Exams  | 445          | 475           | 475                | 0                        | (30)                                   | Increased candidates and 3% increase in service fee  |
|                   | REG-Other                                      | 7            | 11            | 11                 | 0                        | (4)                                    |  |
| <b>REG Total</b>  |  | <b>649</b>   | <b>658</b>    | <b>658</b>         | <b>0</b>                 | <b>(9)</b>                             |  |

| A                  |                                   |              | B             | C                  | D                        | *E = A - B                             |  |
|--------------------|-----------------------------------|--------------|---------------|--------------------|--------------------------|--|--|
| Dept               | Program                           | FY2023 FCST  | FY2024 Budget | FY2024 Budget Base | FY2024 Budget Initiative | Variance \$ - FY23 FCST vs FY24 Budget | Comments   |
| ROF                | OQM                               | 0            | 0             | 0                  | 0                        | 0                                      |  |
|                    | Auditing - Firms                  | 107          | 141           | 141                | 0                        | (34)                                   | More consultant fees offset by less meeting and travel cost                                    |
|                    | Practice Review - Firms           | 20           | 38            | 38                 | 0                        | (18)                                   | Due to more practice review  |
|                    | Training Expenses                 | 46           | 30            | 30                 | 0                        | 16                                     | Due to less meeting and travel cost  |
|                    | RoF Other                         | 48           | 16            | 16                 | 0                        | 33                                     | Less overall travel  |
| <b>ROF Total</b>   |                                   | <b>221</b>   | <b>224</b>    | <b>224</b>         | <b>0</b>                 | <b>(3)</b>                             |  |
| SPC                | Strategic Plan General            | 130          | 25            | 0                  | 25                       |  | Less contract service due to less strategic plan renewal and 105 departmental plan development |
|                    | Stakeholder Engagement            | 0            | 0             | 0                  | 0                        | 0                                      |  |
|                    | People and Culture                | 120          | 105           | 0                  | 105                      | 15                                     |  |
|                    | Process                           | 100          | 205           | 0                  | 205                      | (105)                                  | Higher activities in strategic plan initiatives  |
|                    | Social Responsibility             | 0            | 20            | 0                  | 20                       | (20)                                   | Resource for Climate and Reconciliation initiatives  |
| <b>SPC Total</b>   |                                   | <b>350</b>   | <b>355</b>    | <b>0</b>           | <b>355</b>               | <b>(5)</b>                             |  |
| EXEC               | Exec & Council-Other              | 14           | 33            | 33                 | 0                        | (18)                                   |  |
|                    | Executive & Council               | 187          | 208           | 208                | 0                        | (21)                                   | Due to hybrid meeting and travel cost  |
|                    | Professional governance Act (PGA) | 29           | 0             | 0                  | 0                        | 29                                     | Saving due to facilitators no longer needed  |
|                    | Strategic Initiatives             | 150          | 248           | 248                | 0                        | (97)                                   | \$100K contingency fund  |
| <b>EXEC Total</b>  |                                   | <b>381</b>   | <b>488</b>    | <b>488</b>         | <b>0</b>                 | <b>(107)</b>                           |  |
| <b>Grand Total</b> |                                   | <b>9,698</b> | <b>10,425</b> | <b>9,559</b>       | <b>867</b>               | <b>(727)</b>                           |  |

\*Positive variances indicate lower expenses and negative variances indicate higher expenses

Note: SPC stands for Strategic Plan Centre

**Engineers and Geoscientists BC**  
**Initiatives in Draft FY2024 Budget**

|    | Department / Area                        | Initiatives or New Additions                  | Description  | Amount  | One-time funding (Y/N) | Consequence if Foregone  |
|----|--|---|--|---------|------------------------|--|
| 1  | Administration and Facilities            | Window caulking                               | Remove old caulking with new to prevent water ingress  | 10,000  | Y                      | Water leaking into building  |
| 2  |  | Awning painting                               | Paint for weathering and corrosion prevention  | 7,000   | Y                      | Metal corrosion resulting in replacement   |
| 3  |  | Parking lot line painting                     | Repaint lines and stall numbers for better visibility  | 5,000   | Y                      | Staff double parking and parking in restricted space   |
| 4  |  | Curb repair                                   | Repair due to harsh weather, wear and tear   | 3,000   | Y                      | Safety risk  |
| 5  | Communication and Stakeholder Engagement | Website optimization support                  | Contract support for content re-writes and development, visuals  | 100,000 | Y                      | Staff would need to absorb all writing, potentially delaying project   |
| 6  |  | Intranet development support                  | Consultant to support the development of the intranet through expertise, strategy support, and advice on resource evaluation.  | 30,000  | Y                      | Work would be completed by staff; may not be as fast or as efficient   |
| 7  |  | Professional emcee for conference awards gala | Expense to support a professional host; creates an elevated experience and removes pressure from CEO and President to host the entire event.   | 5,000   | Y                      | CEO or President would need to host event  |
| 8  | Finance                                  | Financial Policies                            | Drafting and completing 3 financial policies to add to and modernize the existing financial policies of the organization   | 40,000  | Y                      | Robust policies are necessary to advancing the maturity of the organization.   |
| 9  | Human Resources                          | Equity Review                                 | Mercer to complete internal role equity review. Allows more role review to be inhouse. Allows for certain roles to be benchmarks based on a criteria we build which allows for improved equity and opens the door to stronger transparency to staff. | 60,000  | Y                      | Cost of ongoing triennial review is double, cost of ongoing JD reviews are double. Loss of more role review being brought in house.  |
| 10 | Information Systems                      | Contract Services<br>- UX Usability Reviews   | Provides 160 hours of UX review time with consultant   | 40,000  | N                      | The IS and Comms team will continue to do internal reviews, but will not have the feedback from 3rd party consultant specialized in this area to ensure user needs and user interface preferences are captured prior to software development resulting in more customer support calls. |

|    | Department / Area                     | Initiatives or New Additions   | Description  | Amount  | One-time funding (Y/N) | Consequence if Foregone   |
|----|---------------------------------------|--|--|---------|------------------------|---|
| 11 |                                       | Office licenses and laptops for IC committee members   |  | 15,944  | Y                      | Data privacy would be compromised and could result in data breach situation and non-compliance with FIPPA.  |
| 12 |                                       | Data Connectivity<br>- Cloud On-premise network interconnection  | Ultimately the organization needs to exploit the benefits of the cloud, but to get there will require migration of services from on-premise to the cloud. During this period the organization will have services in both the cloud and on-premise. These services must be able to communicate for systems to work.   | 15,600  | N<br>(3 to 5 years)    | Without this network connection between the Burnaby on-premise location and the Azure cloud, the organization will never be able to migrate to the cloud. Not migrating to the cloud will mean the organization will always be tied to physical primary and DR data centers and not be able to exploit new cloud innovations. Ultimately this will limit the organization's options and result in lower service levels and increased costs. After cloud migration is complete, the cost of on-premise hardware for Burnaby and DR site will be eliminated, the need for a Burnaby to DR site network will be eliminated, and the need for DR replication software eliminated. None of this change will occur though without incurring this initial cost for 3 to 5 years. |
| 13 | Legislations, Ethics, and Compliance  | Continue the Pilot Project to retain independent contract investigators (line 57 of the budget, see the extra \$125,000 approved in fiscal 2022) | Using external contract investigators to assist with excess file load. Mix of large, complex files (Cleveland Dam, etc.) that can't easily be managed in-house with current resources as well as older, lower priority files that have been sitting without action. Currently one contract investigator with an independent contractor agreement, with intentions of retaining a investigator shortly. | 40,000  | Y                      | The pilot project, if discontinued will result in fewer resources available to an already overburdened investigation team. At present the trend in volume of complaints is increasing and the potential risk is compromised protection of the public and the environment.   |
| 14 | Programs and Professional Development | Review and updating of the Professional Engineering and Geoscience Practice in BC Online Seminar (PPOS)  | The PPOS needs to be reviewed every two years and updated, as needed   | 140,000 | Y                      | The PPOS is not updated and applicants will receive outdated or incorrect information, more complaints about outdated nature will result.   |

|    | Department / Area | Initiatives or New Additions   | Description  | Amount  | One-time funding (Y/N) | Consequence if Foregone   |
|----|-------------------|--|--|---------|------------------------|---|
| 15 | Strategic Plan    | Process - Strengthen our data governance to deliver an improved framework for data management, integrity, and protection                                       | Data management work and SharePoint Migration consultant | 110,000 | Y                      | Continued inefficiencies, ineffectiveness and lack of consistency on data management including data migration to SharePoint. Not moving to next steps would stall and stifle progress and momentum of program.  |
| 16 |                   | Process - Enhance our foundational business systems to support the long-term sustainability of the organization  | Business Systems Audit consultant                        | 45,000  | Y                      | Identify what foundational business systems are missing and if not completed the organization will continue to operate but inefficiently in some areas.   |
| 17 |                   | People and Culture - Modernize our virtual and physical work environment to build strong employee engagement   | Space planning consultant & workhour stands consultant   | 60,000  | Y                      | Without proper planning of future space needs, the organization will run out of space causing disruption to operations. Work standards need to be developed to ensure consistency and staff well being. Without this inconsistent work standards will be applied resulting in detrimental effects on staff well being and organizational effectiveness.   |
| 18 | Strategic Plan    | Process - Instill a philosophy of continuous process improvement that creates a mature and future-focused organization   | Lean Exercises phase 2                                   | 50,000  | Y                      | Continued inefficiencies and ineffectiveness in processes resulting in additional time required of staff to complete tasks. Not moving to next steps would stall and stifle progress and momentum of program.   |
| 19 |                   | People and Culture - Align the organization's resources to effectively deliver our vision and mandate  | Strategy renewal sessions                                | 45,000  | Y                      | Strategy renewal with the board in September will not be as robust as it could be, and it is difficult for EGBC to both facilitate and be an active participant.  |
| 20 |                   | Social Responsibility - Within the scope of our regulatory mandate, clarify our role in addressing EDI, reconciliation with Indigenous peoples, climate change | Climate resources  | 10,000  | Y                      | Climate Change - staff have achieved significant progress in 8 out of the 10 actions in the Plan. The two actions that need further work are #3: Applicants - the incorporation of climate change into the Professional Engineering and Geoscience Practice competencies, and #10. Support for Firms - expectations for firms to meet, in relation to addressing climate change and sustainability. |



|    | Department / Area | Initiatives or New Additions  | Description                  | Amount            | One-time funding (Y/N) | Consequence if Foregone  |
|----|-------------------|---|------------------------------|-------------------|------------------------|--|
| 21 |                   | Social Responsibility - Develop a clear strategy that details the action we will take, both internally and externally, to address EDI, reconciliation with Indigenous peoples, and climate change | Reconciliation Resources     | 10,000            | Y                      | The department will lack the objective external eye that is needed to assist in the development and review of plans that tackle topics that are highly sensitive in nature.  |
| 22 |                   | Strategic Plan General  | Change management consultant | 25,000            | Y                      | Without this, the organization's projects will stall through staff resistance due to poor communications/lack of two-way feedback, absence of coordinated employee involvement, and lack of appropriate training leading to poor morale. |
|    |                   |   |                              | <b>\$ 866,544</b> |                        |  |

Engineers and Geoscientists BC  
New Full Time Employees (FTE) in Draft FY2024 Budget

| FTE# | Department | FTE Title   | Position Responsibilities   | No. of months in FY2024 | Annual rate including benefits | FY2024 Budget amount including benefits | Consequence if foregone/Justification   |
|------|------------|---|---|-------------------------|--------------------------------|---|---|
| 1    | HR         | Administrative Assistant                          | With growth of the organization and number of HR-related initiatives, this role is required to provide administrative support for Human Resources. This role will also serve as backup for Reception.   | 12                      | \$ 67,200                      | \$ 67,200                               | Administrative support will be completed by higher, more complex HR roles, and will be an inefficient use of their time.  |
| 2    | HR         | Senior Human Resources Generalist                 | With the Strategic Plan having a pillar on People & Culture, additional HR support is required to execute the Strategic Plan and the longer term needs of ensuring an engaged and supported work force. This role will provide senior level HR contribution, function as project lead, senior functional policy work, support and backup for Manager, HR.   | 3                       | \$ 120,000                     | \$ 30,000                               | Senior level policy, project work moves back to Mgr and Director or is delayed.   |
| 3    | HR         | Associate Director, Human Resources               | With the Strategic Plan having a pillar on People & Culture, additional HR support is required to execute the Strategic Plan and the longer term needs of ensuring an engaged and supported work force. This position will provide Associate Director level HR leadership on strategic projects, HR. initiatives, complex personnel issues, policy work. Leading and supporting Mgr, HR and Mgr, Recruitment. Backup for Director, HR.  | 10                      | \$ 168,000                     | \$ 140,000                              | At this time, there is a gap in skill/workload balance and succession planning for the long term. This position will provide additional strategic support in HR. Delayed strategic and dept projects / initiatives. Workload levels for Mgr, HR and Dir HR will remain excessive.   |
| 4    | PPD        | EDI /T&R Specialist                               | This role supports the implementation of the EDI and Indigenous Reconciliation action plans and indigenous relations and equity, diversity and inclusion initiatives in support of the Council approved 30 by 30 strategy and the organization's strategic priorities. This includes prioritizing actions, identifying key partners, establishing baseline metrics, reporting on key performance indicators, identifying budget implications, track/monitor/manage/analyze key demographics data and coordinating efforts and alignment with leads from other programs.<br>The role would manage education oversight, internal policies (with HR), and advise on stakeholder relations in these areas.                                      | 6                       | \$ 144,000                     | \$ 72,000                               | The EDI component is currently being fulfilled by a contractor and there is no current internal or external Indigenous Reconciliation resource. Combining responsibility for both areas into one headcount (preferably indigenous) will serve our social responsibility obligations and enable us to meet our OSPG Indigenous mandate efficiently.                                |
| 5    | CGS        | Associate Director, Strategic & Business Planning | This role is responsible for providing guidance and support to the Director, Corporate Governance and Strategy, the Executive Team, and the Council in strategy development and renewal. This position will be responsible for collaborating with significant internal stakeholders, managing the organization's annual planning cycle, planning and facilitating strategic planning sessions for both the Executive Team and the Council, and providing strategic advice and business intelligence information to decision-makers. This position will work with the Director to guide the Project Management Office, and manage organizational performance functions, including responsibility for managing and overseeing multiple staff. | 12                      | \$ 144,000                     | \$ 144,000                              | We are putting more emphasis on a consistent, collaborative and aligned approach for strategic planning, strategic plan renewal, and strategy execution, which is taking more resources and effort with the board, departments and all staff. The Director, CGS will continue to be significantly overloaded and unable to delegate tasks, some functions will need to be paused. |

| FTE# | Department    | FTE Title                                    | Position Responsibilities  | No. of months in FY2024 | Annual rate including benefits | FY2024 Budget amount including benefits | Consequence if foregone/Justification   |
|------|---------------|--|--|-------------------------|--------------------------------|---|---|
| 6    | CGS           | Manager, Governance                          | The Manager, Governance is responsible for managing the organization's governance processes, including the nomination process, the Council Election process, the Annual General Meeting delivery, planning and executing Council onboarding, and managing governance policy work. This role will also provide governance support to the organization's sub-committees. | 12                      | \$ 132,000                     | \$ 132,000                              | We are modernizing and strengthening our governance practices, and with that takes more effort and resources. Director, CGS will continue to be significantly overloaded and unable to delegate tasks. Policy renewals will be significantly slowed. Governance processes will be at risk.  |
| 7    | PPSD          | Administrative Assistant, Compliance Program | Provide admin support for the individual audit program and practice review program   | 10                      | \$ 72,000                      | \$ 60,000                               | No admin support to two new regulatory programs. Admin work would then need to be done by higher level roles, making inefficient use of their time.   |
| 8    | Reg. of Firms | Permit to Practice Coordinator               | This role responsible for coordinating all functions of the Permit to Practice Applicability Review program and Firm Practice Reviews  | 10                      | \$ 84,000                      | \$ 70,000                               | Unable to continue Permit to Practice Applicability review program to the quality we would like to see it, and ability to execute Firm Practice Reviews in a reasonable time will not be achievable.  |
| 9    | LEC           | Complaint Intake Manager                     | The Complaint Intake Manager is responsible for responding and delegating inquiries related to complaints submitted to LEC. This role also managing the intake phase of the complaints against registrants and registrant firms.   | 7                       | \$ 129,600                     | \$ 75,600                               | Could result in excessive delays in the processing of complaint which could result in EGBC not adequately protecting the public as registrants who may be practicing in contravention of the requirements will not be investigated and disciplined in a timely manner. Additionally, there may be an increase in the number of complaints to the OSPG regarding the timeliness of the EGBC complaint process.<br>Trend of increasing complaint files as follows: FY2022, 104 complaint files vs 64 complaint files in FY2021. This is a 63% increase YOY.<br>FY2022, 79 General Concern ("GC") files vs 57 GC files in FY2021. This is a 39% increase YOY. Current Jan/Feb 2023 - 88 files at the intake stage.   |
| 10   | LEC           | Investigator 6                               | The Investigator assists the LEC department and the Investigation Committee with the investigation of complaints against engineers and geoscientists, or engineering or geoscience firms, by taking conduct of investigation files.  | 10                      | \$ 102,000                     | \$ 85,000                               | Could result in delays in the processing of investigations which would result in EGBC not adequately protecting the public as registrants who may be practicing in contravention of the requirements will not be investigated and disciplined in a timely manner. Additionally, there may be an increase in the number of complaints to the OSPG regarding the timeliness of the EGBC complaint process. Enforcement - Unauthorized Practice and Misuse of Title:<br>FY2022, 197 enforcement files vs 135 enforcement files in FY2021. This is a 45% increase YOY. The number of enforcement files has increased avg of 28% annually over past 5 years. Approximately 50% of current increase in enforcement files is from regulation of Firms: 31 enforcement files opened as a result of firms failing to obtain a P2P. |
| 11   | REGN          | Examinations Administrator                   | This role responsible for developing and implementing exam policies and procedures, developing business improvement proposals and leading process change implementation  | 10                      | \$ 106,200                     | \$ 88,500                               | Manager, Examinations will continue to be significantly overloaded. This new addition could free up capacity at the management level  |

| FTE# | Department | FTE Title                | Position Responsibilities   | No. of months in FY2024 | Annual rate including benefits | FY2024 Budget amount including benefits | Consequence if foregone/Justification  |
|------|------------|--------------------------|---|-------------------------|--------------------------------|---|--|
| 12   | REGN       | Registration Assistant   | This is a contract extension for an existing contract administrative assistant. Responsibilities involve assisting in shared department tasks such as certificate generation and document scanning.   | 12                      | \$ 66,000                      | \$ 66,000                               | The Reg Dept. has faced a series of long-term staff absences due to health reasons, one of which has exceeded 6-months. Even with returning staff, there are concerns over workload capacity especially if return to work accommodations are needed.   |
| 13   | REGN       | Registration Coordinator | This is a job reclassification with an incumbent currently on a 1 year contract until July 7, 2023. Based on workload due to increasing application volumes, particularly with internationally trained applicants, there is a need for an additional coordinator in our academic assessment team. | 12                      | \$ 76,800                      | \$ 76,800                               | As this is a role within our Experience Assessment team, the implications of not having this position is an increased risk to complaints and challenges from applicants. With the more applicants now being internationally trained, the assessment of their academics is more intensive. The current academic assessment team has 3 individuals and it is anticipated that the addition of a fourth would reduce any backlog. |
|      |            |                          |   |                         | <b>\$ 1,411,800</b>            | <b>\$ 1,107,100</b>                     |  |



# MEMORANDUM

## CONFIDENTIAL

|                        |  |
|------------------------|--|
| DATE                   | March 22, 2023   |
| TO                     | Board for Decision   |
| FROM                   | Jason Ong, Director, Registration  |
| SUBJECT                | Registration Ancillary Fee Review and Recommendations                                  |
| LINK TO STRATEGIC PLAN | Process – We have efficient and effective systems in place to enable modern regulation |

**PURPOSE:** To update and make recommendations to the Board on Registration ancillary fees for Fiscal 2024.

**RECOMMENDATION:** That all registration ancillary fees remain unchanged for Fiscal 2024.

## BACKGROUND

The Professional Governance Act Section 47 allows for the Board to make bylaws to set fees associated with the admissions and examination processes. Fees are described in their associated sections of the bylaws and the amounts of all fees referenced in the bylaws are set out in Schedule C – Fees, Section 1.1.

Appendix F provides ancillary fees for individual registrants as set out in Schedule C of the bylaws.

## DISCUSSION

### NO INCREASES RECOMMENDED FOR INDIVIDUALS REGISTRATION ANCILLARY FEES

An analysis and benchmarking of existing ancillary application fees has been conducted. For Fiscal 2024, no increase is recommended.

The application fee for first-time applicants was increased by \$25.00 in 2019 to \$475.00 for first-time applicants and \$325.00 for trainees applying for professional registration. In comparison to application fees for other engineering and geoscience regulators across Canada, EGBC application fees are comparable. An adjustment to these fees will be considered for FY2025.

An analysis of application intake over the last three calendar years has shown consistent volume growth. For calendar 2022, there was a 12% increase over calendar 2021 in applications for all first-time designations combined (4,403 first-time applications).

Applications from those holding equivalent designations in other provinces remained high in calendar 2022 with 1,812 applications from designated individuals. In comparison with prior calendar years, applications for reinstatement of status from resigned or cancelled former registrants remained high with 1,043 applications received in calendar 2022.

For the remainder of Fiscal 2023, application volumes are forecasted to increase by 3%.

## RECOMMENDATIONS

Staff recommends that all registration ancillary fees for individual registrants remain unchanged for Fiscal 2024.

## APPENDIX F – Schedule C - Individuals

## Schedule C – Fees

### 1.1 Fees for Individual Registrants

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

| <b>Fee Description</b>  | <b>Current Amount</b> |
|---|-----------------------|
| b. after 6 months and within 18 months of resignation, removal or conversion to non-practising registration                       | <b>\$100.00</b>       |
| c. over 18 months after resignation, removal or conversion to non-practising registration   | <b>\$300.00</b>       |
| <b>Application fee for reinstatement as a Trainee, non-practising Registrant, life member or life limited licensee Registrant</b> | <b>\$50.00</b>        |
| <b>EXAMINATION FEES</b>   |                       |
| <b>Examination fee for Trainee (EIT/ GIT) Applicant</b>   |                       |
| a. Per Examination  | <b>\$360.00</b>       |
| b. Defer Examination to a subsequent session  | <b>\$220.00</b>       |
| c. Request Examination Re-read per Examination  | <b>\$200.00</b>       |
| <b>Examination fees for designated structural engineer Applicant</b>  |                       |
| a. BC Codes and Practices Examination   | <b>\$500.00</b>       |
| b. Institution of Structural Engineers Chartered Membership Examination   | <b>\$1,000.00</b>     |
| <b>Examination fee for professional licensee engineering/ professional licensee geoscience Applicant</b>                          |                       |
| a. Per Examination  | <b>\$360.00</b>       |
| b. Defer Examination to a subsequent session  | <b>\$220.00</b>       |
| c. Request Examination Re-read per Examination  | <b>\$330.00</b>       |
| <b>Professional Practice Examination fee for all applicable Applicants or Registrants</b>   |                       |
| a. Multiple Choice and Essay sections   | <b>\$260.00</b>       |
| b. Re-take Essay section only (if Multiple Choice section passed)   | <b>\$0.00</b>         |
| <b>INTERVIEW FEES</b>   |                       |
| <b>Interview fee for all applicable Applicants</b>  |                       |
| a. In-person interview at EGBC office   | <b>\$0.00</b>         |
| b. Rescheduling (For applicant-initiated postponement or cancellation of a confirmed interview)                                   | <b>\$200.00</b>       |
| c. Remote Interview by Videoconference  | <b>\$200.00</b>       |
| <b>Interview fee for reinstatement as a Professional Registrant</b>   |                       |
| a. In-person interview at EGBC office   | <b>\$0.00</b>         |
| b. Rescheduling (For applicant-initiated postponement or cancellation of a confirmed interview)                                   | <b>\$200.00</b>       |
| c. Remote Interview by Videoconference  | <b>\$200.00</b>       |



| Fee Description  | Current Amount             |
|--|----------------------------|
| <b>COURSE FEES</b>   |                            |
| <b>Course fee for Professional Engineering and Geoscience in BC Seminar for all applicable Applicants or Registrants</b>     | <b>\$275.00</b>            |
| <b>Course fee for Working in Canada Seminar</b>  |                            |
| - Per unit   | <b>\$50.00</b>             |
| - Four-unit Seminar  | <b>\$200.00</b>            |
| <b>REGISTRATION &amp; DESIGNATION FEES</b>   |                            |
| <b>Registration fee for registration as an individual Registrant (other than a Trainee)</b>                                  | <b>\$270.00</b>            |
| <b>Designation fee for designation as a designated structural engineer</b>   | <b>\$200.00</b>            |
| <b>ANNUAL FEES</b>   |                            |
| <b>Annual fee</b>  |                            |
| Trainee (EIT/GIT)  |                            |
| a. Full Fee  | <b>\$286.00</b>            |
| b. 2024 Reduced Fee for Hardship   | <b>\$143.00</b>            |
| c. Medically unable to work  | <b>\$0.00</b>              |
| Professional Registrant  |                            |
| a. Professional Engineer/Professional Geoscientist Full Fee  | <b>\$520.00</b>            |
| b. Professional Engineer/Professional Geoscientist 2024 Reduced Fee for Hardship   | <b>\$260.00</b>            |
| c. Professional Licensee Engineering/Professional Licensee Geoscience Full Fee   | <b>\$468.00</b>            |
| d. Professional Licensee Engineering/Professional Licensee Geoscience 2024 Reduced Fee for Hardship                          | <b>\$234.00</b>            |
| Non-practising Registrant  |                            |
| a. Professional Engineer/Professional Geoscientist   | <b>\$130.00</b>            |
| b. Professional Licensee Engineering/Professional Licensee Geoscience  | <b>\$117.00</b>            |
| c. Registrant medically unable to work (non-practising)  | <b>\$0.00</b>              |
| <b>Annual fee for a Registrant granted enrolment/ registration at some time other than beginning of annual renewal cycle</b> | <b>Prorated annual fee</b> |
| <b>REPLACEMENT / ADDITIONAL FEES</b>   |                            |
| <b>Additional Manual Seal</b>  |                            |
| a. 30 mm Rubber Stamp  | <b>\$30.00</b>             |
| b. 30 mm Self Inking Stamp (black ink unless specified)  | <b>\$50.00</b>             |

| <b>Fee Description</b>   | <b>Current Amount</b>                              |
|--|--|
| c. 50 mm Rubber Stamp  | <b>\$35.00</b>                                     |
| d. 50 mm Self Inking Stamp (black ink unless specified)  | <b>\$55.00</b>                                     |
| e. Long Reach Seal   | <b>\$85.00</b>                                     |
| f. Professional Licensee Rubber Stamp  | <b>\$40.00</b>                                     |
| g. Professional Licensee Self Inking Stamp   | <b>\$50.00</b>                                     |
| Rush Order Fee for Stamp Order   | <b>\$20.00</b>                                     |
| <b>Additional certificate of registration</b>  | <b>\$25.00</b>                                     |
| <b>Rush Order Fee for Certificate Order</b>  | <b>\$20.00</b>                                     |
| <b>LATE FEES</b>   |  |
| <b>Late fee for failure to pay annual fee</b>  | <b>15% of Annual fee for Registration category</b> |
| <b>Late fee for failure to pay a special assessment</b>  | <b>15% of Special assessment fee</b>               |
| <b>Late reporting fee for:</b>   | <b>\$100.00</b>                                    |
| a. Failure to provide certain information published on the register or personal and unique email address   |  |
| b. Failure to submit a completed CEP Declaration   |  |
| <b>Late exemption fee for failure to request an exemption to any CEP requirements prior to April 30</b>  | <b>\$50.00</b>                                     |
| <b>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)</b> | <b>\$200.00</b>                                    |
| <b>RECONSIDERATION AND REVIEW ON THE RECORD FEES</b>   |  |
| <b>Reconsideration fee</b>   | <b>\$150.00</b>                                    |
| <b>Review on the record fee</b>  | <b>\$500.00</b>                                    |



|                           |   |
|---------------------------|---|
| DATE                      | March 7, 2023   |
| REPORT TO                 | Board for Decision  |
| FROM                      | Kelly Dayman, P.L.Eng., Associate Director, Regulation of Firms               |
| SUBJECT                   | Regulation of Firms Ancillary Fee Review and Recommendations                  |
| LINKAGE TO STRATEGIC PLAN | We have efficient and effective systems in place to enable modern regulation. |

|         |  |
|---------|--|
| Purpose | To update and make recommendations to the Board on Regulation of Firms ancillary fees for Fiscal 2024. |
|---------|--|

## BACKGROUND

The Professional Governance Act Section 47 allows for the Board to make bylaws to set fees for admission as a registrant which includes Registrant Firms. Fees are described in their associated sections of the bylaws and the amounts of all fees referenced in the bylaws are set out in Schedule C – Fees, Section 1.2.

Appendix H provides ancillary fees for Registrant Firms as set out in Schedule C of the bylaws.

The Regulation of Firms – Permit to Practice program was launched July 2, 2021, at the time of writing, it has been operating for a little over a year and a half.

## DISCUSSION

The Regulation of Firms – Permit to Practice program revenue per Registrant Firm continues to be in-line with the projections made in the Board-approved business plan. There are currently over 4350 Permits to Practice in good standings.

## RECOMMENDATIONS

The FY2024 fiscal year budget guidelines approved by the Board, specifically items number 1. and 2. require that:

1. All initiatives and expenditures are aligned to the Strategic Plan.

2. Revenue sources, including registrant fees, are reviewed and analyzed with a financial sustainability mindset, which includes the following elements:

- i. Consider a fee increase to cover inflation
- ii. Consider all revenue sources and expected growth for registrant and firm related fees
- iii. Distinction between single year versus sustained revenue sources
- iv. Consider any potential fluctuation or interruption of revenue sources

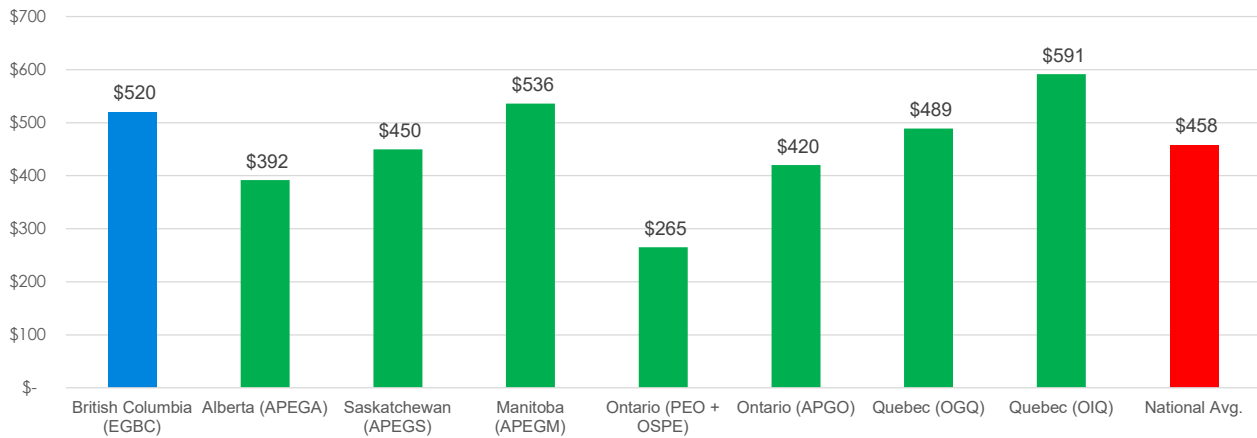
The Regulation of Firms ancillary fees in place are sufficient to sustain the Permit to Practice program and the ancillary support activities provided by the other departments. Therefore, for fiscal year 2024 the recommendation is that no changes be made to the Regulation of Firms ancillary fees.

#### **APPENDIX H – Schedule C - Firms**

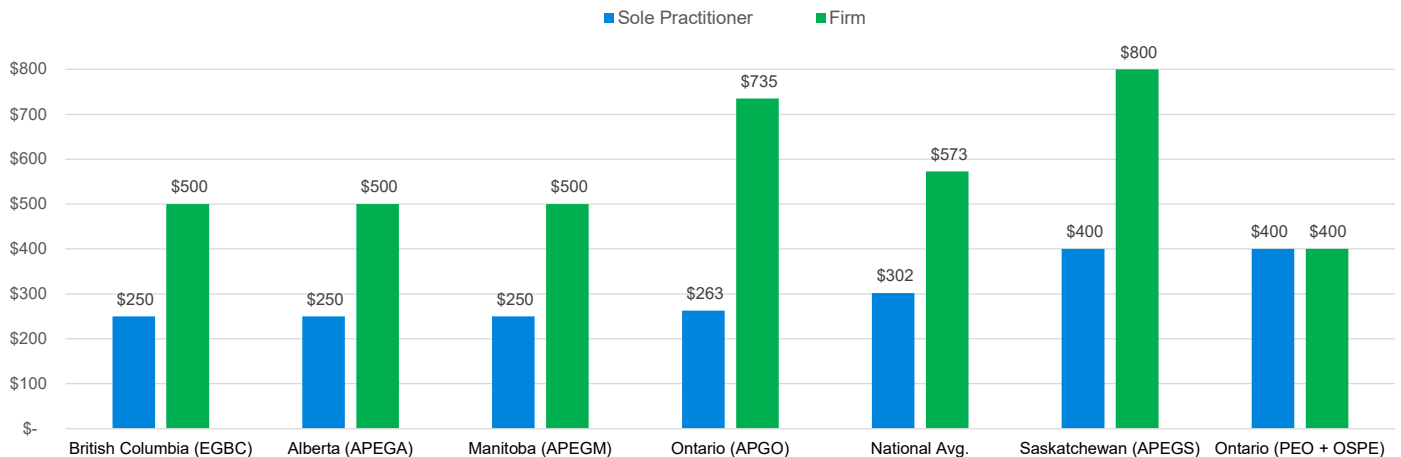
## Schedule C – Fees, Section 1.2 Fees for Registrant Firms

|  |  |
|--|--|
| <b>APPLICATION FEE</b>   |  |
| Application fee for Registration as a Registrant Firm  | <b>\$350.00</b>  |
| <b>ANNUAL FEES</b>   |  |
| Annual fee for Registrant Firm   |  |
| a. Registrant Firms with only one Professional Registrant employed by or under contract with the Registrant Firm:  | <b>\$250.00</b>  |
| b. Registrant Firms with more than one Professional Registrant employed by or under contract with the Registrant Firm, or Registrant Firms that are sole practitioners with more than 2 Trainees employed by or under contract with the Registrant Firm: | <b>\$500*SQRT(n), where n = # of Professional Registrants and Trainees, but does not include non-practising individual Registrants employed by or under contract with the Registrant Firm.</b> |
| Annual fee for a Registrant Firm granted enrolment/ registration at some time other than beginning of annual renewal cycle   | <b>Prorated, based on annual fee formula.</b>  |
| <b>[Repealed 2021-06-25]</b>   |  |
| <b>SPECIAL ASSESSMENTS</b>   |  |
| Special assessments (if any)   |  |
| <b>LATE FEES</b>   |  |
| Late fee for failure to pay annual fee   | <b>15% of Annual Fee of each category above</b>  |
| Late fee for failure to pay a special assessment   | <b>15% of special assessment</b>   |
| Late reporting fee for failure to provide:   | <b>\$100.00</b>  |
| a. Certain information published on the register   |  |
| b. Personal and unique email addresses for all Responsible Officers and Responsible Registrants  |  |
| Late completion fee for Regulation of Firms Training Program (for each Responsible Registrant who completes the Program late)  | <b>\$200.00</b>  |
| <b>REVIEW ON THE RECORD FEE</b>  |  |
| Review on the record fee   | <b>\$500.00</b>  |

### Engineers and Geoscientists BC and other Provincial Associations Individual Registrant Fee at March 2023



### Engineers and Geoscientists BC and other Provincial Associations Firm Permit to Practice or Certificate of Authorization Fees at March 2023



**Engineers and Geoscientists BC**  
**Draft FY2024 Budget**  
**Capital Budget Spending**

| Category                      | Amount ('000's) | Amortization period | Comments  |
|-------------------------------|-----------------|---------------------|---|
| Hardware                      | 258             | 3 years             | Mainly to refresh of servers and old hardware previously deployed to staff and new hardware for new hires and board.                                    |
| Intangible Assets             | 300             | 3 years             | Internal software development to support the improvement and expansion of IS infrastructure to support various new programs and requirements under PGA. |
| Furniture and fixtures        | 146             | 10 years            | Building repair items as per Stantec's building report and schedule. Office furniture improvement project   |
| <b>Total Capital spending</b> | <b>704</b>      |                     |   |



## OPEN SESSION

### ITEM 6.4(a)

|                           |  |
|---------------------------|--|
| DATE                      | April 5, 2023  |
| REPORT TO                 | Board for Decision   |
| FROM                      | Executive Sub-Committee<br>Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer  |
| SUBJECT                   | Engineers Canada 2025 Per Capita Assessment Fee  |
| LINKAGE TO STRATEGIC PLAN | We demonstrate to our registrants and stakeholders, through tangible actions, that we are a trusted regulator focused on protecting the public interest. |

|         |  |
|---------|--|
| Purpose | To review the proposed change of the Engineers Canada 2025 per capita assessment fee.  |
| Motion  | That the Board instruct its Member representative (i.e. the Engineers and Geoscientists BC Board Chair or their designate) to vote to accept that the proposed 2025 Per Capita Assessment Fee, would remain at \$8 per Registrant at the Engineers Canada AGM in May 2023. |

## BACKGROUND

Engineers Canada for over 80 years have worked on the behalf of the provincial and territorial regulators that regulate engineering practice and license the registrants in Canada for the engineering profession. Their work is focused on accreditation of undergraduate engineering programs, facilitation and fostering working relationships amongst the provincial regulators, provide national programs, harmonize common areas of regulation, advocate to the federal government and much more. In order to perform such work, a per capita assessment fee is charged to each regulator based on the number of registrants their organization has.

The fees were adjusted for the 2024 budget, from \$10.80 to \$8 per registrant, as approved by the meeting of members at the May 2022 AGM. At its December 12, 2022 meeting, the Engineers Canada Board agreed to recommend to the Members (i.e. the provincial regulators) that the 2025



Per Capita Assessment Fee would remain at \$8 per registrant. This recommendation will be going to the Members for their approval at the meeting of Members at the AGM in May 2023.

## **DISCUSSION**

Engineer's Canada is looking to maintain the registrant fees at \$8 per registrant from 2024. The organization does not see any issues or risks surrounding this. Please note that Engineer's Canada's fiscal year goes from Jan 1<sup>st</sup> to Dec 31<sup>st</sup>.

This was discussed with the Executive Sub-Committee on March 29, 2023, who is recommending this motion below.

## **RECOMMENDATIONS**

As there are no issues or risks around this suggestion, it is recommended that Engineers and Geoscientists BC vote to accept this change the AGM in May 2023.

## **MOTION**

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



## OPEN SESSION

### ITEM 6.4(b)

|                           |  |
|---------------------------|--|
| DATE                      | April 5, 2023  |
| REPORT TO                 | Board for Decision   |
| FROM                      | Executive Sub-Committee<br>Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer  |
| SUBJECT                   | Engineers Canada Bylaw Amendment   |
| LINKAGE TO STRATEGIC PLAN | We demonstrate to our registrants and stakeholders, through tangible actions, that we are a trusted regulator focused on protecting the public interest. |

|         |  |
|---------|--|
| Purpose | To review the proposed change of the Engineers Canada Bylaws, as submitted by Engineers Nova Scotia, to be discussed at the annual meeting of Members (AMM), on May 27, 2023.  |
| Motion  | That the Board instruct its Member representative (i.e. the Engineers and Geoscientists BC Board Chair or designate) to vote to accept the proposed Engineers Canada By-Law Amendment at the Engineers Canada AGM in May 2023. |

## BACKGROUND

Engineers Nova Scotia has put forward a Briefing Note regarding an Engineers Canada Bylaw Amendment for the Engineers Canada annual meeting of members in May 2023. It is supported by the Atlantic Regulators (NS, NL, NB, and PEI) and is attached to this report as **APPENDIX A**. It is highly recommended that you read the briefing note, as it provides additional context for the Bylaw amendment.

As a summary, all four Atlantic Regulators believe that (paraphrased from the briefing note):

- the “2/3-60% Majority” requirement to pass resolution on all questions arising at a meeting initially put in place does not reflect the intent of the Federation (now or into the future).

- the purpose of Engineers Canada is to serve the **collective interests** of the Regulators. The voting model does not reflect this, as the Bylaws require votes to also represent a minimum of sixty percent of Registrants within the Federation.
- Regulators do not, and should not, put the needs or wants of their Registrants ahead of effective regulation of the profession and the public interest.
- Adopting a more equitable governance framework, which grants equal weight to the vote of each Member, will lead to a more united profession.

It is also noted in the briefing note, “...*The dysfunction of the current model was clearly evident at the meeting of Members held in May 2022, when 10 of 12 Regulators – a significant representation of the **collective interest** of the Regulators - voted for a change but could not affect it. Even though the proposed motion would have little to no impact on Registrants, two Regulators representing more than 40% of Registrants opposed the motion...*”.

As a result of this perspective, Engineers Nova Scotia is proposing an amendment to the Bylaws.

Members will be asked to vote on the following motion:

(a) THAT the term and definition of “2/3-60% Majority” in Section 1.1 of the Engineers Canada Bylaw be deleted and replaced with the following:

“3/4 Majority” means a resolution passed by a minimum of three-quarters of the Members voting.”

(b) AND THAT the references to “2/3-60% Majority” in Articles 2.1(m) and 3.4(2) of the Engineers Canada Bylaw be replaced with the term “3/4 Majority”.

**APPENDIX A** includes the specifics to Engineers Canada’s Bylaw amendment (red-lined). Please note that this issue was discussed ad hoc at a CEO’s meeting in January 2023, and a draft version was provided to all regulators in advance of submission to Engineers Canada as part of the 2023 Annual Members’ Meeting agenda.

## DISCUSSION

This topic was indeed discussed with the CEOs in January 2023. Conversation surrounded the May 2022 vote, where even though 83% of the votes were in support of that motion, it did not pass due to the % of Registrants requirement. No motions will pass at the meeting of members as long as Quebec and Ontario do not support. That was demonstrated at the May 2022 meeting of members, and this resonated with the CEOs. Additional discussions also included what is good/effective governance, supporting the direction set out by provincial Councils, what decisions (other than board size) would an alternate voting model make a change? It was also noted that bringing the voting model proposed changes back to the meeting of members, with the current Bylaws, would likely be defeated unless Ontario or Quebec supported the motion.

As CEO of Engineers and Geoscientists BC, I support the Bylaw amendment change set out by Engineers Nova Scotia. I do not see any risks to our organization with this change. I do not see any risks to Engineers Canada with this change. I agree with the Atlantic provinces, and support that the change will serve the collective interests of the Regulators to regulate in the public interest (not their registrants), and provides for a more equitable governance framework. However, I am not optimistic, as Ontario and/or Quebec will need to also agree in order for this motion to pass at the meeting of members (and this will highly be unlikely).

This was discussed with the Executive Sub-Committee on March 29, 2023, who is recommending this motion below.

## **RECOMMENDATIONS**

It is recommended that Engineers and Geoscientists BC vote to accept this change in the AGM in May 2023.

## **MOTION**

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

**ATTACHMENT A – BRIEFING NOTE: For decision by the Members – Engineers Canada Bylaw amendment**



### BRIEFING NOTE: For decision by the Members

| Engineers Canada Bylaw amendment |   |
|----------------------------------|---|
| Purpose:                         | To propose an amendment to the “2/3-60% Majority” required for resolutions to pass at Engineers Canada meetings of Members  |
| Motions to consider:             | <p><i>(a) THAT the term and definition of “2/3-60% Majority” in Section 1.1 of the Engineers Canada Bylaw be deleted and replaced with the following:</i></p> <p><i>“3/4 Majority” means a resolution passed by a minimum of three-quarters of the Members voting.”</i></p> <p><i>(b) AND THAT the references to “2/3-60% Majority” in Articles 2.1(m) and 3.4(2) of the Engineers Canada Bylaw be replaced with the term “3/4 Majority”.</i></p> |
| Vote required to pass:           | 2/3-60% majority (the motion must be supported by a minimum of two-thirds of the Members voting, who represent a minimum of sixty per cent of represented Registrants)  |
| Prepared by:                     | Pal Mann, P.Eng., CEO & Registrar, Engineers Nova Scotia<br>Janet Bradshaw, P. Eng., CEO & Registrar, PEGNL<br>Lia Daborn, CEO & Registrar, APEGNB<br>Jim Landrigan, P.Eng., ED Engineers PEI   |
| Presented by:                    | Denise Pothier, P.Eng., President, Engineers Nova Scotia  |

### Problem/issue definition

#### Background

- Under the Engineers Canada Bylaw, “all questions arising at a meeting of Members require a resolution passed by at least a “2/3-60% Majority.” The term “2/3-60% Majority” is defined in Section 1.1, and requires that all Member resolutions must not only be supported by two-thirds of the Members voting, but that the two-thirds of Members supporting the motion must represent a minimum of sixty percent of Registrants<sup>1</sup>. Unlike Engineers Canada Board meetings at which only specific votes require a “2/3 Majority” (see Engineers Canada Bylaw Sections 5.7 and 5.8), all votes at a meeting of Members – regardless of the question – require a “2/3-60% Majority” to pass.
- All four Atlantic Regulators believe that the “2/3-60% Majority” requirement to pass resolution on all questions arising at a meeting initially put in place does not reflect the intent of the Federation now and into the future.

<sup>1</sup> “Registrants” is defined within the Bylaw as an individual registered with a Member at December 31st, with the exception of applicants, students, and those registered solely as a geoscientist or geoscientist in training.

## Discussion

- In the Articles of Continuance and the [Guiding Principles](#), the purpose of Engineers Canada is to **serve the collective interests of the Regulators**, to promote and maintain the interests, honour, and integrity of the Canadian engineering profession, and to do all such lawful things as are incidental to or conducive to the attainment of the foregoing, including to **serve the Regulators** and strengthen the profession by:
  - Accrediting undergraduate engineering programs.
  - Facilitating and fostering working relationships between and among the Regulators.
  - Providing services and tools that enable the assessment of engineering qualifications, foster excellence in engineering practice and regulation, and facilitate mobility of practitioners within Canada.
  - Offering national programs.
  - Advocating to the federal government.
  - Actively monitoring, researching, and advising on changes and advances that impact the Canadian regulatory environment and the engineering profession.
  - Managing risks and opportunities associated with mobility of work and practitioners internationally.
  - Fostering recognition of the value and contribution of the profession to society and sparking interest in the next generation of professionals.
  - Promoting diversity and inclusivity in the profession that reflects Canadian society.
  - Protecting any word(s), mark, design, slogan, or logo, or any literary, or other work, as the case may be, pertaining to the engineering profession or to its objects
- Of these ten (10) “core purposes,” only one, “*Offering national programs*”, focuses on direct support of all ~300,000 individual Registrants across Canada. The other nine (9) focus on supporting the work of provincial and territorial Regulators equally. Engineers Canada’s prime business is focused on delivering outcomes for the Regulators that support the regulation of engineering, not on delivering outcomes for individual Registrants.
- To fund this service to all Regulators, Engineers Canada uses *per capita* funding proportional to provincial and territorial registration numbers, and affinity program funding generated by participating Regulators, in an **equitable** funding model. This revenue supports all Regulators **equally**; the functional and program needs of a small Regulator are identical to those of a larger Regulator, albeit at a reduced scale, and decisions made at the Members’ table affects all constituent associations of the Federation equally.
- In a national scan, the voting model described in the Engineers Canada Bylaw differs from the national voting schemes of several national federations of regulators. Voting at these forums is based on one vote per member, with no weighting of votes, or consideration of the size of constituent associations<sup>2</sup>:
  - Geoscientists Canada
  - Chartered Professional Accountants Canada
  - Federation of Law Societies of Canada
  - Canadian Dental Regulatory Authorities Federation
- Regulators do not, and should not, put the needs or wants of their Registrants ahead of effective regulation of the profession and the public interest. As a federation of 12 engineering Regulators, whose common purpose is to ensure competent, licensed, and ethical practice of engineering in the public interest, the two questions that drive this motion are:
  - a. Should Engineers Canada, as a federation of engineering Regulators, be governed by the will of a majority of Registrants, or by the will of a majority of Regulators?

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<sup>2</sup> There is no equivalent national federation for the regulators of physicians and surgeons, or nurses

- b. Should any combination of a minority of Regulators have the ability to defeat a motion simply because they represent more Registrants than the others?
- The dysfunction of the current model was clearly evident at the meeting of Members held in May 2022, when 10 of 12 Regulators – a significant representation of the **collective interest** of the Regulators - voted for a change but could not affect it. Even though the proposed motion would have little to no impact on Registrants, two Regulators representing more than 40% of Registrants opposed the motion.
- Engineers Canada’s equitable funding model asks each Regulator to contribute based on its size<sup>3</sup>. Financial funding, however, is not the only support that Regulators provide to Engineers Canada governance and operations. Person-hours provided by staff and volunteers to the Board, to committees, to groups, to task forces, and to document review, is a significant in-kind contribution - particularly for Regulators with smaller staffs and Registrant bases. Smaller Regulators are taxed to participate appropriately in the various Engineers Canada initiatives; considering the proportional weight of these contributions, all Regulators should be treated equally in the Member decision-making process.
- The equity in Engineers Canada’s funding model should be continued in its voting model. Arguments have been made in support of the existing voting structure that the larger Regulators contribute more funding to Engineers Canada, therefore they should have greater weight in voting. This is an inequitable and non-inclusive governance model.
- To achieve equity in the voting model reflecting the **collective interests** of the Regulators, it is proposed that a **3/4 Majority** of Members voting is required to successfully pass a motion. The 75% threshold, with no caveat on the number of Registrants represented, serves two purposes:
  - a. The higher threshold (3/4 versus 2/3) will reduce any perceived risk of smaller regulators (YK, NT/NU, SK, MB, NB, PE, NS, NL) controlling the agenda as a resolution would require at least one Member from the larger regulators (BC, AB, ON, or QC) to vote in favour for it to be passed; and
  - b. It removes the perception that the Federation of Regulators is controlled by the self-interest of Registrants.
- No amendments are proposed to the voting structure of the Engineers Canada Board as there is no reference to percentage of registrants in the Bylaw; the number Board directors appointed accounts for the number of registrants in each jurisdiction.

### Proposed action/recommendation

- That the Members vote to approve the proposed changes to the Engineers Canada Bylaw.

### Other options considered

- N/A

### Risks

- If resolutions that are put forward and supported by a majority of Regulators that represent less than 60% of the Engineers Canada Registrants continue to be defeated by a minority of Regulators with larger Registrant bases, it will affect the credibility of the Federation as a body that serves the collective interests of the Regulators.

---

<sup>3</sup> When compared as a percentage of annual operating budgets, Engineers Nova Scotia paid the highest percentage of any Regulator in 2021 (just under 5% of the total operating budget), while other Regulators paid between 2%-3% of their total budgets. This analysis was completed using the 2021 Regulator annual reports.

### Financial Implications

- N/A

### Benefits

- Adopting a more equitable governance framework, which grants equal weight to the vote of each Member, will lead to a more united profession; it will foster an equitable and inclusive relationship amongst Members that meets the spirit and intent of a federated model expected in this day and age.

### Consultation

- The CEOs and the councils/boards of the four Atlantic engineering Regulators (Engineers Nova Scotia, Engineers PEI, Professional Engineers and Geoscientists New Brunswick, and Professional Engineers and Geoscientists Newfoundland) contributed to this proposed motion. The issue was discussed during an ad hoc CEO's meeting in January 2023, and a draft version was provided to all regulators in advance of submission to Engineers Canada as part of the 2023 Annual Members' Meeting agenda.

### Next steps (if motions approved)

- The Bylaw will be revised and will take effect at the next meeting of Members.

### Appendix

- **Appendix 1:** Proposed Amendments to the Engineers Canada Bylaw





A Bylaw relating generally to the business and affairs of ENGINEERS CANADA  
BE IT ENACTED as a Bylaw of Engineers Canada as follows:

## **1 INTERPRETATION**

### **1.1 Definitions**

All terms contained herein and which are defined in the Act or the Regulations shall have the meanings given to such terms in the Act or Regulations.

**"Act"** means the *Canada Not-For-Profit Corporations Act*, S.C. 2009, c.23, including Regulations made pursuant to the Act, and any statute or regulations that may be substituted, as amended from time to time.

**"Advisor"** means a person appointed by Board policy to make recommendations and/or provide key information to the Board.

**"Board"** means the Board of Engineers Canada comprised of Directors and Advisors.

**"Board members"** means the Directors and Advisors elected or appointed in accordance with this Bylaw.

**"Chief Executive Officers Group"** means the group comprised of the chief staff officer of each of the Members.

**"Major Capital Project"** means a capital project with a value of more than 10% of the annual operating budget.

**"Member"** means a Member as further defined in Article 2.

**"Per Capita Assessment"** means the annual amount to be paid by each Member as determined by its number of Registrants, as further defined in Article 7.

**"Registrant"** means an individual registered with a Member at December 31, with the exception of applicants, students, and those registered solely as a geoscientist or geoscientist in training.

**"Secretary"** is an office held by the Chief Executive Officer of Engineers Canada or such other person appointed by the Board.

**"Special National Initiative"** means any project or program which would require a special assessment of Members or an increase in Per Capita Assessment and any major capital project.

**"Standards"** means accreditation criteria.

**"Strategic Plan"** means the plan to achieve Engineers Canada's envisioned future.

**"Two-thirds (2/3) Majority"** means a resolution passed by a minimum of two-thirds of the Board directors voting.

~~**"2/3-60% Majority"**~~ **"Three-quarters (3/4) Majority"** means a resolution passed by a minimum of ~~two-thirds~~three-quarters of the Members voting, ~~who represent a minimum of sixty percent of represented Registrants.~~

### **1.2 Interpretation**

In the interpretation of this Bylaw, words in the singular include the plural and *vice-versa*, words in one gender include both genders.

### **1.3 Language**

Equal recognition shall be given to Canada's two official languages in the operation of Engineers Canada. In the event of any inconsistency between the English language text of a Bylaw or other document and the French language text of such Bylaw or other document, the English language text shall govern.

## **2 MEMBERSHIP**

### **2.1 Membership**

Each of the following shall be a Member until such time as its status as a Member is withdrawn or terminated as provided herein, namely:

- (a) Association of Professional Engineers and Geoscientists of Alberta (APEGA);
- (b) Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB);
- (c) Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS);
- (d) Association of Professional Engineers and Geoscientists of the Province of Manitoba (Engineers Geoscientists Manitoba);
- (e) Association of Professional Engineers of Nova Scotia (Engineers Nova Scotia);
- (f) Association of Professional Engineers of Ontario (PEO)
- (g) Association of Professional Engineers of Yukon (Engineers Yukon);
- (h) Northwest Territories Association of Professional Engineers and Geoscientists (NAPEG);
- (i) Ordre des ingénieurs du Québec (OIQ);
- (j) The Association of Professional Engineers and Geoscientists of Newfoundland and Labrador (PEGNL);
- (k) The Association of Professional Engineers and Geoscientists of the Province of British Columbia (Engineers and Geoscientists British Columbia);
- (l) The Association of Professional Engineers of the Province of Prince Edward Island (Engineers PEI); and
- (m) Other provincial or territorial entities established for the purpose of regulating the practice of engineering in any province or territory of Canada as may be approved by a 2/3-60% majority resolution of the Members.

### **2.2 Resignation of Membership**

A Member may resign from membership by notice in writing to the Secretary not less than twelve (12) months prior to the next following Annual Meeting of Members.

### **2.3 Termination of Membership**

- (1) Membership may be terminated if, at a special meeting of the Members called for such purpose, a resolution is passed terminating such membership, provided that the Member shall be granted the opportunity to be heard at such meeting.
- (2) Notwithstanding a resignation or termination of membership, a Member shall remain liable for payment of outstanding and due Per Capita Assessment up to and including the effective date of the resignation or termination.

## **3 MEETINGS OF THE MEMBERS**

### **3.1 Notice of Meeting of Members**

- (1) Notice of the time and place of a Meeting of Members shall be given to each Member entitled to vote at the meeting and to each Director and the public accountant, if applicable, by telephonic, electronic, or other communication facility during a period of 21 to 35 days before the day on which the meeting is to be held. If a Member requests that the notice be given by non-electronic means, the notice will be sent by mail, courier, or personal delivery.
- (2) A special resolution of the Members is required to make any amendment to this Bylaw to change the manner of giving notice to Members entitled to vote at a Meeting of Members.

### **3.2 General and Special Meetings**

Other meetings of the Members, whether special or general, may be convened at any time and place by order of the President or the President Elect or by the Board or on request by any Member.

### 3.3 Error or Omission in Notice

The non-receipt of any notice by any Member or Members shall not invalidate any resolution passed or any proceedings taken at any meeting of Members.

### 3.4 Votes to Govern at Members' Meetings

Each Member present at a meeting shall have the right to exercise one vote. This vote shall be exercised by the current Chair/President of a Member.

- (1) A Member may, by means of a written proxy, appoint a proxy holder to attend and act at a specific meeting of Members, in the manner and to the extent authorized by the proxy.
- (2) All questions arising at a meeting of the Members shall require a resolution passed by at least a ~~2/3~~ 3/4 Majority.
- (3) The Chair of any meeting of Members shall not have the right to vote thereat and, in case of an equality of votes the Chair of the meeting shall have no casting vote and such motion before the Members shall be deemed to be defeated.

### 3.5 Quorum

- (1) A quorum at any meeting of the Members shall be at least two-thirds of the total number of Members, representing at least sixty percent of the total number of Registrants.
- (2) If a quorum is present at the opening of any meeting of Members, the Members present may proceed with the business of the meeting even if a quorum is not present throughout the meeting.

### 3.6 Electronic Voting

Meetings of Members may be held entirely by means of a telephonic, electronic or other communication facility.

### 3.7 Chair

Meetings of the Members shall be chaired by the President of Engineers Canada or a person chosen by the Members.

## 4 DIRECTORS AND ADVISORS

### 4.1 Nomination of Directors

- (1) Each Member shall deliver a list of nominees, who are engineers in good standing, to the Secretary for consideration at the Annual Meeting of Members.
- (2) Only individuals nominated in accordance with this nominations policy are eligible to be a Director.

### 4.2 Composition and Election of Directors

- (a) The number of Directors shall not exceed twenty-three (23).
- (b) Directors shall be elected on the basis of nominations received as follows:
  - Four (4) from the Association of Professional Engineers and Geoscientists of Alberta (APEGA);
  - One (1) from the Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB);
  - One (1) from the Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS);
  - One (1) from the Association of Professional Engineers and Geoscientists of the Province of Manitoba (Engineers Geoscientists Manitoba);
  - One (1) from the Association of Professional Engineers of Nova Scotia (Engineers Nova Scotia);
  - Five (5) from the Association of Professional Engineers of Ontario (PEO);

One (1) from the Association of Professional Engineers of Yukon (Engineers Yukon);  
One (1) from the Northwest Territories Association of Professional Engineers and Geoscientists (NAPEG);  
Four (4) from l'Ordre des ingénieurs du Québec (OIQ);  
One (1) from the Association of Professional Engineers and Geoscientists of Newfoundland and Labrador (PEGNL);  
Two (2) from the Association of Professional Engineers and Geoscientists of British Columbia (Engineers and Geoscientists British Columbia);  
One (1) from the Association of Professional Engineers of the Province of Prince Edward Island (Engineers PEI).

#### **4.3 Advisors**

- (1) The Board may establish policy to appoint persons as Advisors.
- (2) Advisors shall, upon invitation by the Board, be entitled to attend and participate in discussions at meetings of the Board, in whole or in part (as determined by the Board), but shall not have the right to vote thereat.
- (3) Advisors may perform such other duties as shall from time to time be requested by the Board.

#### **4.4 Remuneration and Expenses**

- (1) Board members shall serve without remuneration.
- (2) Board members shall not receive any financial gain by virtue of serving as a Board member.
- (3) Board members may be reimbursed for reasonable expenses incurred in the performance of duties.

#### **4.5 Filling Vacancies**

A vacancy occurring in the Board shall be filled by the Members from a list of nominees from the Member that nominated the Director who has left the Board and the Director appointed to fill the vacancy shall hold office for the remainder of the term of the Director who left the Board.

#### **4.6 Term Limits**

- (1) Directors shall be elected to the Board for a term of three (3) years.
- (2) No Director may be elected to the Board for more than two (2) terms, or a lifetime maximum of six (6) years.
- (3) The foregoing term limits shall not apply to a Director who is elected or confirmed, as applicable, to hold office as President-Elect, President, or Past President prior to the expiration of their second term, in which case they may continue on the Board until they have finished serving as Past President.
- (4) The Members shall have the authority to extend a Director's term beyond those described above, in extenuating circumstances, in order to ensure effective governance.

### **5 MEETINGS OF THE BOARD**

#### **5.1 Number of meetings**

The Board shall hold at least one meeting per fiscal year and as many additional meetings as are deemed necessary, for the purpose of transacting the business of Engineers Canada.

#### **5.2 Notice**

The President, the President-Elect, or any five (5) Directors may at any time convene a meeting of the Board.

### 5.3 Open meetings

- (1) Except as provided for in this section, all meetings shall be open to the Members, Advisors, and invited observers.
- (2) A meeting or part of a meeting may be closed to the Members, Advisors, or invited observers by the Chair of the meeting at his or her discretion if the subject matter being considered concerns:
  - (a) the security of Engineers Canada;
  - (b) personal matters about an identifiable individual;
  - (c) the proposed or pending acquisition of assets by Engineers Canada;
  - (d) litigation or potential litigation;
  - (e) the receiving of advice that is subject to solicitor-client privilege, including communications necessary for that purpose; and
  - (f) any other matter which the Board determines.

### 5.4 Quorum

- (1) At any meeting of the Board, a majority of the total number of Directors shall constitute a quorum. Provided a quorum is present at the beginning of a meeting, the meeting may continue or adjourn even though Directors leaving reduce the number to less than a quorum.
- (2) Directors who have declared a conflict of interest on a particular question shall be counted in determining a quorum. Notwithstanding any vacancy among the Directors, a quorum of the Board may exercise all the powers of the Board.

### 5.5 Voting

- (1) Each Director shall have one vote at meetings of the Board.
- (2) Any question arising at a meeting of the Board shall be decided in accordance with *Robert's Rules of Order*, unless otherwise provided in this Bylaw.

### 5.6 Absentee Directors

If a Director is absent from a meeting of the Board, the Member that nominated that Director may send an observer. Such observer may participate in discussions.

### 5.7 Approvals Requiring Two-thirds Majority

A Board resolution passed by a majority of not less than two-thirds of the votes cast on that resolution is required to make a decision in respect of the following matters:

- (a) Board Recommendations required in section 5.8;
- (b) Approval of the Budget or any amendments thereto;
- (c) Adoption, amendment, or repeal of any Board policies or procedures;
- (d) Adoption, amendment, or repeal of Standards; and
- (e) Board decisions in respect of any litigious or potentially litigious matters that may endanger the organization's public image, credibility, or its ability to fulfill the purposes.

### 5.8 Board Recommendations

The Board shall submit recommendations to the Members on the following matters, by a vote passed by a majority of not less than two-thirds of the votes cast, provided that no decision in respect thereof shall have any force or effect until approved by the Members in accordance with section 3.4 of this Bylaw:

- (a) Approval of the Strategic Plan;
- (b) The amount of the Per Capita Assessment;
- (c) Approval of Special National Initiatives; and

- (d) Amendment or repeal of the Articles of Continuance (which includes changes to Engineers Canada's name and purposes) or Bylaw.

#### 5.9 Minutes of Meetings

The minutes of all meetings of the Board shall be sent to all Board members and to all Members.

### 6 OFFICERS

- 6.1 The officers shall be the President, the President-Elect, the Past President, the Chief Executive Officer, the Secretary and such other officers as the Board may from time to time by resolution determine.
- 6.2 Any officer may be removed at any time by a two-thirds majority resolution of the Board.

### 7 PER CAPITA ASSESSMENT

- 7.1 Prior to January 31st of each year, each Member shall report the number of Registrants in its association.
- 7.2 No later than January 1st of each year, the Board shall recommend to the Members the amount of the Per Capita Assessment that will be in effect on the second following January 1st. The Members will consider the recommendation and finalize the amount of the Per Capita Assessment no later than July 1st of each year with the decision by the Members to take effect on the second following January 1st (18 months notice).
- 7.3 Each Member shall pay to Engineers Canada the Member-approved Per Capita Assessment per Registrant within two months of receipt of invoice for same or pursuant to payment schedule reflective of the Member's registrant payment schedule.
- 7.4 In the event that the Members are unable to finalize the amount of the Per Capita Assessment by July 1<sup>st</sup>, the Per Capita Assessment last determined by the Members shall remain in effect.

### 8 AUDITOR

- 8.1 The Members shall appoint a chartered professional accountant (CPA) licensed to practise public accounting in Ontario as auditor of Engineers Canada annually.
- 8.2 The auditor shall audit the accounts of Engineers Canada after the close of the fiscal year and make a report thereon, and on the financial statements of Engineers Canada, to the Members at the Annual Meeting of Members.

### 9 FISCAL YEAR

- 9.1 The financial year of Engineers Canada shall be the calendar year.

### 10 RULES OF ORDER

- 10.1 In all cases for which no specific provision is prescribed by law or made in the Bylaw, the rules and practice of the latest edition of *Robert's Rules of Order* shall govern as far as applicable, provided that no action shall be invalid by reason only of a failure to adhere to such rules.

### 11 AMENDMENT OF BYLAW

- 11.1 A proposal for the amendment or repeal of the Bylaw may be put forward by a Member.

## OPEN SESSION

### ITEM 6.5

|                           |   |
|---------------------------|---|
| DATE                      | April 4, 2023   |
| REPORT TO                 | Board for Information   |
| FROM                      | Michelle Cheng, Manager, Examinations and Geoscience<br>Jason Ong, Director, Registration   |
| SUBJECT                   | Multi-Jurisdictional Online Exam Pilot  |
| LINKAGE TO STRATEGIC PLAN | <u>Strategic Imperatives</u> <ul style="list-style-type: none"> <li>Process: We have efficient and effective systems in place to enable modern regulation.</li> </ul> |

|         |  |
|---------|--|
| Purpose | To inform the Board on the pilot performance of the multi-jurisdictional online academic/technical exam pilot program led by Engineers and Geoscientists BC and the operational decision to proceed with the recommended option. |
| Motion  | No motion required. For information only.  |

## BACKGROUND

Prior to 2020, academic exams have traditionally been provided by PEO using a paper-based, in-person format that was offered semi-annually. In July 2020, Engineers and Geoscientists BC (“EGBC”) launched an initiative to explore and offer online technical exams as our engineering exam content provider, PEO, had been unable to run exam sessions due to public health measures with COVID-19. Exams at the scheduled May 2020 session were cancelled and it was uncertain if there would be further cancellations for future sessions.

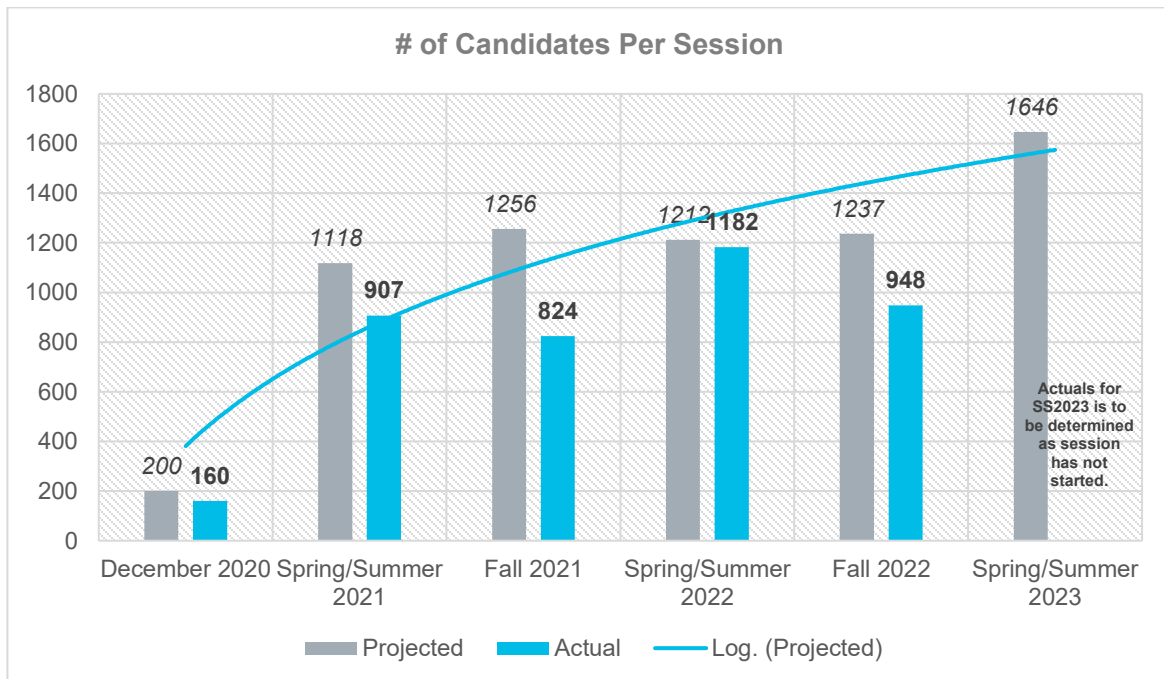
This resulted in Registration staff (“the EGBC Exam Team”) implementing the first session of online, virtually proctored academic examinations in December 2020 for BC candidates only. After the success of the session, EGBC led the Online Academic Exams Pilot (the “Pilot”), a 3-year pilot partnership with APEGA and PEO to provide virtually proctored exams for exam candidates applying through any one of these jurisdictions. Partway through the Pilot, other engineering/geoscience regulators across Canada signed on to participate.



## UPDATE

EGBC has developed expertise and a specialized skillset in online exam administration and is now recognized as a leader in this area, particularly with its unique ability to offer 150+ different exam topics each session, which requires significant coordination with other regulators, candidates and service providers. The EGBC Exam Team has developed and improved on the Pilot processes and features, and continuously works in improving this unique program that has provided 4,021 individual exam sittings to date. In the upcoming Spring/Summer 2023 session, it is projected to be the largest online exam session yet, with an increase in exam registration in Ontario. See Figure 1 below for an overview of exam volumes by session.

Figure 1: Number of Candidates per Session (Projected vs Actual)



It has been highlighted by participating regulators that the online academic exams have a significant positive impact on registration practices across Canada. Participating regulators have indicated their desire to continue participation in the program. It is also notable that virtual proctoring of exams has provided more definitive evidence of exam cheating and misconduct that would otherwise be difficult to support in an in-person setting.

## LOOKING AHEAD

The EGBC Exam Team conducted an in-depth analysis of five main options for the Executive team to consider for the future of the Pilot. To explore the recommended option, best-case, worst-case and likely-case scenarios are provided to account for various uncertainties in the changes in the regulation in BC and across Canada. The report also discusses long-term program sustainability to leverage EGBC's expertise and further expand the program to support other regulatory exam topics and to make changes in its pricing strategy. See *Appendix A – Report on Online Exams Program Continuation* for a version of the report.



On April 3, 2023 an operational decision has been made that the Pilot be extended by one-year through 2024 with the intent to adopt the online exam program as a permanent program.

#### **APPENDIX A – Report on Online Exams Program Continuation**

Report on Analysis and  
Recommendations for Program  
Continuation

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# ONLINE ACADEMIC EXAMS PILOT: UPDATE TO BOARD

MARCH 31, 2023

Prepared by:

Michelle Cheng

Manager, Examinations and Geoscience



ENGINEERS &  
GEOSCIENTISTS  
BRITISH COLUMBIA

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## 1.0 EXECUTIVE SUMMARY

The Online Academic Exams Pilot (the “Pilot”) is concluding at the end of December 2023 and activities to renew the pilot or adopt the program must occur in the coming months to ensure appropriate resources and budgets are secured.

Over the past two fiscal years, the Pilot has demonstrated healthy performance with a steady number of candidates per session. Currently for FY2023, the Pilot is on-track to meet (or exceed) the FY2023 forecast expectations.

Engineers and Geoscientists BC (“EGBC”) has developed expertise and a specialized skillset in online exam administration and is recognized as a leader in this area. It has been highlighted by participating regulators that the online academic exams have a significant positive impact on registration practices across Canada. Participating regulators have indicated their desire to continue participation in the program.

This report provides an analysis of five main options to consider for the future of the Pilot to support the Executive team with their decision-making and identifies a recommended option: to extend the Pilot by one-year with the intent to adopt the online exam program as permanent.

To explore the recommended option, best-case, worst-case and likely-case financial scenarios are provided to account for various uncertainties in the changes in the regulation in BC and across Canada. The analysis provides insight into key performance indicators to monitor the program performance over time, and to better enable EGBC to mitigate risks due to uncertainty.

To address risk and uncertainty concerns, the report discusses long-term program sustainability to but also to leverage EGBC’s expertise to further expand the program to support other regulatory exam topics and to make changes in its pricing strategy.

In order to pursue the recommended option, the following key decisions from the Executive Team is required before the end of FY2023.

| <b>Milestone</b>  | <b>Deadline</b> |
|---|-----------------|
| <b>Executive Team to review and discuss report and proposal</b> | March 10, 2023  |
| <b>Add report to April 2023 Board agenda (for information)</b>  | March 16, 2023  |
| <b>April 2023 Board Meeting</b>                                 | April 23, 2023  |
| <b>Pilot extension confirmation to Dec 2024</b>                 | April 30, 2023  |

## 2.0 BACKGROUND

### OVERVIEW

This report identifies potential scenarios and options for the Online Academic Exams Pilot (“the Pilot”), with financial, resource and risk analyses for each case. This intent is to support the Executive team with the information necessary to make an informed decision on the future of the Pilot.

With the rapid growth and development of the Pilot, our team believes Engineers and Geoscientists BC (“EGBC”) has developed an expertise in exam administration and can continue to build and support the program for all participating engineering/geoscience regulators. The next steps and decisions will be instrumental in the direction of the program.

The Online Academic Exams pilot is concluding at the end of December 2023 and activities to renew the pilot or adopt the program must occur in the coming months to ensure appropriate resources and budgets are secured.

We need a decision on **adopting the program as permanent or extending the pilot program by Q4 FY2022/2023** to ensure:

- EGBC can begin improving operations for the program
- Timely renewal or modification of employee contracts (2 exam assistants)
- Timely renewal of service provider contracts.

### ALIGNMENT WITH THE STRATEGIC PLAN

| Future Ready  | Social Responsibility  | Collaboration Hub   | Public Confidence  |
|---|--|---|--|
| <ul style="list-style-type: none"><li>• Built a robust online examination system</li><li>• A one-of-a-kind process that supports the 150-160 exam topics</li><li>• Platform can be adapted to changes in exam formats</li></ul> | <ul style="list-style-type: none"><li>• Allows candidates to take the exam anywhere in the world (reduction of barriers)</li><li>• Has an impact on climate – reduced air and car travel, reduced use of paper</li></ul> | <ul style="list-style-type: none"><li>• EGBC has developed expertise as the online exam experts</li><li>• We now continuously attain and share knowledge on exam best practices</li></ul> | <ul style="list-style-type: none"><li>• Stakeholders believe the system works</li><li>• EGBC act as central customer service rep across Canada</li></ul> |

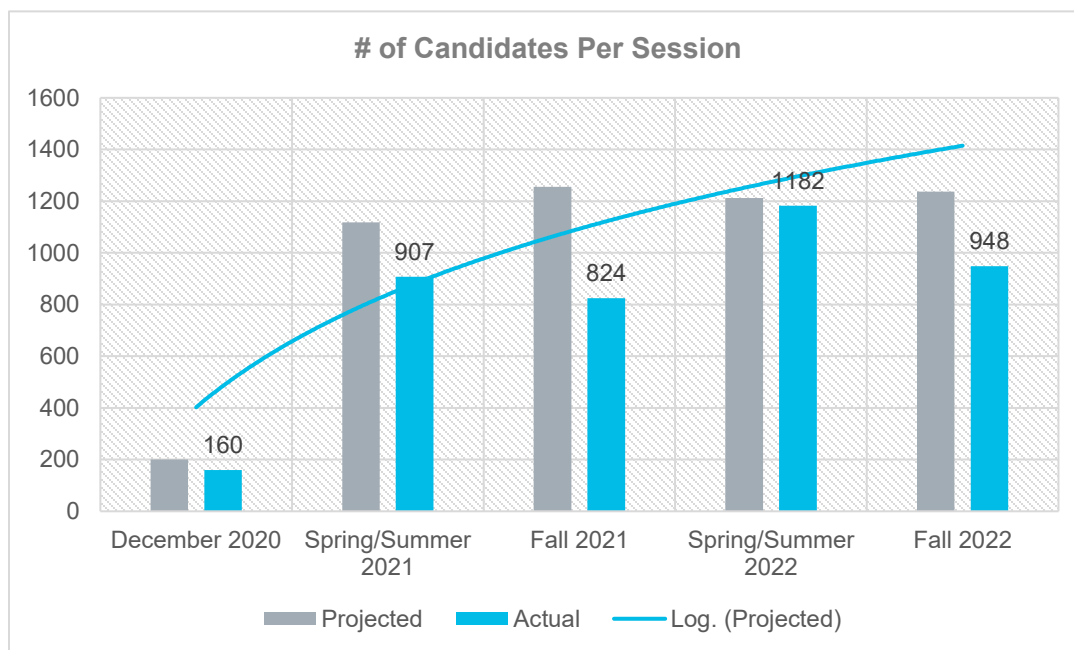
## 3.0 CURRENT STATE OF THE PILOT

### SESSION VOLUMES

The Pilot saw a large jump in candidate volumes during its inception but has since appeared to steady its growth as shown in Figure 1 below. Based on past session data, Spring/Summer volumes are typically larger than Fall volumes and appear to follow a seasonal pattern. The upcoming Spring/Summer 2023 session is anticipated to be similar to the Spring/Summer 2022 volumes.

Every exam session offers 150-160 individual engineering and geoscience exam topics. Since Dec 2020, the Pilot has successfully delivered 4,021 exams online.

**FIGURE 1: # OF CANDIDATES PER SESSION**



PEO makes up a large proportion of the candidate volumes. Table 1 is an average percent distribution of the candidate volumes based on data from all sessions.

**TABLE 1: DISTRIBUTION OF CANDIDATES**

|                     | % Distribution of Candidates |
|---------------------|------------------------------|
| PEO                 | 75%                          |
| EGBC                | 12%                          |
| APEGA               | 5%                           |
| Other Jurisdictions | 8%                           |

## 4.0 PROGRAM CONTINUATION OPTIONS

The Exam Team has identified 5 main program continuation options:

**TABLE 2: PROGRAM CONTINUATION OPTIONS**

| Option  | Option Summary   |
|---|--|
| <b>1. Continue as pilot and extend for an additional 3 years</b>                            | Extend service contracts for 3 years and re-evaluate program annually.<br><br>Collect more data to evaluate its effectiveness.   |
| <b>2. Extend pilot for 1 year (to 2024) with intent to adopt to permanent program as-is</b> | Extend pilot and service contracts for 1 year allowing time for modifications, Board approvals and planning to successfully support and transition the program from pilot to permanent.<br><br>Continue to monitor pan-Canadian legislative changes (e.g. FARPACTA impact to PEO and CEQB assessment outcomes) |
| <b>3. Adopt as permanent program (as-is) after 2023</b>                                     | Immediate adoption.  |
| <b>4. Adopt program (#2 or #3) and develop Exam Authoring and Marking service</b>           | Adopt immediately or extend with intent to adopt, but with the objective to develop a full-service exam program.   |
| <b>5. Do not renew pilot, support only EGBC candidates</b>                                  | Pilot is not renewed and only EGBC candidates are supported.   |

## SWOT ANALYSIS OF AVAILABLE OPTIONS

The following is an analysis of the Strengths, Weaknesses, Opportunities and Threats (SWOT) for each of the potential program continuation options from Table 4 above. This analysis helps guide us in the determining the most feasible option that minimizes the amount of risk and uncertainty.

### Option 1: Continue as Pilot and Extend for an Additional Three Years

| STRENGTHS   | WEAKNESSES   |
|---|--|
| <ul style="list-style-type: none"> <li>Business as usual; no immediate changes to current management of the exam sessions needed</li> </ul> | <ul style="list-style-type: none"> <li>Uncertainty for staff</li> <li>Locked into another three-year cycle</li> <li>Reduces our ability to be agile in responding to change</li> </ul> |

| OPPORTUNITIES   | THREATS   |
|---|---|
| <ul style="list-style-type: none"> <li>May allow us to negotiate more favourable rates with our vendors if we sign for an additional three years</li> </ul> | <ul style="list-style-type: none"> <li>The number of applicants may decrease rapidly following the changes at PEO which may have a direct impact on our overheads</li> <li>Contract staff with the specialized training may leave for more stable opportunities.</li> </ul> |

### Option 2: Extend Pilot for One Year (to 2024) with Intent to Adopt as Permanent Program As-Is (**RECOMMENDED**)

| STRENGTHS   | WEAKNESSES   |
|---|--|
| <ul style="list-style-type: none"> <li>It maintains the status quo / minimises change</li> <li>Reduces commitment from three years to one year which allows us to be more agile in response to outside factors impacting the program</li> </ul>   | <ul style="list-style-type: none"> <li>Uncertainty for staff</li> <li>It's delaying any formal decision which in turn delays any long-term planning and process/platform improvements</li> <li>May result in the one extra pilot yet costing more in vendor expenses due to inability to sign longer term (three-year) contract</li> </ul> |
| OPPORTUNITIES   | THREATS  |
| <ul style="list-style-type: none"> <li>Allows us to wait to see the full impact of the legislative changes at PEO</li> <li>Provides time for us to receive the recommendations from the Engineers Canada Time Based Experience Working Group</li> <li>Provides time for us to receive the recommendations from Engineers Canada's review on accreditation</li> <li>Allows us more time to explore other vendors and partnerships</li> </ul> | <ul style="list-style-type: none"> <li>The number of applicants may decrease rapidly following the changes at PEO which may have a direct impact on overhead</li> </ul>  |

### Option 3: Adopt as a Permanent Program (As-Is) After 2023

| STRENGTHS   | WEAKNESSES   |
|---|--|
| <ul style="list-style-type: none"> <li>Provide stability for staff</li> <li>May allow us to negotiate better rates with vendors given that we can sign onto longer contracts</li> </ul> | <ul style="list-style-type: none"> <li>Locked into another three-year cycle</li> <li>Reduces our ability to be agile in responding to change</li> </ul>                      |
| OPPORTUNITIES   | THREATS  |
| <ul style="list-style-type: none"> <li>Staff would be in a better position to pursue platform and process improvements</li> </ul>   | <ul style="list-style-type: none"> <li>The number of applicants may decrease rapidly following the changes at PEO which may have a direct impact on our overheads</li> </ul> |

### Option 4: Adopt Program (#2 or #3) and Develop Exam Authoring and Marking Service

| STRENGTHS   | WEAKNESSES   |
|---|--|
| <ul style="list-style-type: none"> <li>If we take on exam creation, we can update the content in line with the current Engineers Canada syllabi</li> <li>Taking ownership will streamline the exam process.</li> </ul>  | <ul style="list-style-type: none"> <li>More work for EGBC staff</li> <li>Will need to add more contract staff</li> <li>Increased uncertainty</li> </ul>  |
| OPPORTUNITIES   | THREATS  |
| <ul style="list-style-type: none"> <li>Allows EGBC to explore taking full control of all elements of program – may reduce some risks</li> <li>We could extend the service to other engineering and geoscience regulators and explore providing an online technical exam service to other regulators under OSPG</li> </ul> | <ul style="list-style-type: none"> <li>Potentially more risk financially and reputationally if it doesn't go as planned</li> <li>The number of applicants may decrease rapidly following the changes at PEO which may have a direct impact on our overheads</li> </ul> |



### Option 5: Do Not Renew Pilot, Support Only EGBC candidates

| STRENGTHS   | WEAKNESSES   |
|---|--|
| <ul style="list-style-type: none"> <li>EGBC has full control over the entire program</li> <li>We can cater specifically to the needs of our registrants and ensure all processes and contracts are compliant with BC legislation</li> </ul> | <ul style="list-style-type: none"> <li>We don't have the support of our partners to fall back on</li> <li>Will require staff to also acquire exams by recruiting and maintaining relationships with examiners (currently overseen by PEO)</li> </ul> |
| OPPORTUNITIES   | THREATS  |
| <ul style="list-style-type: none"> <li>May reduce costs – less candidates, lower workload, less staff</li> </ul>  | <ul style="list-style-type: none"> <li>Possible political implications of dropping the other jurisdictions</li> <li>May increase costs – less candidates, less revenue</li> </ul>  |

## 5.0 RECOMMENDED OPTION

**The Exam Team recommends pursuing Option 2 - Extend Pilot for One Year (to 2024) with Intent to Adopt as Permanent Program As-Is.**

This option will allow the Executive team to review and facilitate the necessary discussions and proposals for eventual program adoption.

### SCENARIO DISCUSSION

While the scenarios are estimates, it is based on volumes from past data and patterns that provide a varying degree of accuracy.

### PROBABILITY OF SCENARIOS

The Exam Team estimates that it is the most likely scenario for PEO to reduce the number of exam candidates by 20% (from the baseline) in 2024/2025. This is based on discussions with PEO's exam supervisor who oversees exam application intake. They indicate that while there are changes coming, exam assignments are not expected to disappear completely.

**TABLE 3: PROBABILITY OF SCENARIOS**

|  |     |
|--|-----|
| <b>Best Case</b><br>(30% Increase from Baseline)                     | 25% |
| <b>Worst Case</b><br>(PEO discontinues participation)                | 5%  |
| <b>Likely Case</b><br>(PEO applications reduce by 20% from baseline) | 70% |

For a detailed projection of candidate volumes based on the best, worst and likely scenarios, please refer to Appendix A – Table A1.

## 6.0 LONG-TERM PROGRAM SUSTAINABILITY

The discussion in this report indicates that there is a compelling opportunity for EGBC to continue the Online Academic Exams as a service provider for other regulators. However, despite past performance indicators, there are factors out of EGBC's control that can impact the

program. This section discusses the means in which EGBC can sustain the program in the long-term despite anticipated and unanticipated challenges.

It is important to note that the current contract Exam Assistants (2 FTEs) would be necessary to maintain and continue the program as-is.

## EGBC AS A SERVICE PROVIDER

EGBC is considered the main provider for online academic exams and has developed expertise this area. We have also developed strong working relationships with AssessBank and eProctor Canada that allow us to make improvements to processes and negotiate contracts at a more favourable rate.

### Expanding the Target “Market” and Customer Service

While EGBC is currently offering exams only to engineering and geoscience exam topics, the online testing model allows for most exam formats, regardless of content. It can be argued that EGBC currently maintains and delivers some of the most difficult exam content (i.e. exams are mainly calculation or drawing-based).

There is an opportunity for EGBC to expand outside of engineering and geoscience exam candidates for other regulators under the Professional Governance Act (PGA) who may require online delivery of exams. It could also expand beyond the PGA professions through request for proposal (RFP) projects or connections through the Office of the Superintendent of Professional Governance (OSPG) and government stakeholders.

### Cost Control and Pricing Strategy

As a service provider, EGBC sets the unit rate to its own applicants for registration and the service fee to other regulators, as shown in Table 4 below.

**TABLE 4: CURRENT UNIT COSTS**

#### Revenue

|                                 |           |          |
|---------------------------------|-----------|----------|
| Exam Fee (EGBC Candidates)      | \$ 360.00 | per exam |
| Service Fee to Other Regulators | \$ 250.00 | per exam |

The service fee charged to other participating regulators is \$250 per exam. This fee was established prior to the Spring/Summer 2021 session – that is, the fee was set without having any past data.

It would be recommended that we review the current service to other regulators and the exam fee for EGBC candidates to determine if the current rate provides adequate coverage of services and the associated risks.

### Continuous Improvement

Upon adoption, it is important to note that there are priority program improvement initiatives that may increase expenses in the first years following permanent adoption:

- Standalone website for exam communication and potentially a consolidated national exam registration system.

- Bringing the exam platform “in-house” and system maintenance is overseen by EGBC Information Systems.

These initiatives are solely to refine the business process to deliver exams and to harmonize registration across all participating regulators. However, we believe that once these initiatives are implemented, process efficiencies and reduced exam day issues can be achieved and cost savings in the long-term horizon (see Appendix B for an overview of the current business process for the Pilot).

These would be monitored continuously through Key Performance Indicators (KPIs) that would be identified once the initiatives are pursued.

### **Alternative Third-Party Service Providers**

The Exam Team continuously explores service providers available to potentially reduce costs/overhead from proctoring. It is important to note however that there is a balance between cost savings and the risk of privacy and personal information (i.e. legal and reputational risk) and a fall in customer service levels – which are evident concerns that prevalent with larger proctoring companies.

## **7.0 CONCLUSION**

The analysis of the Pilot and the financial scenarios hopefully provides insight to the Executive team and Board to make an informed decision on the future of the program. While there are risks associated with the changing regulatory climate in Ontario, there are solutions to sustain the program in the long-run.

As EGBC has developed into its expertise in exam service delivery, there are opportunities to support related professions and their candidates. There is also an opportunity for EGBC to further develop the exam program by working directly with examiners to develop exam integrity.

It has been highlighted by participating regulators that the online academic exams have a significant positive impact on registration practices across Canada. Most exam candidates are internationally trained professionals that would typically be required to travel or take significant time off work to challenge their exams. With the online academic exam pilot and the ability for candidates to sit for exams remotely, it meant that not only could they continue with their application process, but also be able to save costs on travel and/or not be required to take time off from work to attend their exams.

It is also notable that virtual proctoring of exams has provided more definitive evidence of exam cheating and misconduct that would otherwise be difficult to support in an in-person setting.

## **KEY DECISIONS AND TIMELINE**

In order to pursue Option 2 (extend Pilot for one year with intent to adopt as a permanent), there are key decisions that need to be made in the coming weeks and months as show in Table 5 below.

**TABLE 5: KEY DECISIONS AND TIMELINE**

| <b>Milestone</b>  | <b>Deadline</b> |
|---|-----------------|
| <b>Executive Team to review and discuss report and proposal</b> | March 10, 2023  |
| <b>Add report to April 2023 Board agenda (for information)</b>  | March 16, 2023  |
| <b>April 2023 Board Meeting</b>                                 | April 23, 2023  |
| <b>Pilot extension confirmation to Dec 2024</b>                 | April 30, 2023  |

## 8.0 APPENDICES

### APPENDIX A – Variables and What-If Analysis on Volumes

TABLE A1: Variables and Unit Costs

|                                 |  |           |
|---------------------------------|--|-----------|
| <b>Variables</b>                |  |           |
| <b>Revenue</b>                  |  |           |
| Exam Fee (EGBC Candidates)      | \$ 360.00  | per exam  |
| Service Fee to Other Regulators | \$ 250.00  | per exam  |
| <b>Expenses</b>                 |  |           |
| AssessBank                      | \$ 1,800.00<br>(this is increased to \$1854<br>as of Feb 2023) | per month |
| eProctor Canada                 | \$ 26.25   | per hour  |
| PEO Exam Marking                | \$ 210.00  | per exam  |
| Sync.com                        | \$ 422.12  | per year  |
|                                 |  |           |

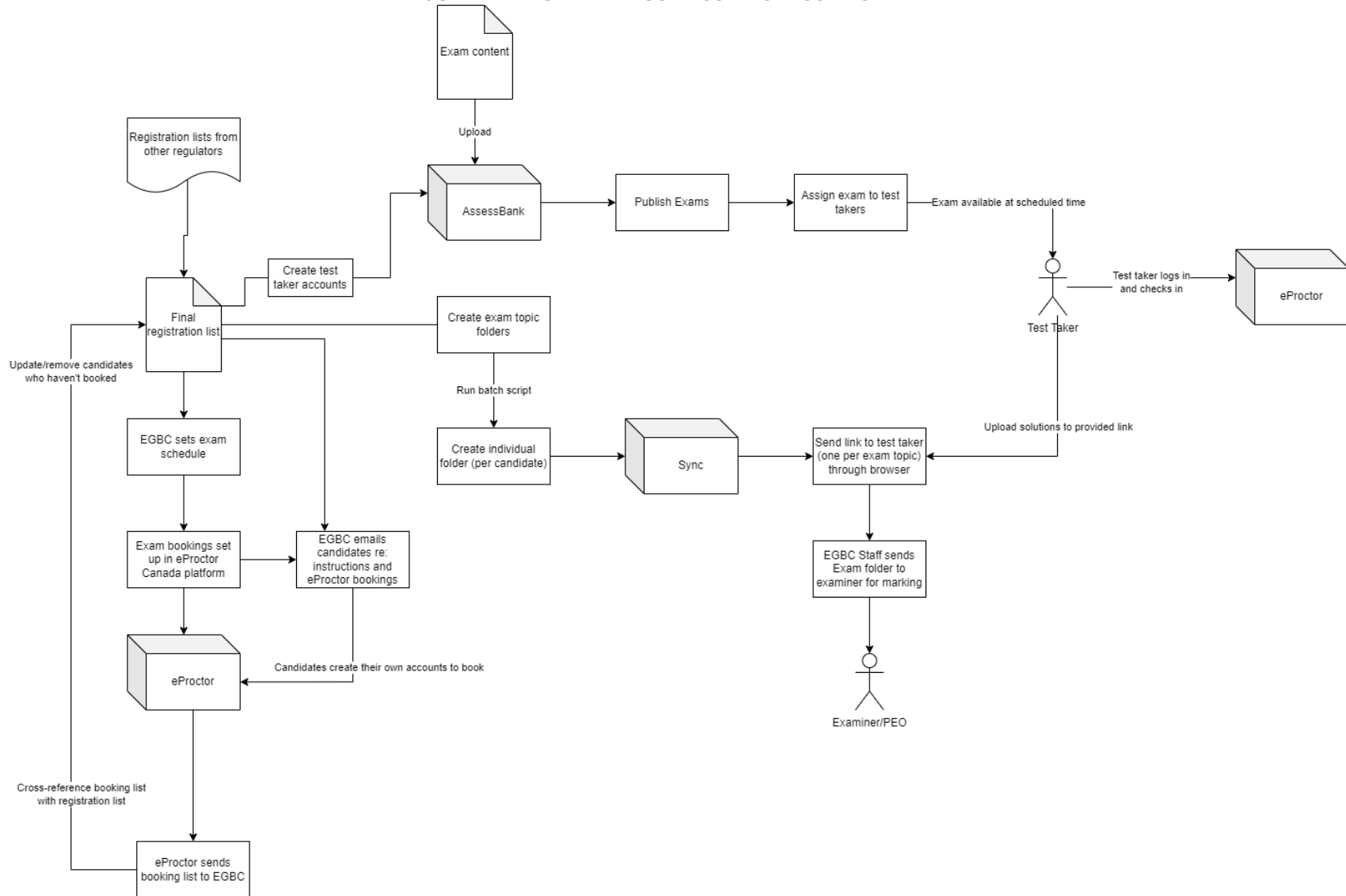
TABLE A2: What-If Analysis on Candidate Volumes

|                             | <b>Baseline Volume</b><br>(# of Candidates)  | <b>Best Case</b><br>30% overall increase in<br>candidates | <b>Worst Case</b><br>PEO discontinues from<br>program | <b>Likely Scenario</b><br>PEO candidates drop 20% below<br>Baseline |
|-----------------------------|--|---|---|---|
| <b>Spring/Summer</b>        | <b>1045</b><br><i>Cumulative average</i>     | <b>1358</b>   | <b>261</b>  | <b>888</b>  |
| <b>EGBC</b>                 | 115<br><i>Average since 2017<sup>1</sup></i> | 150   | 115   | 115   |
| <b>PEO</b>                  | 783<br><i>Average since 2021</i>             | 1018  | 0   | 627   |
| <b>APEGA &amp; Others</b>   | 146<br><i>Average since 2021</i>             | 190   | 146   | 146   |
| <b>Fall</b>                 | <b>886</b>                                   | <b>1152</b>   | <b>222</b>  | <b>753</b>  |
| <b>EGBC</b>                 | 95   | 124   | 95  | 95  |
| <b>PEO</b>                  | 665  | 864   | 0   | 532   |
| <b>APEGA &amp; Others</b>   | 127  | 164   | 127   | 127   |
| <b>TOTAL (All sessions)</b> | <b>1931</b>                                  | <b>2510</b>   | <b>483</b>  | <b>1641</b>   |
| <b>EGBC</b>                 | 210  | 273   | 210   | 210   |
| <b>PEO</b>                  | 1448   | 1882  | 0   | 1158  |
| <b>APEGA &amp; Others</b>   | 273  | 354   | 273   | 273   |

<sup>1</sup> EGBC averages are calculated with exam data from 2017-2022 to better estimate volumes. Averages for PEO, APEGA and other regulators are based on sessions since 2021, which is when they participated in the exam program.

## APPENDIX B –Current Business Process

**FIGURE B1: CURRENT BUSINESS PROCESS FLOWCHART**



## OPEN SESSION

### ITEM 6.6

|           |  |
|-----------|--|
| DATE      | April 11, 2023   |
| REPORT TO | Board for Information  |
| FROM      | Heidi Yang, P.Eng., FEC, FGC (Hon.), Chief Executive Officer |
| SUBJECT   | CEO Report to the Board                                      |

|         |   |
|---------|---|
| Purpose | This report highlights some of the activities of the Organization since the February 2023 meeting of Council. |
| Motion  | No motion required. For information only.   |

#### 1. ASSURANCE STATEMENTS

As part of the Executive Sub-Committee meeting, the organization provided assurances that Engineers and Geoscientists BC's human resources operating policies and finance policies meet statutory and regulatory requirements. The list of HR policies and the list of CRA requirements are attached in **APPENDIX A** and **B** for your information.

#### 2. STRATEGIC PLAN AND ORGANIZATIONAL GOALS UPDATE

We have made progress on our Year 1 key Organizational Goals:

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

**Goal #1** - As follow-up to our January 23<sup>rd</sup> all staff Lean/Agile workshop, we held another workshop on February 7<sup>th</sup> to practically apply additional Lean/Agile methodologies to remove inefficiencies of 7 artifacts identified by the organization. These are artifacts that need improvement to help remove waste in our day to day and build capacity into the organization.

Of those 7, three are complete and have successfully launched as updated versions of their artifacts. These include an HR onboarding checklist, and an e-News article request



form. A Concern Intake Form has also been enhanced that will help us ensure that we receive correct and sufficient information from registrants or members of the public who have a concern regarding unauthorized practice, or misuse of title by non-registrants. The form standardizes the intake format for these concerns, which will improve our efficiency in opening these files. You can see it from our website [here](#). The other four artifacts are progressing nicely!

**Goal #2** - Leadership Team continued its focus on aligning what we do to the strategy. The Board will have opportunity to discuss this work in the April 20<sup>th</sup> Forum. As part of aligning how we work to the strategy, the Values Working Group have been busy helping bring our Values of **Collaboration, Excellence, Integrity** and **Innovation** to life. This includes giving out kudos stickies to a fellow employee who has demonstrated one of our values, Department meetups, and project show and tell sessions. Most recently, two Values Workshops were held where we reflected upon how our personal values connected with our organizational values. This event was a hit, with a total of 209 people having attended!

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

Looking forward, Leadership Team are actively planning Year 2 projects alongside the development of next year's departmental plans. The intention is to develop a practice of a strategic cascade – from defining what initiatives from the Strategic pillars we will be working on, that cascades to the development of Departmental Plans, that then cascades down to the development of individual goals and objectives for all staff.

### 3. **NEW CONTRIBUTION AGREEMENT SIGNED**

PPSD has just signed a contribution agreement for \$80,000. with the BC Ministry of Emergency Management and Climate Readiness to develop EGBC Professional Practice Guidelines for Landslide Hazard and Risk Mapping in B.C. and Training.

### 4. **3-YEAR ONLINE TECHNICAL EXAM PILOT**

The Registration team has been leading a 3-year national pilot which involves offering engineering and geoscience technical examinations in an online format with the use of virtual proctoring. Along with partner associations such as the Association of Professional Engineers and Geoscientists of Alberta (APEGA) and Professional Engineers Ontario (PEO), the ability to fulfill academic requirements through challenging technical exams in an online format has been provided to thousands in BC and in multiple Canadian jurisdictions.

While the pilot is entering its final year, an operational decision has been made to extend it by one year through 2024 with the intent to make the program permanent moving forward. The Board will have an opportunity to hear more about this at the Board meeting through a presentation by Jason Ong.

## **5. GEOSCIENCE COMPETENCY ASSESSMENT PROJECT FOR GC**

In June 2022, the Board of Geoscientists Canada approved the addition of Canadian Work Experience Competencies (CWECS) to be incorporated into its existing framework of geoscience work experience competencies.

Geoscientists Canada has formally engaged in discussions with EGBC's Information Systems and Registration teams to plan for these CWECS to be added to the online Competency-Based Assessment (CBA) system. It is anticipated that development work and user testing will begin in the summer of 2023.

The model proposed is aligned with the current engineering CBA framework with 29 geoscience work experience competencies for which seven have been identified as Canadian competencies that are deemed essential for an applicant to demonstrate at a specified level. This is a great example of how Engineers and Geoscientists BC is leading the way in support of good regulation across the country.

## **6. LEGISLATION, ETHICS AND COMPLIANCE**

### **Complaint, Investigations and Discipline Statistics**

From January 1 – March 31, 2023:

1. 49 new files were opened (including 23 new complaint files, 21 “general concern” files generated by staff, and 5 discipline files related to discipline in other jurisdictions)
2. 36 files were closed:
  - a. 20 general concern files were closed as staff determined there was insufficient evidence to commence the complaint process;
  - b. 11 files were closed by the Investigation Committee;
  - c. 5 files were resolved by way of Consent Order, 2 of which were Consent Orders through the Investigation Committee.
3. Total number of files open as of March 31, 2023: 84 general concern files, 181 files at intake or investigation stage, 16 files at the discipline stage.

### **Consent Order – Victor Proctor**

In a Consent Order dated February 23, 2023, Victor Proctor admitted that he engaged in structural engineering work in contravention of the practice restriction set out in his previous Consent Order dated April 5, 2017. Mr. Proctor's registration with Engineers and Geoscientists BC is cancelled. Mr. Proctor agreed to pay \$2,500 toward the legal and investigation costs of Engineers and Geoscientists BC. The February 23, 2023 Consent Order was Mr. Proctor's third discipline order with Engineers and Geoscientists BC.

### **Consent Order—Edward C.C. Yip**

In Consent Order dated March 23, 2023, Edward Yip admitted that he demonstrated unprofessional conduct by preparing an inadequate geotechnical inspection report where he failed to note the presence of structures along an anticipated trench area and identify the steps to safely excavate the trench. Mr. Yip's registration with Engineers and Geoscientists BC is cancelled. Mr. Yip agreed to pay a fine of \$10,000 and \$5,000 toward the legal costs of Engineers and Geoscientists BC.

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

From January 1 – March 31, 2023:

1. 39 new files opened
2. 45 files closed
3. 225 total number of files open as of March 31, 2023

## **7. REGISTRANT INSIGHTS SURVEY**

The Registrant Insights Survey is a regular activity we undertake to measure registrants' current level of understanding and alignment with our mandate. This bi-annual survey was last fielded in 2018, just prior to the formal introduction of the *Professional Governance Act*. Going forward, this survey will run annually and will enable us to track progress on our strategic plan – in particular, our initiative to **clarify our organization's role through clear communication that builds confidence and trust with our stakeholders**.

Our survey was in field from Friday, February 24 to Sunday, March 11. We saw a strong response rate from registrants, with a total of 4,583 participants (approximately 12%). Survey responses are currently being analyzed and will be presented to the Board at the June meeting, and communicated to registrants via *Innovation* in the summer.

## 8. SCIENCE GAMES REPORT OUT

This year's Science Games was a success! The event was held virtually over three Saturdays between February 11 and February 28. The opening Saturday included by a video greeting by the Honourable Rachna Singh, Minister of Education and Child Care. This year there were 135 grade 1–6 participants located across BC with 47% identifying as girls, 68% being first-time participants at Science Games, and 27% being located outside of the lower mainland.

Overall, the event was a success due to the efforts of the 60 engineer and geoscientist volunteers that led and supported groups of students in their weekly activities, the 12 members of the advisory group and the staff in the Programs and Professional Development Department.

## 9. ACTIVITIES WITH STAKEHOLDERS

**Iron Ring Ceremonies** – March was a busy month for the iron ring ceremonies across the province. Engineers and Geoscientists BC was present at ceremonies in Victoria (Michelle Mahovlich), Kelowna (Michelle Mahovlich, Heidi Yang, David Pavan), Prince George (Michelle Mahovlich), and Vancouver (Heidi Yang). Attendance allowed the opportunity for students receiving their iron ring to learn more about Engineers and Geoscientists BC and understand their next step in becoming licensed as an Engineer in Training that will lead to their Professional designation.

**Engagement with Life Sciences BC** – David continues in collaborative conversations with the OSPG and Life Sciences BC (an advocacy body for many organizations including biomedical companies) in helping them understand the importance of Firm registration.

**Engineers Canada Collaboration and Harmonization Consultation** – A 3 hour facilitated conversation occurred on March 21<sup>st</sup> with Executive Staff (Heidi, Liza, David, Jen) and Executive Board members (Mark, Michelle and Carol). The purpose of these workshops was to explore potential harmonization and to (eventually) seek each regulator's signature on a "Statement of Collaboration and Harmonization" which will provide clarity on Engineers Canada's role in potential harmonization and collaboration initiatives.

## 10. HIGHLIGHTS FROM ENGINEERS CANADA MEETINGS (Feb 21-23, April 5)

It is the intention that highlights from Engineers Canada Board meeting will be provided in the CEO report to keep the Board informed on any items of interest. The February meeting was held in Ottawa. The CEO Group, the Presidents Group met during this time, along with the EC Board meeting. The April meeting was a short virtual meeting.

### *CEO Meeting Highlights (Feb)*

- Discussed the purpose and role of the General Visitor in the accreditation process.
- Discussed adopting a consistent approach to sharing consent orders and discipline decisions between regulators.
- Discussed and showed support for the 'Temporary exemption for students going on international exchange' policy.
- Discussed and evaluated appetite across regulators on mutual recognition of CPD Requirements – what would that look like?

### *Board Meeting Highlights (Feb and April)*

- Approval on National Position statements –
  - *Ventilation Systems and Building Management in Reducing Airborne Contaminants*
  - *Federal Regulations of Small Fishing Vessel Design*
  - *Climate Change and Extreme Weather Events*
  - *The Role of Engineers in Canada's Long-term Economic Recovery*
- Light Go was appointed as Secretary of the Board
- General board work – approval of Board Policy Updates, approval of board and director assessment forms
- Approval of the 'Temporary exemption for students going on international exchange' policy of the CEAB (this was a very important motion that got approved). This policy removes barriers for students to go on an international exchange and that their learnings would count towards their degree program.
- April Meeting – Financial audit statement approved, software engineering paper approved.

### *Other Items*

- A 1-day strategic foresight workshop was conducted in February to help in defining priorities for the following 5 year strategic plan (2025-2030). This included CEOs, Presidents, board directors, the Chairs of the CEAB, CEQB, and EC staff.
- Accreditation Task Force (Strategic Priority 1.1) – researching ways that accreditation is achieved in other countries. Re-evaluating how accreditation should be in Canada.
- Harmonization Task Force (Strategic Priority 1.2) – setting up consultations across the country to discuss ways in which harmonization and collaboration could happen across

the country, and what success could look like. A national workshop with all regulators across Canada will occur during the October 2023 Engineers Canada Fall Board meeting.

- April - PEO has signed an agreement with EC to receive their affinity money. This is a \$2M revenue source to PEO. Note that the normal operating budget of EC is not impacted as the \$2M was put into their unrestricted funds, so we should not see any changes to fees in the near future. What it does mean is that EC may need to tighten their belts in what they use their unrestricted funds (which is very healthy right now) in the future
- April – a sneak peak of the new engineering ad campaign was shared (link below!)

## 11. ENGINEERS CANADA AD CAMPAIGN

Engineers Canada is launching a national ad campaign to highlight how engineers make a difference in the world. The campaign is part of Engineers Canada's broader drive to raise awareness of the value of licensure, and has been in development for about 18 months, with input from its constituent organizations across Canada including Engineers and Geoscientists BC. The campaign was funded completely by Engineers Canada.

The ad campaign launched on April 11 and will run for 7 weeks, with a second flight launching in mid-September. Its goal is to get opinion leaders holding a narrow view of engineering to think differently about engineers and their impact on the lives of Canadians by shining a light on how engineers are making a difference in their world. Using visuals of building blocks, the campaign showcases engineers building infrastructure that mitigates the effects of climate change, prosthetic limbs, and biomedical solutions – essentially, doing much more than just building bridges.

Media breakdown:

- 30 sec TV spots (national)
- 15 sec social media clips (Facebook, Twitter, LinkedIn)
- [Campaign microsite](#) with case studies
- Digital display ads

## 12. GOVERNMENT RELATIONS UPDATE

In January 2023, as part of a cabinet reshuffle instigated by the newly appointed Premier, David Eby, the *Professional Governance Act* (PGA) and Office for the Superintendent of Professional Governance (OSPG) were moved from the Ministry of the Attorney General to the Ministry of Post-Secondary Education and Future Skills. This change has been made in recognition of the linkages between professional governance, labour mobility, and foreign

credential recognition, which will all now fall under the same Ministry. All Regulatory Bodies under the *PGA* now report into a new Ministry, through the OSPG.

Although Engineers and Geoscientists BC principal interactions with government will continue to be channeled through the OSPG, there are changes associated with the new administration under the new Premier, as well as with the move to the new department, that will have an impact on the organization.

There remain broad areas of alignment between Engineers and Geoscientists BC and the wider provincial government, particularly in relation to the Social Responsibility pillar of our strategic plan.

This government is also seeking to support qualified international personnel in their field of training and are looking to strengthen initiatives and programs that support the foreign credential recognition process. The Ministry of Post-Secondary Education and Future Skills has been tasked, in conjunction with the Minister for Workforce Development (Hon. Andrew Mercer), with passing legislation related to the OSPG that will govern the recognition of foreign credential standards, to quickly remove barriers for new international arrivals.

Although it's unclear how this focus will impact Engineers and Geoscientists BC, we can anticipate an increase in interest of our processes for registering individuals with foreign credentials. As part of outreach to a range of regulators, Minister Mercer met with Engineers and Geoscientists BC in late March 2023 to understand further how Engineers and Geoscientists BC assesses international credentials, and how to improve newcomers access to information about these processes.

The OSPG is also seeking to deepen its understanding of the registration process, and through the recent performance review, the OSPG is attempting to calibrate how each of the regulatory bodies under the *PGA* currently process registration applications from individuals with foreign credentials. The OSPG will report on its findings regarding foreign credentials in the summer.

## List of HR Policies

|  |   |
|--|---|
| <p><b><u>Employee Operating HR Policies &amp; Guidelines</u></b></p> <p><b>Day to Day Basics</b></p> <ul style="list-style-type: none"> <li>• Dress Code</li> <li>• Workspace Policy</li> <li>• Flex Days Program &amp; Hours of Work Policy</li> <li>• Overtime Compensation</li> <li>• Off-Duty Conduct</li> <li>• Claiming Business Expenses</li> <li>• Transportation Subsidy Policy</li> <li>• Shared Space Policy</li> <li>• Security Access Badge Policy</li> <li>• HR Document Retention Policy</li> <li>• Approvals Policy for Communications</li> </ul> <p><b>Computers &amp; Technology</b></p> <ul style="list-style-type: none"> <li>• Anti-Spam Compliance (CASL)</li> <li>• Cell Phone Policy</li> <li>• Acceptable Technology and Information Use Policy</li> <li>• All Staff Payment Card Industry Policy</li> <li>• Mobile Device and BYOD Policy</li> <li>• Network Access and Authentication Policy</li> </ul> <p><b>Leave Management</b></p> <ul style="list-style-type: none"> <li>• Vacation Policy</li> <li>• Sick Days, Family Leaves &amp; Civic Duty Policy</li> <li>• Pregnancy and Parental Leave Top-up Benefit Program</li> </ul> <p><b>Recognition</b></p> <ul style="list-style-type: none"> <li>• Service Recognition Award Program</li> <li>• Employee Gifts</li> </ul> | <p><b>Respect &amp; Safety in the Workplace</b></p> <ul style="list-style-type: none"> <li>• Communicable Disease Prevention Policy (Inclusive of Covid-19 Protocols)</li> <li>• Remote Work Policy</li> <li>• Anti-Bullying and Anti-Harassment Policy</li> <li>• Anti-Discrimination Policy</li> <li>• Professional Conduct</li> <li>• Social Function Alcohol Policy (for Staff)</li> <li>• Occupational Health &amp; Safety Program <i>(Program draft in progress, est. completion June 2023)</i></li> <li>• Emergency Procedures</li> <li>• Drug &amp; Alcohol-Free Workplace</li> <li>• Confidentiality &amp; Protection of Privacy</li> <li>• Intellectual Property</li> <li>• Anti-Workplace Violence Policy <i>(Policy under revision, est. completion June 2023)</i></li> <li>• Workplace Violence Prevention Resource – Guidelines <i>(Guidelines under revision, est. completion June 2023)</i></li> <li>• Lone Worker Policy <i>(Policy draft under review, est. completion June 2023)</i></li> <li>• Respectful Communication Policy <i>(Policy draft in progress, est. completion June 2023)</i></li> </ul> <p><b>Compensation &amp; Benefits</b></p> <ul style="list-style-type: none"> <li>• Merit Program</li> <li>• Claiming Business Expenses</li> <li>• Service Award Recognition Program</li> </ul> |
| <p><b><u>Volunteer Guidelines</u></b></p> <ul style="list-style-type: none"> <li>• Volunteer Commitment</li> <li>• Confidentiality</li> <li>• Ownership of Copyright</li> <li>• Conflict of Interest</li> <li>• Gifting, Hospitality and Other Benefits</li> <li>• Alcohol &amp; Drugs</li> <li>• Expense Reimbursement</li> </ul>   | <ul style="list-style-type: none"> <li>• Bullying, Harassment and Violence</li> <li>• Breaches of Confidentiality, Conflicts of Interest or Incidents of Bullying, Harassment or Violence</li> <li>• Criminal Record Checks</li> <li>• Social Media</li> <li>• Interaction with the Media Guidelines</li> <li>• Political Activities</li> </ul>   |



### Financial Statutory Requirements

The following are the statutory requirements with the Canada Revenue Agency (CRA) and the Province of BC, as well as the one regulatory requirement.

| Statutory remittance                               | Frequency    |
|--|--------------|
| PST  | Monthly      |
| GST  | Quarterly    |
| Statutory remittance                               | Frequency    |
| Payroll deductions                                 | Semi-monthly |
| T2 - Corporation Income Tax Return                 | Annually     |
| T1044 - Non-Profit-Organization Information Return | Annually     |
| Annual Audit                                       | Annually     |