

APPENDIX 3B

AUTHORITY TO DELEGATE

APPENDIX 3B Analysis of Council Authority in Other Self-Regulated Professions in Alberta

Category		Council		Association of Professional Engineers and Geoscientists of Alberta	Association of Professional Engineers and Geoscientists British Columbia	Association of Professional Engineers and Geoscientists Saskatchewan	Association of Professional Engineers and Geoscientists of Manitoba	Professional Engineers of Ontario	Association of Professional Geoscientists of Ontario	Order of Engineers of Quebec	Order of Geoscientists of Quebec	Professional Engineers of Newfoundland Labrador	Engineers and Geoscientists of New Brunswick	Engineers of Nova Scotia	Geoscientists of Nova Scotia	Engineers of Prince Edward Island	Association of Professional Engineers of the Yukon	Nunavut Association of Professional Engineers and Geologists
Membership Administration			May confer honorary lifetime memberships or licensure	Bylaw 26	Bylaw 10(c.2)		Bylaws 7.1.4							Bylaws 15(1)	Bylaws 15(1)	Bylaws 2.1.2		
			May confer honorary membership or licensure	Bylaw 27	Bylaw 10(d)				Bylaw No 5 - s 2			Bylaws 11.1	Bylaws 2.1.4					Bylaws 24(a)
			May confer life memberships or licensure	Bylaw 25	Bylaw 10(c.1)	Regulatory Bylaws 6.1	Bylaws 7.1.3 (but not by council?)	Bylaws 39(6) (but not by council?)				Bylaws 11.2	Bylaws 2.1.2	Bylaws 15(2)	Bylaws 15(2)			Bylaws 23
			May dictate categories and amount of professional liability insurance members must hold		Act 10(1)(e), (1.1)(c)	Act 16(2)o	Act 16(2)(e) Bylaws 14.1.1	Act 7(1)24 Regulations 47, 74		Prof Code 93(d) and (g)	Prof Code 93(d) and (g)	Act 12(3) Reg 9(1)(d), 9(2)(c) Bylaw No 2	Bylaws 11.8					
			May direct Registrar to cancel memberships, permits, licenses, etc.	Act 39, 40, 41, 74									Regulation 33(4)					Act 24(1)

Sets standards of, prescribes and/or approves examinations of association may prescribe refresher training/courses	Act 16(3) Bylaws 11(c),(e)		Act 14(2)(b)	Act 7(1)9i, 14(1)(c) 56(1)(d)	Regulation 1	Prof Code 55 Reg c 1-9, r 12, s 4	Prof Code 55		Act 10(2), 14	Act 7(1)(d), 9(1) Bylaws 13A(1)	Act 10(1)(d), 12(1), 19(2) Bylaws 13A(1)	Act 5(2)(d), 5(8)(c), 5(9)(d) Bylaws 2.2.6			
Approve the cancelation of memberships, license, permits, etc. at request of member/entity	Act 29												Act 19(1)		
Set annual dues/fees/assessment	Act 20(1)(r), 86 Reg 2(1)(b)(ii), 3, 48(1)(b), 74(1), 75 Bylaws 24	Act 21 (1)	Act 16(1)m	Bylaws 9.1		Act 33 Bylaw No 2	Prof Code 85.1	Prof Code 85.1	Act 8(1) Bylaws 8.1	Bylaws 5.1, 5.3.3	Bylaw 21A(2)		Bylaw 5.1	Act 13(1)(n) Bylaw 15(a)	Bylaws 18(a)
Must establish/appoint members to an Academic Requirements Committee					Act 10(1)(b) Regulation 40(1)										
Approves/issues or refuses to issue certificates of authorization or permits	Act 24(1), 35, 37 Reg 48(1)	Act 14	Act 22(4)	Act 28(2)	Act 16, 47(3)		Prof Code 40, 41, 42.1, 42.2, 42.4, 45, 45.3 Reg c 1-9, r 4, s 1 and 5	Prof Code 40, 41, 42.1, 42.2, 42.4, 45, 45.3 Reg c G-1.01, r 3.001.01, s 1 and 3	Act 10(9),(11)		Act 14(3), 22	Act 6(5) Regulation 4.2	Act 14(2)(c) Regulations 7	Act 16, 19	

May and/or may refuse to issue licences/admit members to association		Act 13(1)	Act 18				Prof Code 45, 45.1, 45.3 Eng Act 16, 18-20	Prof Code 45, 45.1, 45.3		Act 10(1)				Act 23(3)
May order medical examination							Prof Code 48, 52	Prof Code 48, 52						
May establish different classes of members, licensees, or certificate holders	Act 20(1)t	Act 10(1.1)	Act 16(2)(g)	Act 12(1)(m)	Act 7(1)9.iii and vi	Act 43(1)(c)	Prof Code 94(m)	Prof Code 94(m)	Act 38(1)(i)		Bylaws 13(2A)(a)		Act 12(1)(n) and (s)	
Must/may hear appeals/review decisions				Act 21(3)		Act 14		Reg c G-1.01, r 3.001.01, s 14; Reg c G-1.01, r 3.1, s 9 and 10		Act 17(13)		Act 16(9)	Act 22, 33	Act 15
May establish scholarships or other educational incentive programs	Act 20(1)(o) Bylaw 30		Act 16(1)r	Act 12(1)(z.1)	Act 8(1)21		Eng Act 12(d)			Act 5(1) Bylaws 11.2		Act 4(d)	Act 13(1)(m) Bylaws 14	
May extend time for provisional licensees, MITs, etc.	Reg 11(2) and 14.1(5)		Regulatory Bylaws 4.2			Bylaw No 5 - s 10				Bylaws 2.3.3				Bylaws 20(f)
May reinstate/direct Registrar to reinstate members/joint firms in some circumstances	Act 29(3), 39(6), 40(1), 41(4) Regulation 47		Act 42	Act 15(3), 24(4)			Reg c I-9, r 9, s 20 (where struck for failure to meet CPD	Reg c G-1.01, r 3.01, s 14 (where struck for failure to meet CPD req)		Bylaws 2.2.3		Bylaws 2.2.5	Act 24(6) Regulations 34(1)	Act 42(4)

							recmts								
May revoke permits	Regulation 51					Act 13	Prof Code 56	Prof Code 56	Regulation 33(4)				Act 5(7)(c)	Regulations 28	
May strike or direct Registrar to strike names	Regulation 7, 9, 19.1						Prof Code 51, 52.1, 55, 55.1, 55.3, 85.3	Prof Code 51, 52.1, 55, 55.1, 55.3, 85.3	Reg c G-1.01, r 3.01, s 14						Bylaws 20(e), 22(e)
May waive certain terms or conditions on member registration	Regulation 53.1								Act 42(3)		Act 19A(1)		Bylaws 2.2.4		
Must/may create a code of ethics and/or standards of conduct	Act 19(1)(j)	Act 10(1)(b), (i.1), (1.2)	Act 16(2)(d)	Act 11(1) Bylaws 13.0	Act 7(1)20		Prof Code 87	Prof Code 87	Act 9(1)(g)		Act 6(1)(la) Bylaws 24(2)			Act 12(1)(k)	
May create and/or work with joint boards/councils/committees	Act 1.1(1)	Act 18	Act 16(1)p	Act 67	Act 47(1)					Act 14, 29	Act 16		Act 4(r) (Assoc) Act 12(6)		
May delegate powers in prescribed circumstances	Reg. 62(6)	Act 13(8), 18(1)(b) Bylaws 6(e), 7(c)(3)	Act 14(3), 24	Act 9(2)	Act 11 Bylaws 48		Prof Code 96.1	Prof Code 96.1							
May enter agreements to facilitate labour mobility	Reg. 1(b.1)	Act 14.1				Bylaw No 11	Prof Code 86.0.1(7), 93(c.2)	Prof Code 86.0.1(7), 93(c.2)		Bylaws 2.2.2					

		May establish other boards, committees, branches etc and delegate to them powers and authority as the council sees fit	Reg. 30	Act 10(1)(r) Bylaws 4(b), 6(a), 11(h)(1)(i ii)	Act 14, 16(1)(q) Admin Bylaws 24	Act 9(1)(b), 12(1)(p) Bylaws 4.5	Act 8(1)14, 10 Bylaws 30	Act 31	Prof Code 62.1, 65, 86.0.1(2) Eng Act 12(c)	Prof Code 62.1, 65, 86.0.1(2)	Act 9(1)(b)	Act 14 Bylaws 9.8	Bylaws 19(2)	Bylaws 19(2)	Bylaws 9.7.1	Act 12(1)(b), 13(1)(j) Regulations 2	Bylaws 26
		May fill council vacancy	Reg. 27	Act 9(8)(a) Bylaws 3(c)	Act 12	Bylaws 3.1.8	Act 3(11)	Bylaw No 8 - s 34	Prof Code 79, 81	Prof Code 79, 81	Act 4(8)	Bylaws 8.2.7, 8.3.4	Bylaws 18(2)	Bylaws 18(2)	Act 11(11) Bylaws 8.2.3, 8.2.4	Bylaws 2(g)	Act 8(1)
		May make bylaws	Act 20, 85	Act 10	Act 15, 16	Act 12 (Assoc's power)	Act 8(1)	Act 33			Act 9(1)	Act 7(1) (Assoc's power)	Act 6(1)(l), 32(1) (Assoc's power)	Act 7(n) (Assoc's power)	Act 28 (Assoc's power)	Act 13(1)	Act 5(1)
		May make regulations	Act 19, 85				Act 7 (1)	Act 43(1)	Prof Code 65, 88-91, 93 and 94	Prof Code 65, 88-91, 93 and 94	Act 38					Act 12(1)	
		May seek injunctions to stop professional practice, or decide on any court action	Act 9, 86.31, 97.2	Act 23 (Assoc's power)	Act 44 (Assoc's powers)	Act 64 (Assoc's power)			Eng Act 12(a)							Act 4(1)	Act 11(4) (Assoc's power)
Statutory Appointments	Appointed Positions	May appoint a Deputy Registrar, or designate to temporarily fulfill Registrar's duties	Act 20(1)i Bylaw 22				Act 3(8)				Regulation 35					Act 13(1)(g) Bylaws 10(d)	
		May appoint professional member to represent the association in other matters or on interprofessional council	Bylaw 14						Prof Code 20	Prof Code 20							

	Must appoint a Registrar	Act 13	Act 7	Act 13(2)	Bylaw 3.3.1	Act 3(8)	Act 32(1)	Prof Code 62(1) (secretary of the order)	Prof Code 62(1) (secretary of the order)	Act 15(4)	Act 13(4)	Act 15(7)	Act 11(6)	Act 10	Act 10(1)
	May appoint investigators							Eng Act 24(3)							
	Must appoint director to/may authorize participation in Canadian Council of Professional Engineers	Bylaw 14 (1)				Bylaws 38									Bylaws 8(a)
	Must appoint Evaluator of Engineering Experience							Reg c 1-9, r 4, s 17							
	Must appoint Examination Director							Reg c 1-9, r 4, s 40							
	Must appoint Executive Director or CEO				Bylaw 3.3.3				Act 4(11)	Act 15(7)			Bylaws 6.1.5	Bylaws 10(c)	Act 10(1)
	Must appoint a Secretary/General Secretary				Bylaw 3.3.2	Regulation 1				Act 15(4) Bylaws 6.1.4	Act 13(4) Bylaws 9	Act 15(7) Bylaws 9	Act 11(6) Bylaws 6.1.4	Bylaws 10(b)	
Appointed Committees	May establish Committee of Inquiry or Board of Inquiry	Reg 47													Act 49(3)
	Must appoint members to Appeal Board	Act 18, 19(1)(f) Reg 40, 41													
	Must establish/appoint members to Board/Committee of Examiners	Act 30 Reg 15	Act 15					Reg c 1-9, r 10, s 3	Reg c G-1.01, r 3.001.0		Act 11 Bylaws 9.6.1	Act 14 Bylaws 14		Act 20(1) Regulations 29(1)	Act 12(1)

								1, s 1 and 3							
Must appoint syndic(s) to office of syndic								Prof Code 121	Prof Code 121						
Must appoint members to a review committee								Prof Code 123.3	Prof Code 123.3						
Must establish/appoint members to a Complaints Committee/complaint authorization committee					Act 10(1)(e), 23	Act 31(1)2 Bylaw No 9			Act 21(1)		Act 17C(1)	Act 20(1) Bylaws 24A(1)			
Must establish/appoint members to a membership list/to a Discipline Committee/disciplinary panel/disciplinary council	Act 45 Regulation 36	Act 31	Act 33	Act 38 Bylaws 55	Act 10(1)(f), 27	Act 31(1)3 Bylaw No 10	Prof Code 117, 120	Prof Code 117, 120	Act 21(4)	Act 18(1) Bylaws 9.4.1	Act 17G	Act 20(2) Bylaws 24C	Act 17(1) Bylaws 7.4.1	Act 28(1) Regulations 30(1)	Act 31
Must establish/appoint members to an Enforcement Review Committee/Act Enforcement Committee	Regulation 62												Act 14 Bylaws 9.3.1		
Must establish/appoint a Experience Requirements Committee/Engineering Qualifications Committee					Act 10(1)(c), Regulation 41								Act 12(1)		
Must establish/appoint a Fees Mediation Committee					Act 10(1)(g) Regulation 30										
Must appoint a Investigative or	Act 46 Reg	Act 30	Act 31	Act 30 Bylaws											

Investigation Committee	32(1)-(2)			15.2											
Must establish/appoint members to a Nominating Committee	Bylaw 2	Bylaws 3 (a.1)	Administrative Bylaws 13			Bylaw No 7 - s 15			Bylaw No 1 - s 6.2(b)	Bylaw 9.1	Bylaws 6(1)	Bylaws 6(1)	Bylaws 9.1	Bylaws 7(a)	Bylaws 3(a)
Must appoint a non-member Appointment Committee						Bylaw No 7 - s 19									
Must establish/appoint members to a Practice Review Board/Committee or Professional Conduct/Practice/Inspection Committee	Act 15; Reg 21(1)-(2), (6)					Bylaw No 7 - s 30	Prof Code 90 Reg c I-9, r 7, s 2 and 4	Prof Code 90 c G-1.01, r 3, s 2 and 4		Act 17(1)					
Must appoint a Registration Committee	established by bylaw 7(c)(1)			Act 14(1)	Act 10(1)(d), 19.1	Act 31(1)1 Bylaw No 6			Reg.s 24(1)						
Must appoint Admissions Committee/Admissions Board										Bylaws 9.7		Act 17 Bylaws 14(1)			
Must appoint Arbitration Council								Reg c G-1.01, r 4, s 16							
Must appoint auditor or Audit Committee	appointed at general meeting		Administrative Bylaws 8			Bylaw No 7 - s 26					Bylaw 12	Bylaw 12	appointed at general meeting		
Must appoint Finance Committee						Bylaw No 7 - s 11									
Must appoint Governance Committee						Bylaw No 7 - s 28									
Must appoint Legislation Committee										Bylaws 9.5					

			Must appoint Linkages Committee								Bylaw No 1 - s 6.2(a)					
			Must appoint Professional Development Committee											Bylaws 9.6.1		