

APPENDIX 1

Member-in-Training



Appendix 1 – Existing Legislation

Act

1 In this Act,

(n) “member-in-training” means engineer-in-training or geoscientist-in-training, as the case may be;

Part 2

Association

14(1) Subject to subsection (2), the Council shall include the president, 2 vice-presidents, the immediate past-president and at least 12 other professional members, the number of which shall be prescribed by the bylaws, each of whom shall be elected by the professional members at the time, in the manner and for the period provided for in the bylaws.

(2) The Council shall consist of

(a) at least 16 professional members among whom there shall be not less than

(i) 2 professional engineers, and

(ii) 2 professional geoscientists,

and

(b) when the total number of elected professional members does not exceed 20, 3 members of the public, who shall be appointed by the Minister, after consultation with the Association, for a 3-year term of office.

Part 3

Regulations and Bylaws

19(4) A regulation must be approved in principle by a majority of the professional members

(a) present and voting at a special meeting called for that purpose,

(b) voting by a mail vote or a vote authorized by bylaw that is conducted by electronic, telecommunication or other appropriate means, or

(c) at the annual general meeting following the Council's adoption of the regulation

20(3) A bylaw under subsection (1) does not come into force unless it is approved by a majority of the professional members

(a) present and voting at a general meeting, or

(b) voting by a mail vote or vote conducted by electronic, telecommunication or other appropriate means conducted in accordance with the bylaws.

Part 7

Professional Licensees

Application of Act

86.2(1) Sections 14, 15, 16, 17, 19(4), 20(3), 24, 27, 28, 29, 31, 39, 78, 79, 80(2), 81 and 82(2) apply to a professional licensee as if the professional licensee were a professional member.

APPENDIX 1

Regulations

Division 4

Members-in-Training

Eligibility

10(1) A person who meets the following requirements and applies to the Registrar for registration is entitled to be enrolled as an engineer-in-training or geoscientist-in-training:

- (a) the applicant is of good character and reputation;
- (b) the applicant
 - (i) is a graduate of a university program in engineering or geoscience or a related university program that is acceptable to the Board of Examiners, but does not have the work experience required for registration as a professional member, or
 - (ii) is registered as an examination candidate under section 8(b) and has completed the examinations referred to in that provision, but does not have the work experience required for registration as a professional member.

(2) Notwithstanding subsection (1), an applicant is entitled to be enrolled as an engineer-in-training or geoscientist-in-training if

- (a) the applicant is of good character and reputation, and
- (b) the applicant is registered and in good standing with a professional regulatory organization under an Act of another province or territory of Canada to perform an occupation that, in the opinion of the Board of Examiners, is substantially equivalent, in terms of scope of practice and competencies, to that of a member-in-training.

Time limits

11(1) Subject to subsection (2), no person may remain in the record of members-in-training for more than 6 years.

(2) The Council may in particular cases extend the period referred to in subsection (1) to not more than 8 years.

Professionally qualified persons inadmissible

12 No person may be enrolled as an engineer-in-training or geoscientist-in-training if at the time of application the person is qualified to be registered as a professional member or licensee.

Division 5

Professional Members

Eligibility

13(1) A person who meets the following requirements and applies to the Registrar for registration is entitled to be registered as a professional member:

- (e) the applicant meets one of the following requirements:
 - (i) the applicant is enrolled as a member-in-training and has obtained at least 4 years of experience in work of an engineering or geoscientific nature that is acceptable to the Board of Examiners;

Part 4

Council

President and Vice-presidents – election and powers

25(1) The President of the Association must be elected annually by the professional members of the Association, and holds office until a successor is elected.

(3) The President may vote at meetings of the Council or the Association only in the event of a tied vote.

(4) The 2 Vice-presidents must be elected annually by the professional members of the Association and must be designated as First Vice-president and Second Vice-president on the basis of the number of votes cast for each of them.

Election of Council

26(1) The professional members of the Council, other than those mentioned in section 25, must be elected annually by the professional members of the Association.

Vacancy

27(1) Where there is a vacancy in the Council, the remaining members of the Council shall appoint a professional member to fill the vacancy until the next regular election.

Application of regulations

78 Sections 16, 17, 18, 19, 20, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 47, 48, 48.1, 49, 50, 51, 53, 54, 59, 60 and the Schedule apply in respect of professional licensees as if they were professional members.

By-laws

Part 2

Election of Council

Conduct of elections

6(1) Elections shall be conducted by letter ballot.

(2) The names of all persons nominated for office shall be placed on the ballot form in groups relating to each office. The number, professional classification and term of Councillors to be elected shall be made clear on the ballot form. Ballot forms shall be mailed to the professional members by the Chief Executive Officer not later than 50 days prior to the annual meeting.

(3) Each professional member is entitled to one vote for one candidate for vice-president, and to vote for as many candidates as there are vacancies to be filled for Council, or for a lesser number.

(4) The poll shall close at noon on the 20th day prior to the annual meeting and no ballots received after that time shall be considered.

Voting by mail

37(1) The Council may direct that a mail vote be conducted on any matter related to the Association.

(2) Announcement of a mail vote giving full details of the matter to be voted upon must be made to all professional members at least 21 days in advance of the vote being taken and if objections to a mail vote are received by the Registrar in writing at least 3 days before the announced date of the vote from at least 30 professional members of the Association the matter shall be held over to a meeting of the Association.

(3) A vote by mail shall be declared valid if at least 10 percent of the professional members respond and the matter shall be declared carried or defeated on the basis of a simple majority of the votes returned.

(4) The results of a mail vote shall be considered by the Council at its next regular meeting.

Amendments to By-laws

38(1) Proposed amendments to by-laws shall be submitted to a properly convened meeting of the Association and shall not be effective unless approved by a majority of the professional members present and voting at the meeting, or shall be submitted to the professional members for a mail vote in accordance with section 37.