

# ASTT ACT & REGULATIONS

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effective May 27, 2016

PROMOTING STANDARDS OF EXCELLENCE IN TECHNOLOGY

**ASTTBC**  
TECHNOLOGY  
PROFESSIONALS

## Introduction

This booklet has been produced to serve as a reference for members of ASTTBC and the public. It also serves as a study-guide for all new applicants who are required to write the ASTTBC Professional Practice and Ethics Examination, as part of the process to becoming registered members with ASTTBC.

This booklet may be used in a technology program as a reference for a discussion about professional ethics and practice. Students completing an ASTTBC-approved study program may be exempted from writing the ASTTBC Professional Practice and Ethics Examination.

## About ASTTBC...

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**HISTORY** - ASTTBC was formed in 1958 under the BC Society Act and then re-incorporated under the Applied Science Technologists and Technicians Act RSBC 1979 c.16.1 in 1985. The statute has seen a number of amendments since 1985 and this document provides the most current version of the ASTT Act and Regulations pursuant to the Act.

Originally established as the SOCIETY OF ARCHITECTURAL AND ENGINEERING TECHNOLOGISTS OF BRITISH COLUMBIA, the organization changed its name in the mid 1960s to the SOCIETY OF ENGINEERING TECHNOLOGISTS OF BC and then to the APPLIED SCIENCE TECHNOLOGISTS & TECHNICIANS OF BRITISH COLUMBIA in 1985. ASTTBC provides professional certification to technologists and technicians in the applied science technologies related to agriculture, architecture, biological science, biomedical engineering, building, engineering, environmental, forest engineering, geomatics and information technology. ASTTBC also provides professional certification to 'Technical Specialists' in a number of fields.

**PURPOSE** - Our 'purpose', as stated in the ASTT Act is, *"To maintain, improve and increase the knowledge, ability and competence of technologists and technicians; to regulate standards of training and practice of and for its members, and to protect the interests of the public."*

**VISION & MISSION** - ASTTBC's vision is, *"ASTTBC is the model association for technology professionals."* ASTTBC's mission is, *"To serve the public by regulating and supporting technology professionals' commitment to a safe, healthy and sustainable society and environment."*

**GOVERNANCE & MANAGEMENT** - ASTTBC is a self-governing association under the direction of a Council comprising members and public representatives. Council appoints a Chief Executive Officer and a Registrar pursuant to the ASTT Act and Regulations to manage the affairs of the Association and certification, respectively.

**PROFESSIONAL CERTIFICATION** - Professional designations granted under the ASTT Act include Applied Science Technologist – AScT – and Certified Technician – CTech. Requirements include academic qualifications either as a technologist or a technician, plus a minimum of two (2) years progressive, technical experience. Applicants must complete a Professional Practice and Ethics Examination, and meet other requirements set by the Board of Examiners.

Graduate Technologist, Graduate Technician, Associate Member and Student Member are other categories of membership. ASTTBC has also introduced a 'Provisional' membership class for internationally trained professionals immigrating to British Columbia.

Technical Specialist classifications have been established under the ASTT Regulations and cover the following fields: Building Design, Construction Safety, Fire Protection, House and Property Inspection, Onsite Wastewater, Public Works Inspection, Site Improvements Surveys and Steel Detailing. The ASTT Regulations provide information on the titles and designations awarded in these fields.

**PROFESSIONAL REGULATION & PRACTICE** - The ASTT Act and Regulations provides for the professional certification and regulation of technologists, technicians and technical specialists; it requires that members adhere to a Code of Ethics, thereby providing a formal complaint and disciplinary mechanism to deal with breaches of the Code and protects titles.

**PROFESSIONAL LIABILITY** - ASTTBC makes available to certified members a Professional Liability Insurance (errors and omissions) program. Certified members are free to acquire insurance through this or any other plan of their choosing.

# Applied Science Technologists and Technicians Act

R.S.B.C. 1996, c.15 | October 29, 2009

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## Definitions

1. In this Act:
  - “*applied science technologist*” means an individual who holds a certificate of registration under this Act;
  - “*association*” means the Applied Science Technologists and Technicians of British Columbia;
  - “*board*” means the Board of Examiners under section 12;
  - “*bylaws*” means the bylaws made by the council under section 19;
  - “*certified technician*” means an individual who holds a certificate of registration under this Act;
  - “*council*” means the council of the association;
  - “*member*” means an applied science technologist or certified technician registered as a member of the association.

## Association continued

2. (1) The Applied Science Technologists and Technicians of British Columbia is continued as a corporation.  
(2) The abbreviated form of the name of the association is “*A.S.T.T.B.C.*”

## Objects of the association

3. The objects of the association are the following:
  - (a) to maintain, improve and increase the knowledge, ability and competence of the members of the association;
  - (b) to regulate standards of training and practice of and for its members and to protect the interests of the public;
  - (c) to establish, maintain and develop standards of ethics among its members;

- (d) to do all lawful things that are incidental or conducive to the accomplishment of these objects.

## Powers of the association

4. The association may do any or all of the following:
  - (a) acquire and dispose of real and personal property;
  - (b) borrow money for the purposes of the association and mortgage or charge real or personal property of the association or its sources of funds as security;
  - (c) receive, manage and invest contributions and donations from members or others as a benevolent fund for the benefit of needy members, or their families and the families of deceased members;
  - (d) receive, manage and invest contributions and donations from members or others as a fund for the granting of awards, scholarships, bursaries or grants to further the objects of the association.

## Council continued

5. (1) The council is continued as the governing body of the association.  
(2) The council must manage and conduct the business and affairs of the association and exercise the powers of the association in the name of and on behalf of the association.  
(3) The council must convene a general meeting of the members once in each calendar year, called the annual general meeting, for the transaction of business that may be brought before the meeting, at the time and place determined by the council under the regulations.

## Registrar and executive director

6. (1) The council must appoint a registrar.  
(2) The council must appoint an executive director as the executive officer of the association under the direction of council with the powers that are established by council for the proper administration and enforcement of this Act, the regulations and bylaws.

## Council members and officers

7. (1) The council consists of at least 10 members, as prescribed by the regulations.  
(2) The members of the council must have the qualifications, be elected or appointed in the manner, and hold office for the term provided in the regulations.  
(3) The association must elect from among its members a president, vice president and secretary treasurer.  
(4) The association may appoint other officers it considers necessary, including a member to occupy a vacancy on the council.

### Registration

8. (1) In accordance with the regulations and subject to the direction of the council, the registrar must maintain a register of members.
- (2) The registrar must enter in the register the name of a person who has paid the fee prescribed by the regulations and whose registration has been approved by the board.
- (3) In accordance with the regulations and subject to the direction of the council, the registrar must maintain the membership record of the members in each class or category of membership established under the regulations.

### Certificate of registration

9. (1) On entering the name of an applied science technologist or certified technician in the register, the registrar must issue a certificate of registration to the person.
- (2) A certificate of registration issued under this section entitles the holder to use the title applied science technologist or certified technician.
- (3) A person referred to in subsection (2) may use the abbreviation “*A.Sc.T.*” for the title “*applied science technologist*” and may use the abbreviation “*C.Tech.*” for the title “*certified technician*”.
- (4) The registrar must issue an annual certificate of registration in accordance with the regulations to a member whose registration is not under suspension and who has paid the annual fee.

### Suspension and cancellation

10. (1) The registration of a member is suspended when a decision to suspend the registration is made in accordance with this Act.
- (2) The registrar must enter a memorandum of suspension of a registration in the appropriate register indicating the duration of the suspension and the reason for the suspension.
- (3) The registration of a member is cancelled when a decision to cancel the registration is made in accordance with this Act.
- (4) The registrar must enter a memorandum of cancellation of a registration in the appropriate register indicating the reason for the cancellation.
- (5) The registrar must not remove from the register a memorandum made by the registrar under this section except in accordance with the regulations.

### Membership list

11. The registrar must maintain the list of all the members in good standing and, during regular office hours, permit any person to inspect the list.

### Board of Examiners continued

12. (1) The Board of Examiners is continued.
- (2) The board must consider applications for the registration of applicants as members, in accordance with this Act, the regulations, the bylaws and the Labour Mobility Act, and may, subject to the Labour Mobility Act,
  - (a) approve the registration,
  - (b) refuse the registration, or
  - (c) defer the approval of registration until the board is satisfied that the applicant has complied with a requirement made under this section.
- (3) Subject to section 3 (3) and (4) of the Labour Mobility Act, the board may, in its discretion, require an applicant for registration
  - (a) to pass one or more examinations set by the board,
  - (b) to obtain more experience of a kind satisfactory to the board for a period set by the board, or
  - (c) to pass one or more examinations and obtain more experience before the board approves the registration.

### Registration approval

13. The board must approve the registration of a person as a member
  - (a) on proof to the satisfaction of the board that all of the following apply:
    - (i) the person is of good character and reputation;
    - (ii) the person is a Canadian citizen or permanent resident of Canada;
    - (iii) the person’s education and experience meet the requirements of the regulations and bylaws, or
  - (b) if the person is a person whose registration as a member the board is obliged under the Labour Mobility Act to approve.

### Review by council

14. (1) The board must send a written notice of any decision made by it under this Act to the applicant.
- (2) If the decision made by the board is to refuse or defer registration of the applicant, reasons for the decision must be sent in writing to the applicant.
- (3) If the decision made by the board is to approve the registration, the registrar must publish a notice of approval in accordance with the regulations.
- (4) An applicant whose application for registration has been refused by the board may, within 30 days of receiving a notice of refusal and the reasons for the refusal, request the council to review the application by serving on the registrar a written request for review by the council setting out the reasons why, in the opinion of the applicant, the registration as a member should be approved.

- (5) After receipt of a request for review under this section, the council must review the application.
  - (6) The applicant for registration
    - (a) must be notified in writing by the council of the date, place and time that it will consider the matter, and
    - (b) is entitled to appear with counsel and make representations to the council when it considers the matter.
  - (7) A member of the board who is also a member of the council may not participate at a review by the council under this section.
  - (8) On hearing a review under this section, the council may make any decision the board may make under this Act.
- (e) governing, subject to this Act, the operation and proceedings of the board;
  - (f) providing for the making of bylaws;
  - (g) for the government of the association and the management and conduct of its affairs;
  - (h) respecting the nomination, election, number, term of office and duties of council members and officers of the association, including, without limitation, the president, vice president and secretary treasurer;
  - (i) providing for the appointment of acting members of the council and procedures for the election or appointment of members to fill vacancies on the council;
  - (j) prescribing the number of members that constitutes a quorum at meetings of the association;
  - (k) governing the establishment, operation and proceedings of committees, the appointment of acting members and procedures for filling vacancies on committees, and the delegation of powers or duties of the council under this Act to a committee established by the council under this Act;
  - (l) prescribing fees and expenses payable to members of the association for attending to the business of the association;
  - (m) respecting the establishment and payment of sums of money for scholarships and other educational incentives or benefit programs that the council considers appropriate;
  - (n) respecting the setting of fees, dues and levies and requiring their payment to the association by the members;
  - (o) respecting the establishment, content and maintenance of registers of members and of records of other classes or categories of membership;
  - (p) establishing rules of general conduct binding on members;
  - (q) respecting the management of the property of the association;
  - (r) prescribing the notice, the time, the place and the order of business of meetings of members and of the council;
  - (s) respecting the exercise of absentee voting by mail ballot or proxy voting;
  - (t) providing for the continuing education of the members;
  - (u) respecting the duties and authority of the registrar;
  - (v) respecting the banking and finance of the association, including, without limitation, the investment of funds of the association;
  - (w) setting the financial year of the association and providing for an annual audit of the accounts and transactions of the association.

### Prohibition

15. (1) A person, other than a member of the association, must not take or use any name, title, addition or description, by means of a middle initial or letters placed after the person's name, or otherwise state or imply or take any action calculated to lead people to infer that the person is a member of the association.
- (2) A person other than a member of the association must not use the abbreviated form of the name of the association or any other abbreviation alone or in combination with any other word or name in any way that expressly or by implication infers that the person is a member of or connected in any way with the association.

### Injunction

16. If a person contravenes section 15, the association may apply to the Supreme Court for an injunction.

### Section 5 of Offence Act inapplicable

17. Section 5 of the Offence Act does not apply to this Act.

### Power to make regulations

18. (1) The council may make regulations referred to in section 41 of the Interpretation Act.
- (2) Without limiting subsection (1), the council may make regulations as follows:
  - (a) respecting the establishment of categories of and conditions for the enrollment of members;
  - (b) respecting the qualifications of and experience requirements for applicants for registration;
  - (c) respecting the eligibility of applicants generally for registration;
  - (d) governing the conduct of members of the association in their practice by prescribing a code of ethics, rules of conduct and standards of practice, and by providing for the suspension, expulsion or other penalty for misconduct, incapacity or incompetence;

- (3) A regulation under subsection (1) or (2) comes into force on its enactment by the council, but is revoked by operation of law at the closing of the next annual general meeting following the making of the regulation unless, before that time, it is approved by 75% of the members
  - (a) present and voting at the annual general meeting,  
or
  - (b) voting by a mail vote conducted in accordance with the regulations.

### **Bylaws**

- 19. The council may in accordance with the regulations make bylaws as follows:
  - (a) determining the location of the head office of the association;
  - (b) prescribing the seal and other insignia of the association and providing for their use;
  - (c) providing for the execution of documents by the association;
  - (d) respecting the establishment, operation and use of publications of the association;
  - (e) prescribing forms and providing for their use;
  - (f) for all other provisions considered necessary or convenient for the management of the association and the conduct of its affairs and not provided for in the regulations.

## ASTT Regulations

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## Regulations

### 1.0 Preamble

#### 1.1 Former Regulations

As of the coming into force of these Regulations, all former Regulations of the Association are hereby repealed, and these Regulations enacted in their stead unless exempted by specific reference herein.

#### 1.2 Former Policies & Practices

Such repeal shall not affect the previous operation of any Regulations so repealed or affect the validity of any act done, or right, privilege, obligation or liability acquired or incurred under, or the validity of any contract or agreement made pursuant to any such Regulation prior to its repeal. All officers and persons acting under any Regulations so repealed shall continue to act as if appointed under the provisions of these Regulations and all resolutions of the members or of the Council with continuing effect passed under any repealed Regulation shall continue to be good and valid except to the extent inconsistent with these Regulations and until amended or repealed.

#### 1.3 The Act

These Regulations are enacted pursuant to the provisions of the Applied Science Technologists and Technicians Act (hereinafter called 'the Act').

#### 1.4 Definitions

In these Regulations any word(s) importing a male person includes a female person and a female person includes a male person and either word includes Association; words importing the singular include the plural and vice versa. All definitions contained in the Act shall apply to these Regulations.

#### 1.5 Other Legislation

Nothing in this Regulation affects the application of any other legislation.

## 2.0 Membership Eligibility & Classes

### 2.1 Membership General

Individuals in applied science technology are eligible for membership in the Association provided that they meet the requirements for one (1) of the membership classes listed below and they have satisfied the Association as to their moral fitness to become a member.

The term 'member' in this Regulation includes the categories referred to herein; the term member in good standing means a member who has paid the applicable dues and is not under suspension.

No person shall be admitted to membership of the Association except in accordance with the Act and these Regulations.

### 2.2 Certified Member

A certified member is one who has met the required standards of registration and who practices in an approved discipline. Upon certification the certified member shall be registered either as an Applied Science Technologist or a Certified Technician.

- a) All certified members will have demonstrated to the Board of Examiners the minimum educational qualifications and the completion of a minimum of two (2) years progressive, relevant experience in an approved discipline.
- b) A Certified Technician shall hold a minimum of a Certificate of Technology or an equivalent education and experience, which is recognized as such by the Board of Examiners.
- c) An Applied Science Technologist shall hold a minimum of a Diploma of Technology or an equivalent education and work experience, which is recognized as such by the Board of Examiners.
- d) A Certified Technician (CTech) or Applied Science Technologist (AScT) who:
  - i) Acquires a minimum of four years of progressive management experience or an equivalent combination of education and experience in supervision or management in an approved discipline,
  - ii) Has developed competencies indicative of the capabilities of a technology manager in addition to the experience required for certified membership,
  - iii) Meets the profile of a Registered Technology Manager as recognized by Council may apply to the Registered Technology Manager Certification Board to be registered as a Registered Technology Manager. A Registered Technology Manager shall be entitled to use the designation RTMgr in addition to their certified member designation.
- e) An Applied Science Technologist (AScT) who:
  - i) Develops their competencies in an approved discipline indicative of the capabilities of an advanced technology practitioner,
  - ii) Has a minimum of four years of progressive technical experience in addition to the two years experience required for AScT membership,
  - iii) Meets the profile of a Professional Technologist as approved by Council, may apply to the Professional Technologist Certification Board to be certified and registered as a Professional Technologist. A Professional Technologist shall be entitled to use the designation PTech in addition to AScT.

### 2.3 Technical Specialist

- a) A Technical Specialist is a person approved by the Special Certification and Licensing Board who, by his or her training, experience and employment, has met the required standards for certification in a field of practice approved by Council.

- b) A Technical Specialist may use such designations and titles as approved by Council. Such designations and titles shall be exclusive to Technical Specialists approved by the applicable Technical Specialist Certification Board and are in good standing with ASTTBC.
- c) Technical Specialist Certification Boards are approved for the following specialty groups and designations:

Field of Practice/Title	Designation
<b>Building Design</b>	
Registered Building Designer	RBD
Certified Residential Designer	CRD
<b>Construction Safety</b>	
Registered Construction Safety Officer	RCSO
Construction Safety Officer	CSO
Provisional Construction Safety Officer	CSO(P)
<b>Electrical Work Practitioner</b>	
<i>Note... the Electrical Work Practitioner Program awards a certificate to a qualified member, but does not award a title or designation:</i>	
Electrical EL 1	
Electrical EL 2	
Fire Protection FP 1	
<b>Fire Protection</b>	
Registered Fire Protection Technician	RFPT
<b>House &amp; Property Inspection</b>	
Certified Property Inspector	CPI
Certified House Inspector	CHI
Registered Reserve Fund Analyst	RRFA
Limited Registered Reserve Fund Analyst	RRFA(L)
<b>Onsite Wastewater</b>	
Registered Onsite Wastewater Practitioner	ROWP
<b>Public Works Inspection</b>	
Certified Public Works Inspector 3	CPWI 3
Certified Public Works Inspector 2	CPWI 2
Certified Public Works Inspector 1	CPWI 1
<b>Site Improvements Surveys</b>	
Registered in Site Improvements Surveys	RSIS
<b>Steel Detailing</b>	
Registered Steel Detailer	RSD
Certified Steel Detailer	CSD
Associate Steel Detailer	ASD

- d) A Technical Specialist may be registered as a member under another category of membership.
- e) The Technical Specialist Register is separate from the Register for Applied Science Technologists (AScT) and Certified Technicians (CTech).
- f) The name and designation of each Technical Specialist approved by the respective Technical Specialist Certification Board is included in a Technical Specialist Register specific to the specialty group. The Register of members in good standing will be posted on the ASTTBC website accessible to the public.
- g) A Technical Specialist is deemed to be a member of the Association and thus subject to the Act and Regulations applicable to all members.

## 2.4 Graduate Technologist

A Graduate Technologist is a person approved by the Board who has successfully graduated from an accredited program of studies leading to registration as an Applied Science Technologist.

## 2.5 Graduate Technician

A Graduate Technician is a person approved by the Board who has successfully graduated from an accredited program of studies leading to registration as a Certified Technician.

## 2.6 Associate Member

An Associate Member is a person approved by the Board who by his or her training, experience or employment meets the general standards of registration as a certified member, but does not meet either or both of:

- a) the Association's academic standards;
- b) the Association's experience requirements for practical experience or occupation.

## 2.7 Student Member

A student member is a person approved by the Board who is enrolled in an approved program of studies, but has not completed the full requirements for registration as an Associate Member.

## 2.8 Life Member

A Life Member is a certified member who has made an exceptional contribution to the Association and whose nomination is approved by Council.

## 2.9 Honorary Member

An Honorary Member is a person who has contributed to the development, advancement and welfare of applied science technology and whose nomination is approved by Council.

## 3.0 Registration of Members

### 3.1 Application for Registration

An application for admission or reinstatement of membership, or for reclassification of membership, is herein referred to as an application for registration. Applications shall be made to the Registrar. Each applicant shall be a resident of Canada and shall provide proof of Canadian citizenship or permanent resident status.

### 3.2 Special Consideration

Special consideration may be granted to a mature applicant. An applicant under this Regulation may be required to submit to oral examinations, or provide a thesis or other written submission, as advised by the Board.

The burden of proof upon such applicants shall be stringent. They must be able to demonstrate their technical competence and provide evidence of their having extensive working experience at the level of registration which they seek.

### 3.3 Certificates

- a) A certificate of registration shall be issued to all certified members as defined in Section 2.2.
- b) A certificate of registration shall be issued to all Technical Specialists as defined in Section 2.3.

- c) A certificate of registration shall be issued to all Graduate Technologist members as defined in Section 2.4.
- d) A certificate of registration shall be issued to all Graduate Technician members as defined in Section 2.5.
- e) A certificate of registration shall be issued to all Associate members as defined in Section 2.6.
- f) Certificates of registration shall be appropriately displayed.

#### 3.4 Temporary Registration

Any person who is registered with an association recognized by Council and requiring temporary certification while practicing in British Columbia may be granted membership at the appropriate classification under such circumstances, conditions, limitations and restrictions and for such temporary and limited periods of time as established by Council. The Registrar is empowered to grant this temporary certification subject to the provision of appropriate documentation by the applicant and a review by the applicable Board at its next meeting.

#### 3.5 Cancellation of Registration

The Board of Examiners may cancel the registration of a member if the registration was made in error. The Special Certification and Licensing Board may cancel the special certificate of a Technical Specialist if the certification or licensing was made in error.

### 4.0 Practice, Practice Review Board & Discipline Committee

#### 4.1 Certified Member Practice

- a) **Definition of & Scope of Practice**  
A certified member may, in accordance with his or her academic qualifications, training and experience, provide services, carry on work and accept responsibility in an approved discipline for: inspecting, sampling, evaluating, testing, measuring, troubleshooting, servicing, repairing, maintaining, designing, manufacturing, installing, implementing, reporting on, preparing plans and specifications for, or directing the construction, technical inspection, maintenance or operation of, any structure, work or process, that,
  - i) safeguards life, health, property, environment, public interest or economic welfare, and,
  - ii) which is accomplished through the application of codes, standards and generally recognized procedures and practices appropriate to the endeavour.
- b) **Disciplines of Registration & Practice**  
A certified member shall be registered and is entitled to practice in the following approved applied science technology disciplines:  
Biological Science, Biomedical Engineering, Building, Chemical, Civil, Electrical, Electronics, Environmental, Forest Engineering, Gas and Petroleum, Geomatics, Information, Metallurgical, Mechanical, Mining, and any other discipline approved by Council. Specialties within each discipline may be approved by Council.

#### 4.2 Certified Registrant (Technical Specialist) Practice

A Technical Specialist may provide services or carry out work in accordance with his or her academic qualifications, training and experience within the limits of the speciality field in which he or she is registered.

#### 4.3 Standards of Practice & Guide to Professional Practice

- a) In the provision of work and services a certified member or certified registrant must comply with the Code of Ethics approved by Council.
- b) A certified member or certified registrant shall also comply with any Guide to Professional Practice as may be approved by Council.
- c) The Council must establish, by policy and due notice to the membership, the minimum number of hours of continuing education that is required of a certified member or certified registrant.

#### 4.4 Stamps or Seals – Certified Member

Stamps or seals may only be issued to certified members as prescribed by Council. Stamps and seals may only be affixed to documents prepared by a certified member or prepared under his or her direct supervision. Use of the stamp or seal is strictly limited to documents describing work or containing information that is within the scope of practice defined by the member's academic qualifications, training and experience. Stamps and seals are not transferable or usable, by anyone at any time other than the registered and certified individual to whom they were issued and remain the property of ASTTBC.

#### 4.5 Stamps or Seals – Certified Registrant (Technical Specialist)

Stamps or seals may only be issued to Technical Specialists as prescribed by Council. Stamps and seals may only be affixed to documents prepared by the Technical Specialist or prepared under his or her direct supervision. Use of the stamp or seal is strictly limited to documents describing work or containing information that is within the scope of practice defined by the Special Certification and Licensing Board and approved by Council. Stamps are not transferable or usable, by anyone at any time other than the individual to whom they were issued and remain the property of ASTTBC.

#### 4.6 Advertising

A member or Technical Specialist who advertises his or her professional services shall at all times do so in a professional and factual manner without exaggeration. A member or Technical Specialist may only use the Association's corporate seals or logos with the express permission of Council and reproduce them only in the manner and form applied for.

4.7 Practice Review Board & Discipline Committee

- a) Practice Review Board Established  
The Practice Review Board is hereby established and appointed annually by Council and shall consist of a Chairperson and not less than five (5) members of the Association in good standing having qualifications commensurate with their appointment. In addition Council may from time to time appoint others to membership in the Practice Review Board, including representatives from appropriate professional associations. A quorum shall consist of three (3) members of the Practice Review Board plus the Chairperson and a simple majority will decide the result of any vote.
- b) The Registrar or his or her Designate shall act as the secretary of the Practice Review Board.
- c) Powers of the Practice Review Board
  - i) The Practice Review Board:
    - A) may, upon its own initiative, implement such process randomly throughout the membership or in relation to categories of practice within the membership;
    - B) may, in respect of a specific member or registrant, where it has reason to believe that either the member or registrant or the public would benefit, evaluate the practice of such member or registrant to determine compliance with prevailing standards, and for that purpose may:
      - i) appoint a member or staff person to conduct such evaluation on its behalf and for its consideration;
      - ii) require the member or registrant to submit to an interview on the content and conduct of his / her practice;
      - iii) require the member or registrant to make available any documents related to the practice for inspection, copying, review and consideration;
      - iv) require the member to identify clients or other persons who may have knowledge of the content and conduct of his / her practice in order that such persons may be interviewed; and
      - v) prepare recommendations for the improvement of the practice of the member or registrant; or
    - C) shall, upon the receipt of a complaint against a member or registrant, evaluate the conduct and competence of the member or registrant in accordance either with such process or as otherwise provided in these Regulations.
  - ii) The Practice Review Board shall, upon its own initiative or at the request of Council, inquire into and make either a finding or recommendation, which Council may consider in respect of:
    - A) the assessment and development of educational standards and the experience requirements, the conditions to obtaining and continuing registration and membership;
    - B) the evaluation of practice standards of members and registrants;
    - C) the establishment of fines and appropriate costs to be applied in disciplinary matters;
    - D) any other matters that Council from time to time considers necessary and appropriate in connection with the exercise of its powers and the performance of its duties under the Act and these Regulations.
- d) Complaints
  - i) Complaints against any member or registrant must be made, in writing, to the Registrar within two years of the occurrence of the substance of the complaint. Any complaint not received within such period will be considered to be extinguished.
  - ii) Upon receipt of a written complaint, the Registrar or Designate will provide a copy of the complaint to the member or registrant and will give the member or registrant the opportunity to provide a written response.
  - iii) The Registrar or Designate will advise the Practice Review Board of the complaint and any response received from the member or registrant.
  - iv) The Registrar or Designate will undertake a preliminary investigation of the complaint, the scope and method of which investigation are in the sole discretion of the Registrar or Designate, and will report any findings and make any recommendations there from to the Practice Review Board.
  - v) The Practice Review Board, in its sole discretion, may:
    - A) dismiss the complaint;
    - B) issue a letter of censure to the member or registrant;
    - C) enter into a Stipulated Order with the member or registrant;
    - D) cause formal charges to be issued to the member or registrant and appoint a Discipline Committee to adjudicate the charges by means of a hearing; or
    - E) take any other action that it deems advisable in the circumstances including, subject to subparagraph (vi) below, the temporary suspension of the membership, registration, certification or licensing of the member or registrant in the Association.
  - vi) Where the Practice Review Board, in its sole discretion, believes that the public interest requires the temporary suspension of the member or registrant, it shall:
    - A) as soon as practicable given notice in writing to the member or registrant of the decision to temporarily suspend the member or registrant;

- B) within 7 days following said notice to the member or registrant, cause formal charges to be delivered to the member or registrant in accordance with these Regulations;
  - C) as soon as practicable following delivery of formal charges to the member or registrant, appoint a Discipline Committee to hear the charges in accordance with these Regulations.
- e) Discipline Committee
- The Discipline Committee will be appointed by the Practice Review Board from members or registrants of the Association or representatives from appropriate professional associations, excepting members of Council and the Practice Review Board, and in accordance with the Regulations. The number of members of the Discipline Committee will be determined by the Practice Review Board, but not be less than three (3), including a Chairperson. The Registrar may, in their sole discretion, provide reasonable compensation to any or all of the members of the Discipline Committee.
- f) Charges
- i) Charges will be in writing and will be reasonably descriptive of the alleged breaches of competent practice and/or the Code of Ethics and will include a summary of facts relied upon.
  - ii) Charges will be personally served upon the member or registrant, unless the circumstances reasonably prevent such personal service, in which case the Chairperson of the Practice Review Board may authorize substitutional service in a manner reasonable in the circumstances.
- g) Hearing
- i) A date, time and location of a hearing of the charges will be set by the Discipline Committee, with reasonable efforts made to accommodate the member or registrant but, in any event, will be no earlier than 14 days from the date of service of the charges upon the member or registrant.
  - ii) The hearing will be in-camera and open only to the Discipline Committee and its counsel, the member or registrant and his or her counsel, Association staff and witnesses.
  - iii) Where it is reasonable to do so, the hearing will be recorded in a manner determined by the Practice Review Board.
  - iv) Prosecution of the charges will be undertaken by the Registrar or Designate.
  - v) Evidence will be received by the Discipline Committee in a manner which it considers reasonable in all of the circumstances and not necessarily in accordance with the rules of evidence applicable in a Court of Law.
  - vi) Witnesses may be examined under oath or affirmation and may be cross-examined, subject to the discretion of the Discipline Committee.
  - vii) The Discipline Committee may adjourn the hearing from time to time and may reserve judgment to a date and time of its choosing.
  - viii) The Discipline Committee will render its judgment, which will be by majority and need not be unanimous, on the basis of the charges proffered and the evidence received at the hearing.
  - ix) If judgment is rendered against the member or registrant in respect of any of the charges proffered, the Discipline Committee may establish a date, time and location for a further hearing on the issue of penalty, at which hearing the prosecution may present its position upon the appropriate penalty and, following, the member or registrant will be given the opportunity to present his or her position on the appropriate penalty.
  - x) The Discipline Committee may reserve judgment on the penalty until a date and time of its choosing, at which time it will render its judgment, by majority, in writing.
- h) Penalty
- The Discipline Committee may, in its sole discretion, apply any of the following penalties:
- i) reprimand of the member or registrant;
  - ii) suspension of the registration, certification or licensing of the member or registrant in the Association for a specified time;
  - iii) imposition of any conditions on the member or registrant's entitlement to registration, certification or licensing in the Association, including the requirement that the member or registrant undergo periodic examinations or to obtain specific continuing education;
  - iv) cancellation of the registration, certification or licensing in the Association of a registrant;
  - v) fine in accordance with guidelines set by Council;
  - vi) costs of the complaint proceeding, including hearing, in accordance with guidelines set by Council, which costs will only be made against the registrant and which shall only be for the exclusive benefit of the Association.
- i) Reporting and Publication of Judgment
- i) Where resolution of a complaint is pursuant to Regulation 4.7(d)(v), the Practice Review Board will cause notification of such resolution to be given to the complainant and served upon the member or registrant as soon as practicable.
  - ii) Where resolution of a complaint is pursuant to Regulation 4.7(e-h), the Discipline Committee will forward its written judgment(s) to the Practice Review Board for its information and will cause the written judgment(s) to be provided to the complainant and served upon the member or registrant as soon as practicable.
  - iii) A summary of the resolution of a complaint will be published by the Association in accordance with its normal practice.

- j) Appeal
    - i) A member or registrant may appeal to Council the resolution of a complaint by the Practice Review Board pursuant to Regulation 4.7(d)(v) or resolution of a complaint by the Discipline Committee pursuant to Regulation 4.7(e-h) by filing with the Registrar a written Notice of Appeal before the expiry of 30 days from service upon him or her of the notification or written judgment(s). Unless a Notice of Appeal is so filed, the right of appeal is extinguished.
    - ii) The Notice of Appeal must include the alleged grounds of appeal and a statement of the relief being sought.
    - iii) As soon as practicable following receipt the Notice of Appeal, the Registrar or Designate may serve a Response to Notice of Appeal upon the appellant, in which a response to the grounds of appeal and statement of relief sought may be made. The Registrar will provide the Notice of Appeal and Response to Notice of Appeal to Council.
    - iv) As soon as practicable following receipt of the Notice of Appeal and Response to Notice of Appeal, if any, Council will appoint an Appeal Committee to adjudicate the appeal.
    - v) The Appeal Committee will be appointed from members of Council but will not include any member of Council having any previous involvement with the complaint in any capacity which might reasonably give rise to a perception of a conflict of interest or bias. The number of members will be determined by Council, but will not be less than three (3), including a Chairperson.
    - vi) The Appeal Committee, in its sole discretion, may decide the appeal upon the basis of the Notice of Appeal and the Response to Notice of Appeal or may convene a hearing for the purpose of receiving oral argument.
    - vii) A hearing of an appeal will be conducted in accordance with a procedure established by the Appeal Committee.
    - viii) The decision of the Appeal Committee will be in writing and will be served forthwith upon the appellant.
    - ix) In dealing with the appeal, the Appeal Committee may:
      - A) grant adjournment of the appeal on terms it sees fit in the circumstances;
      - B) receive further evidence which was not available to the Practice Review Board or to the Discipline Committee;
      - C) make a determination, finding or judgment that it believes ought to have been made by the Practice Review Board or the Discipline Committee;
      - D) make any findings as to the conduct of the member or registrant that it believes ought to have been made by the Practice Review Board or the Discipline Committee;
  - E) quash, verify or confirm the order of the Practice Review Board or Discipline Committee or substitute or make a finding or order of its own.
  - k) No Action
 

No action may be brought against the Association, its officers, servants, Council or any member or registrant of the Association as a result of any proceeding conducted in good faith, or action taken, enforced or attempted at under this Regulation.
- 4.8 Code of Ethics
- a) Council shall establish a Code of Ethics and Practice Guidelines which will be binding on all registrants.
  - b) Complaints regarding a member's breach of the Code of Ethics or Practice Guidelines will be dealt with by the Practice Review Board in the manner set out in this Regulation.
- 4.9 Appeals
- a) An investigated person may apply to Council for leave to appeal the order or decision of the Practice Review Board and the Council may, in its sole discretion, decide either to deny leave to appeal or, alternatively, to grant leave to appeal in which latter case it shall hear such appeal at a time of its choosing. In either case, the investigated person shall be advised forthwith by the Registrar of Council's decision concerning leave.
  - b) An appeal, including an application for leave to appeal, shall be commenced by a written notice of appeal that shall describe the order appealed from and state the specific reasons for appeal and shall be served upon the Registrar not more than thirty (30) days after the date that the decision of the Practice Review Board was served on the investigated person.
  - c) Upon receipt of a sufficient, written commencement of an appeal the Registrar is empowered and may decide, in his or her sole discretion, to temporarily suspend any penalty or finding of the Practice Review Board, pending its final disposition by Council.
  - d) In a timely manner the Council, on receiving a written notice of an appeal from the Registrar, shall have served on the investigated person a notice of its willingness or not to hearing of an appeal, (stating the date, time and place on and at which Council will seek to hear the appeal).
  - e) Any member of Council who has submitted the complaint or participated in any way at the hearings or deliberations of the Practice Review Board or the Discipline Committee, those which gave rise to the order being appealed shall not participate in any deliberations or in any appeal before Council.
  - f) In a timely manner, Council on receiving a written notice of an appeal may do any or all of the following:
    - i) decide if an appeal is warranted and grant or deny leave to appeal;
    - ii) as it sees fit may adjourn the proceedings;
    - iii) appoint a committee of Council for further consideration of the appeal and to present a timely report to Council;

- iv) receive further evidence in any manner it deems fit from any of the parties involved in the complaint;
- v) make a determination, finding or judgment that ought to have been made by the Practice Review Board or the Discipline Committee;
- vi) quash or confirm the order of the Practice Review Board or substitute or make a finding or order of its own;
- vii) confirm or reverse the temporary suspension by the Registrar of the penalty or finding on any terms it sees fit in the circumstances.

## 5.0 Other Responsibilities & Privileges of Members

### 5.1 Rings

Rings indicating an insignia approved by Council shall not be worn or displayed other than by certified members, Graduate Technologists and Graduate Technicians in good standing.

### 5.2 Voting Rights

Certified members in good standing shall be entitled to vote on each question arising at any meeting of the members, including special or annual meetings.

### 5.3 Awards

Council may establish awards to recognize achievements of members and non-members. Nominations may be presented by any member in good standing, in accordance with the award criteria established by Council.

### 5.4 Duties of Members

- a) All members are bound to conduct themselves in accordance with the Association's Code of Ethics, Regulations and Bylaws and in accordance with the provisions of the Act, and respond promptly to all communications from the Association.
- b) Before entering into any agreement to provide services to the public, a member must disclose to the client, in writing, whether or not professional liability insurance is held and whether that insurance is applicable to the services to be provided. The disclosure notice shall include provision for an acknowledgement of the advice to be signed by the client.

### 5.5 Titles & Designations

Titles and designations awarded by Council are a privilege and may only be used in a manner that is in accordance with the Code of Ethics and policies adopted by Council. The Council, or its appointed designate, may revoke the privilege to use any title or designation awarded by the Association, if in its sole discretion, it has determined that the use has not been according to the Code of Ethics and Council Policies, or is detrimental to the Association or its members. Upon receiving written notice of the decision of Council or its appointed designate, the individual must immediately cease and desist the use of such title and/or designation as so ordered by Council or its appointed designate. Such notice will be given by a means providing proof of receipt and is deemed to be received by the individual not more than ten days after such notice is sent.

## 6.0 Meetings, Quorums & Voting

### 6.1 Meetings

- a) Any meeting of the members, other than an annual meeting, is a special meeting.
- b) Subject to the Act, an annual meeting and any special meetings of the members shall be held at such time and at such place as may be approved by Council, provided that an annual meeting shall be held each year after the first day of April and prior to the first day of July.
- c) The annual meeting in each year shall be for the purpose of announcing the election of individuals for each of the positions on Council, confirming minutes of the previous annual meeting, receiving reports from officers and committees, appointing auditors, receiving motions, and such other matters required by the Act or listed in the notice of meeting.
- d) Except as provided in the Act, motions or resolutions passed at an annual meeting or special meeting shall not be binding upon the Council.
- e) Notice of an annual meeting and of any special meeting shall be in writing and shall be given to the member at least thirty (30) days before the date thereof, except where herein otherwise provided, and shall state any business to be brought before the meeting and shall be deemed effectively and sufficiently given when mailed by prepaid post to all members entitled to vote at the meeting.
- f) A meeting of the membership, Council or a Board may be conducted by means of electronic or other communication facilities.

### 6.2 Quorums

A quorum for meetings of the members shall be twenty-five (25) certified members in good standing. If a quorum is not present at a meeting, the meeting shall be adjourned without further notice for fourteen (14) days and a quorum at such adjourned meeting shall be the members present at such adjourned meeting.

### 6.3 Voting

- a) Voting rights are restricted as defined in regulation 5.2.
- b) A simple majority will decide the result of any vote except for motions to change these Regulations which require approval by 75% (seventy-five percent) of the members present and voting at the annual general meeting or voting by mail vote conducted in accordance with the Regulations.

### 6.4 Special Meetings

Special meetings shall be called by the Council as required or as demanded by a written petition to the Secretary Treasurer signed by not fewer than twenty-five (25) members of the Association in good standing. If within ninety (90) days after receipt of any such petition Council does not convene a special meeting, the petitioners, or any majority of them, may themselves convene a special meeting. Any such petition shall set forth the purpose for which the meeting is to be called. Written notice to the membership calling for a special meeting shall clearly state the intended purpose of the meeting and no other business shall be transacted.

## 7.0 Officers' Duties, Qualifications & Terms

### 7.1 Officers General

The officers of the Association shall be: the President, Vice President, Secretary Treasurer, Chief Executive Officer and Registrar of the Association.

### 7.2 Elected Officers

The President, Vice President and Secretary Treasurer shall be elected officers by and from the members of the Association.

### 7.3 Appointed Officers

The Chief Executive Officer and the Registrar shall be appointed by Council and will serve as ex-officio, non-voting members of the Council.

### 7.4 President

The President shall preside at all meetings of Council and the Association. The President shall be ex-officio member of all the Association's committees and boards except the Nominating Committee.

The President shall officially represent the Association at all functions and in all matters where the Association has an interest or he or she may appoint in his or her stead any member, officer, staff person or agent of the Association.

### 7.5 Vice President

The Vice President shall assist the President in carrying out the administration of the Association and may preside at meetings of the members, Council or committees of the Association in the absence of the President.

### 7.6 Secretary Treasurer

The Secretary Treasurer shall give or cause to be given all notices required for members and Council meetings; shall enter or cause to be entered minutes of all proceedings of such meetings; shall be the custodian of the books, records and documents for the Association; shall cause to be kept full and accurate books of account; shall control or cause to be controlled all deposits and the safekeeping of disbursements and funds; and shall render or cause to be rendered regular financial and budget reports to Council.

### 7.7 Chief Executive Officer

Subject to the authority of Council, the Chief Executive Officer shall have responsibility for the general management and direction of the Association's business and affairs. He or she shall have the power to appoint and remove any and all employees and agents of the Association who are not elected or appointed by Council and to settle the terms of their employment and remuneration.

### 7.8 Registrar

The Registrar shall keep a complete and accurate register of the Association's members in all categories, including names and addresses, and of applicants for membership (whether accepted or not) and record or cause to be recorded dates of registrations and recordings, receipts of applications for membership or for renewal or reinstatement of membership, receipt of dues, fees and levies, and such further and other information as may be directed by Council. The Registrar shall carry out all other duties imposed upon the Registrar by the Act.

### 7.9 Qualifications

- a) No person shall be nominated for or elected as President unless he or she is a certified member in good standing and shall have, immediately prior to the annual meeting at which time he or she will take office, served for at least two (2) full years as a member of Council. No person shall be nominated as Vice President unless he or she shall have, prior to the annual meeting at which he or she will take office, served for at least one (1) full year as a member of Council.
- b) No person shall be nominated for or elected as a Council member unless he or she is a certified member in good standing.

### 7.10 Terms

The President, Vice President and Secretary Treasurer shall hold office for terms of one (1) year or until successors have been duly elected and qualified as provided herein.

The President may serve for a maximum of two (2) consecutive terms.

## 8.0 Council Election Procedures

### 8.1 Council Elections & Appointments

- a) In each year Council shall at least one hundred and fifty (150) days prior to the annual meeting for that year, appoint a Nominating Committee composed of the most immediate Past President who shall act as Chairperson, and at least three (3) certified members of the Association to prepare a list of nominees for Council for the ensuing year. No members of Council except the Past President shall serve on the Nominating Committee. The Chairperson shall appoint members to fill any vacancies which may subsequently occur in the Nominating Committee.
- b) The Nominating Committee shall ensure at least one (1) nominee for each position on Council. No person shall be nominated for or elected to Council unless he or she is a certified member in good standing, with the exception of public representatives who shall not be certified members.
- c) The Registrar, who shall act as returning officer, shall not less than one hundred and twenty (120) days prior to the annual meeting, inform the members of the procedure for submission of nominations as outlined herein. Nominations shall be submitted in writing to the Nominating Committee Chairperson. Each nomination shall be supported by the signatures of ten (10) certified members, as well as the consent and signature of the nominee. Such nominations, properly endorsed, must be in the hands of the Nominating Committee Chairperson not less than ninety (90) days prior to the annual meeting.
- d) Not less than seventy (70) days prior to the annual meeting the Nominating Committee shall submit a list of nominees to the returning officer.

- e) Not less than forty-five (45) days prior to the annual meeting, unless the nominees be elected by acclamation, the returning officer shall mail to each member entitled to vote a list of the nominations submitted by the Nominating Committee, together with ballot forms and conduct an election by letter ballot.
- f) The names of all persons nominated for office shall be placed on the ballot form by the returning officer. The number to be elected and method of marking and submission of ballots shall be made clear on the ballot form.
- g) Each member entitled to vote may vote for as many candidates as there are vacancies to be filled or for a lesser number.
- h) The poll shall close at five o'clock (5:00) in the afternoon of the fourth (4th) day prior to the annual meeting and no ballots received after that time will be considered unless otherwise indicated by the returning officer in his or her instructions accompanying the ballots.
- i) The returning officer shall count and record the votes cast for each nominee and shall keep the count secret until the result is declared at the annual meeting.
- j) The results of the poll, which shall not otherwise be disclosed, shall be handed in a sealed envelope to the Chairperson of the annual meeting. At the annual meeting the sealed envelope shall be opened by the Chairperson and the results announced and recorded.
- k) In the case of equality of votes for any Council position, the Chairperson of the annual meeting shall cast the deciding vote. In the case of equality of votes for the twelfth (12th) and final Council position the Chairperson of the annual meeting shall cast the deciding vote.
- l) Any objection to the poll as announced shall be valid only if made immediately after the announcement and a proper request for recount shall then be in order. A request for a recount is only proper if supported by ten (10) members. Upon a proper request for a recount the Chairperson shall appoint a ballot recounting committee of six (6) members who shall forthwith recount all the ballots. Candidates may be present or represented at such recount.
- m) Following the announcement of a ballot or recount the tally sheets and ballots shall be destroyed.

## 8.2 Removals

Any member of Council may be removed from office:

- a) by resolution of Council if that person ceases to be a member of the Association in good standing;
- b) by resolution of Council if that person shall be absent for three (3) consecutive meetings of Council without just cause;
- c) by resolution of Council if that person becomes of unsound mind;
- d) by notice in writing from that person to the Registrar, if that person resigns office;
- e) by an extraordinary resolution of the members.

## 8.3 Vacancy

Where there is a vacancy in the elected members of Council for any reason, Council may appoint a member to fill the vacancy until the next annual meeting, at which time the vacancy shall be filled by election by the members.

## 9.0 Council

### 9.1 Numbers Elected & Appointed

The Council shall consist of twelve (12) certified members who are elected and three (3) public representatives who are not certified members appointed by Council, plus the immediate Past President. This Regulation shall apply starting with the Council that assumes office following the annual meeting in 2010.

### 9.2 Council Operations & Powers

- a) Council shall manage and conduct or cause to be managed and conducted all the business of the Association and exercise the powers of the Association in the name of and on behalf of the Association as prescribed in the Act.
- b) The Council shall hold regular meetings to discharge its duties under the Act and these Regulations and its powers shall be limited by the Act.
- c) Eight (8) members present shall constitute a quorum for the transaction of Council business.
- d) Questions arising at any meeting of Council shall, unless otherwise expressly herein provided, be decided by a majority vote. The Chairperson shall have no vote except when votes are evenly divided. A vote shall be taken by ballot if so demanded by a member of Council present, but if no demand be made a vote shall be taken by a show of hands. A declaration by the Chairperson that a resolution has been carried or defeated and an entry to that effect in the minutes of Council shall be admissible in evidence as prima facie proof of such fact without further proof of the number of votes cast in favour of or against such resolution.

### 9.3 Indemnification

Every member of Council and his or her heirs, executors and administrators, and estate and effects, respectively, shall be indemnified and saved harmless out of the funds of the Association from and against:

- a) all costs, charges and expenses whatsoever that he or she sustains or incurs in or about any action, suit or proceeding that is brought, commenced or prosecuted against him or her for or in respect of any act, deed, matter or thing whatsoever made, done or permitted by him or her in or about the execution of the duties of his or her office; and
- b) all other costs, charges and expenses that he or she sustains or incurs in or about or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by his or her own willful neglect or default.

## 10.0 Boards & Committees

### 10.1 General

- a) At its first meeting after election in each year Council shall appoint a Chairperson and members to each standing committee or board prescribed in these Regulations, and shall from time to time establish such other committees as the Council deems necessary to carry out the operation of the Association.
- b) All boards and committees shall report to Council and hold regular meetings. Unless otherwise specified in these Regulations, one half (1/2) of the members of a committee or a board shall constitute a quorum.
- c) The standing committees and boards of the Association are the following:
  - Board of Examiners
  - Accreditation Board
  - Practice Review Board
  - Nominating Committee

### 10.2 Board of Examiners

- a) The Board shall consist of a Chairperson and a minimum of eight (8) individuals appointed annually by Council, whose experience is commensurate with their appointment.
- b) The Registrar shall act as secretary to the Board.
- c) The terms of reference and powers of the Board shall be as defined in Section 12 of the Act. Candidates for registration shall be approved or disapproved by the Board in accordance with Section 13 of the Act. Notification of decisions and appeals there from shall be administered in accordance with Section 14 of the Act. Subject to the approval of Council, the Board shall establish and implement policies and procedures relating to:
  - Registration
  - Standards for registration
  - Examinations
  - Classifications of membershipand such other matters as may be referred by Council.
- d) The Board shall regularly review its policies and methods and recommend changes to Council as required.
- e) The Board shall be consistent in its decisions.
- f) To meet its obligations the Board shall have the power to appoint examiners to assess whether applicants for membership satisfy the requirements of all the various disciplines.
- g) Board decisions shall require a two-thirds (2/3) majority.
- h) Five (5) Board members present shall constitute a quorum. When a quorum is not present the Chairperson may decide to proceed with the meeting and in such instance will have all decisions approved by the Board at the meeting or by mail ballot.
- i) Examiners appointed by the Board, who are required to attend a meeting of the Board, shall do so in a non-voting capacity.

### 10.3 Special Certification & Licensing Boards

- a) Council may appoint Special Certification & Licensing Boards to consider applications for the registration of Technical Specialists. Each Board shall be guided by the terms set out in subsections b) through l).
- b) The Board shall consist of a Chairperson and at least four (4) individuals appointed annually by Council, whose experience is commensurate with their appointment.
- c) The Registrar or his or her designate will act as secretary to the Board.
- d) The Board shall consider applications for the registration of Technical Specialists in accordance with the Act and Regulations, and may
  - i) approve the registration;
  - ii) refuse the registration; or
  - iii) defer the registration until it is satisfied that the applicant has complied with a requirement for registration made by the Board.
- e) The Board may, in its discretion, require an applicant
  - i) to pass one (1) or more examinations set by the Board;
  - ii) to obtain more experience of a kind satisfactory to the Board for a period set by the Board; or
  - iii) to pass one (1) or more examinations and obtain more experience before approving the registration.
- f) The Board shall be governed by Sections 13 and 14 of the Act pertaining to the approval of registrations and review by Council.
- g) The Board shall regularly review its policies and methods and recommend changes to Council as required.
- h) The Board shall be consistent in its decisions.
- i) To meet its obligations the Board shall have the power to appoint examiners to assess whether applicants for membership satisfy the requirements of all the various disciplines. Examiners appointed by the Board who are required to attend a meeting of the Board shall do so in a non-voting capacity.
- j) Board decisions shall require a two-thirds (2/3) majority.
- k) Three (3) Board members present shall constitute a quorum.
- l) The Board will have the power to validate educational programs by a periodic review process. Such regular review shall identify the programs that meet or exceed the Association's academic standards for a Technical Specialist. The Board shall at all times follow methods, procedures and policies approved by Council.

### 10.4 Accreditation Board

- a) The Accreditation Board shall consist of a Chairperson, certified members and non-members as appointed by Council to a total of not less than eight (8).
- b) The Accreditation Board shall be established by Council to validate educational programs by a periodic review process. Such regular reviews shall identify programs that meet or exceed the Association's academic standards.
- c) The Registrar shall act as secretary to the Accreditation Board.

- d) The Accreditation Board shall approve the accreditation status of all education programs submitted to the Association for evaluation. Subject to Council approval, the Accreditation Board shall recommend and establish methods, procedures and policies governing accreditation.
- e) The Accreditation Board shall have the power to appoint inspection teams, to appoint task forces as required, and to appoint others to provide specific assessment expertise to the Accreditation Board.
- f) The Accreditation Board shall be responsible for the consistency of its decisions, the publication of its findings, and the provision of reports on its activities to each meeting of Council.
- g) Accreditation Board decisions shall require a two-thirds (2/3) majority.
- h) Five (5) Board members present shall constitute a quorum.

#### 10.5 Chapter Committees

- a) Council may authorize chapters to be formed and chapter committees to be elected and financed. Each chapter so authorized must hold an annual meeting, elect a Chairperson and secretary treasurer and prepare and submit a budget and an annual report.
- b) Council may, after inquiry and for cause clearly stated, suspend or restrict the powers of any chapter or its officers. In the event of such suspension Council may appoint a trustee to act in the name of and on behalf of the chapter in order to preserve all property and administer the chapter's affairs.

### 11.0 Administration

#### 11.1 Financial

- a) The fiscal year of the Association shall end on the thirty-first (31st) day of December in each year and audited financial statements will be prepared for presentation to the members at the next annual meeting.
- b) All monies received by or on behalf of the Association shall be deposited with a charter bank or trust company as directed by Council.
- c) All disbursements of the funds of the Association shall be by cheque or by electronic transaction in accordance with bylaws established by Council and there shall be a record kept showing the amount of each cheque or electronic transaction, the payee and a clear description of the reason for the disbursement.
- d) The accounts and books of the Association shall be examined at least once a year and their correctness ascertained and certified by the auditors. In each year the auditors shall be appointed by the members at the annual meeting and shall make their report to Council before the next annual meeting.
- e) The accounts and books of the Association may be inspected by any member in good standing at any time during business hours at such place as Council from time-to-time designates.
- f) The Secretary Treasurer shall submit or cause to be submitted an annual budget forecast to Council one (1) month prior to the beginning of each fiscal year.

- g) The execution of financial documents, signing of cheques and electronic transactions in connection with the administration of the Association shall be carried out in accordance with bylaws established by Council.

#### 11.2 Dues, Fees & Levies

- a) The Association dues, fees and levies shall be established by Council. Annual dues, fees or levies shall be due and payable as set forth in the relevant Council resolution and shall be reviewed annually. Application fees, reinstatement fees and annual dues are not refundable.
- b) Life and Honorary members of the Association are not required to pay annual dues.
- c) Council may establish a policy to permit waiving the requirement of payment of annual dues on compassionate grounds.

#### 11.3 Resignations

- a) Any member may resign by giving written notice to the Registrar. To resign in good standing a member shall have paid all dues, fees or levies which were due and payable by him or her to the Association at the time of resignation.
- b) In the event of resignation, suspension or revocation of membership, a member shall forfeit any implied or given right to use or display the Association's stamp, seal, certificate, identification tag, membership card or ring. The stamp, seal, certificate, identification tag, membership card and ring shall be returned to the Association.
- c) The member shall be notified of the acceptance and terms of termination (resignation, suspension or revocation) together with the limitations of reinstatement in writing.

#### 11.4 Expulsion for Non-payment

A member who has not paid their dues by a date to be set annually by Council shall be deleted from the register for non-payment of dues.

#### 11.5 Reinstatement

- a) Any person removed from the register under Section 11.3 or expelled under Section 11.4 herein, may upon application within two (2) years of removal or expulsion, be reinstated to membership upon payment of outstanding dues, assessments and charges, including current reinstatement fees, provided all other membership requirements are met. This Regulation applies to all members who were removed from the register after July 1, 1994.
- b) A former member seeking reinstatement after more than a two (2) year lapse of membership will be treated as a new applicant, having his or her qualifications assessed against current requirements. This Regulation applies to all members who were removed from the register after July 1, 1994.

- c) An application for reinstatement of membership from an applicant who has been suspended or expelled from the Association by the Council for disciplinary reasons shall be submitted to the Council for review. Such applicant may be reinstated only upon terms and conditions as decided by Council.

#### 11.6 Bylaws

Council shall have the power to make bylaws from time to time in accordance with the Act.

#### 11.7 Employees & Agents

The duties of all employees or agents shall be as prescribed in the terms of their engagement. Council may require employees or agents to furnish bonds against their duties. When so required, the premium for such bonds shall be paid by the Association.

#### 11.8 Records & Register

The records and register of the Association shall be open to inspection by members during normal business hours at the head office of the Association as determined by bylaw from time to time.

### 12.0 Foundations & Financial Awards

#### 12.1 Foundations

- a) Council has the power to establish foundations to reflect the Association's responsibility to the public and to its members.
- b) Council has the responsibility to direct some of its resources to such foundations and to solicit contributions from within and beyond the membership of the Association.
- c) Council shall appoint trustees annually to administer each foundation so created. The trustees will operate independently of Council, but within the terms of reference established by Council. Trustees are not to be members of Council.
- d) Any foundation established by the Association shall be in accordance with the objectives and powers contained in Sections 3 and 4 of the Act and the Regulations and shall be established and administered in accordance with the Income Tax Act.

#### 12.2 Financial Awards

The Association has the power to provide scholarships, bursaries and other awards either through a foundation or through policies established by Council to further the objects of the Association.

### 13.0 Divisions as Committees of Council

- a) Council may appoint committees to be known as Divisions to advance the professional and career development of members, assist in the management of the business of the association and meet the association's responsibility to the public.
- b) Where Council has created a Division as a committee, Council will annually appoint the members or registrants of the committee and define the purpose and responsibilities of the committee.
- c) As a committee appointed by the Council, Divisions will carry out their business under general operating powers established by Council.

### 14.0 Institutes as Committees of Council

- a) Council may appoint committees to be known as Institutes to advance the interests of members and registrants in areas such as professional and career development.
- b) Where Council has created an Institute as a committee, Council will annually appoint the members or registrants of the committee and define the purpose and responsibilities of committee.
- c) Council will determine which members and registrants of ASTTBC will be affiliated with an Institute. Council may include persons who are not members or registrants of ASTTBC.
- d) As a committee appointed by the Council, Institutes will carry out their business under general operating powers established by Council.

## Vision

*ASTTBC is the model association for technology professionals.*

## Our Mission

*To serve the public by regulating and supporting technology professionals' commitment to a safe, healthy and sustainable society and environment.*

For information, contact:

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**Applied Science  
Technologists & Technicians  
of British Columbia**

10767 – 148th Street  
Surrey, BC Canada V3R 0S4

TEL: 604.585.2788

FAX: 604.585.2790

EMAIL: [techinfo@asttbc.org](mailto:techinfo@asttbc.org)

WEB: [www.ASTTBC.org](http://www.ASTTBC.org)