

APPENDICES

Permits to Practice

Fall 2016 Consultations

The Engineering and Geoscience Professions Act



The Association of Professional
Engineers and Geoscientists of Alberta

Appendix 1 – Permit to Practice Existing Legislation

The following text is quoted from the legislation and has not been modified to match APEGA's writing style. There are similar provisions for the Association of Science and Engineering Technology Professionals of Alberta (ASET) that are not included here.

In addition to the existing legislation noted below, it is important to know that Members practicing as sole proprietors currently do not need a Permit to Practice.

Engineering and Geoscience Professions Act

Definitions

1 In this Act,

(p) “permit holder” means a partnership or other association of persons or a corporation that holds a permit under this Act but does not include an ASET permit holder as defined in section 86.4.

Part 1 Scope of Practice

Exclusive scope of the practice of engineering

2(1) Except as otherwise provided in this Act, no individual, corporation, partnership or other entity, except a professional engineer, a licensee so authorized in the licensee's licence, a permit holder so authorized in its permit or a certificate holder so authorized in the certificate holder's certificate, shall engage in the practice of engineering.

(2) No individual, corporation, partnership or other entity, shall engage in both the practice of engineering and the practice of architecture as defined in the *Architects Act*, or hold out that it is entitled to engage in both the practice of engineering and the practice of architecture unless it holds a certificate of authorization under this Act or the *Architects Act* permitting it to do so.

(3) A professional engineer, licensee, permit holder or joint firm may engage in the practice of surveying other than land surveying as defined in the *Land Surveyors Act*.

(4) Subsection (1) does not apply to the following:

(a) a person engaged in the execution or supervision of the construction, maintenance, operation or inspection of any process, system, work, structure or building in the capacity of contractor, superintendent, foreman or inspector or in any similar capacity, when the process, system, work, structure or building has been designed by and the execution or supervision is being carried out under the supervision and control of a professional engineer or licensee;

(b) a person engaged in the practice of engineering as an engineer-in-training or engineering technologist in the course of being employed or engaged and supervised and controlled by a professional engineer, licensee, permit holder or certificate holder;

(c) repealed 2007 c13 s4;

(d) a person who in accordance with an Act or regulation in respect of mines, minerals, pipelines, boilers and pressure vessels, building codes or safety codes for buildings is engaged in any undertaking or activity required under or pursuant to that Act or the regulations under that Act;

- (e) a person who, on the person's own property and for the person's sole use or the use of the person's domestic establishment, carries out any work that does not involve the safety of the public;
- (f) a member of the Canadian Forces while actually employed on duty with the Forces;
- (g) a person engaged or employed by a university whose practice of the profession consists exclusively of teaching engineering at the university.

Exclusive use of name engineer

3(1) No individual, corporation, partnership or other entity, except a professional engineer, licensee or permit holder entitled to engage in the practice of engineering, shall

(a) use

(i) the title "professional engineer", the abbreviation "P. Eng." or any other abbreviation of that title,

(ii) the word "engineer" in combination with any other name, title, description, letter, symbol or abbreviation that represents expressly or by implication that the individual, corporation, partnership or other entity is a professional engineer, licensee or permit holder, or

(b) represent or hold out, expressly or by implication, that the individual, corporation, partnership or other entity

(i) is entitled to engage in the practice of engineering, or

(ii) is a professional engineer, licensee or permit holder.

(2) No individual, corporation, partnership or other entity, except a professional engineer, licensee or permit holder entitled to engage in the practice of engineering, shall affix the stamp or seal of a professional engineer or licensee or the permit number of a permit holder or allow that stamp, seal or permit number to be affixed to a plan, drawing, detail drawing, specification or other document or a reproduction of any of them unless

(a) that plan, drawing, detail drawing, specification, other document or reproduction was prepared by or under the supervision and control of, and

(b) the stamp, seal or permit number is affixed with the knowledge and consent or in accordance with the direction of

the professional engineer or licensee to whom or the permit holder to which the stamp, seal or permit number was issued.

(3) Notwithstanding subsection (2), a professional engineer, licensee or permit holder may affix a stamp, seal or permit number, as the case may be, to a plan, drawing, detail drawing, specification, other document or reproduction prepared by other persons if the professional engineer, licensee or permit holder completes a thorough review of and accepts professional responsibility for that plan, drawing, detail drawing, specification, other document or reproduction.

Exclusive scope of the practice of geoscience

5(1) Subject to subsection (2), no individual, corporation, partnership or other entity, except a professional geoscientist, a licensee so authorized in the licensee's licence or a permit holder so authorized in the permit, shall engage in the practice of geoscience.

(2) Subsection (1) does not apply to the following:

- (a) a person engaged in the execution or supervision of the construction, maintenance, operation or inspection of any geoscientific investigation, process, system, study, work or instrumentation in the capacity of contractor, superintendent, foreman or inspector, or in any similar capacity, when the investigation, process, system, study, work or instrumentation has been designed by, and the execution or supervision is being carried out under the supervision and control of, a professional geoscientist or licensee;
- (b) a person engaged in the practice of geoscience as a geoscientist-in-training or geoscience technologist in the course of being employed or engaged and supervised and controlled by a professional geoscientist, licensee or permit holder;
- (c) a person who, as a prospector, is engaged in any activities that are normally associated with the business of prospecting;
- (d) a member of the Canadian Forces while actually employed on duty with the Forces;
- (e) a person engaged in conducting a routine geoscientific survey or preparing a routine geoscientific report where the specifications and standards for the survey or report have been prepared or approved by a professional geoscientist or licensee;
- (f) a person engaged in the routine reduction or plotting of geoscientific data under the supervision and control of a professional geoscientist or licensee;
- (g) a person engaged in the routine operation, maintenance or repair of geoscience equipment or facilities;
- (h) a person engaged or employed by a university whose practice of the profession consists exclusively of teaching geoscience at the university.

Exclusive use of name geoscientist

6(1) No individual, corporation, partnership or other entity, except a professional geoscientist or a licensee or permit holder entitled to engage in the practice of geoscience, shall

- (a) use
 - (i) the title “professional geoscientist”, the abbreviation “P. Geo.” or any other abbreviation of that title,
 - (ii) the word “geoscientist” in combination with any other name, title, description, letter, symbol or abbreviation that represents expressly or by implication that the individual, corporation, partnership or other entity is a professional geoscientist, licensee or permit holder, or
- (b) represent or hold out, expressly or by implication, that the individual, corporation, partnership or other entity
 - (i) is entitled to engage in the practice of geoscience, or
 - (ii) is a professional geoscientist, licensee or permit holder.

(2) No individual, corporation, partnership or other entity, except a professional geoscientist or a licensee or permit holder entitled to engage in the practice of geoscience, shall affix the stamp or seal of a professional geoscientist or licensee or the permit number of a permit holder or allow that stamp, seal or permit number to be affixed to a map, geoscientific cross section, specification, report or other document or a reproduction of any of them unless

- (a) that map, geoscientific cross section, specification, report, other document or reproduction was prepared by or under the supervision and control of, and

(b) the stamp, seal or permit number is affixed with the knowledge and consent or in accordance with the direction of the professional geoscientist or licensee to whom or the permit holder to which the stamp, seal or permit number was issued.

(3) Notwithstanding subsection (2), a professional geoscientist, licensee or permit holder may affix a stamp, seal or permit number, as the case may be, to a map, geoscientific cross-section, specification, report, other document or reproduction prepared by other persons if the professional geoscientist, licensee or permit holder completes a thorough review of and accepts professional responsibility for that map, geoscientific cross-section, specification, report, other document or reproduction.

Part 3 Regulations and Bylaws

Regulations

19(1) The Council may make regulations

(k) governing the names under which professional members, licensees, permit holders and certificate holders may engage in the practice of the profession;

(m) respecting the procedures of the Discipline Committee, of the Practice Review Board, of the Investigative Committee and of the Appeal Board in matters relating to the conduct or practice of professional members, licensees, permit holders or certificate holders, whether or not a complaint has been made;

(o) governing the publication of a notice of the suspension or cancellation of the registration of a professional member, licensee, permit holder or certificate holder in a form and manner prescribed by the Council;

(x) establishing classes or categories of professional engineers or geoscientists and licensees or permit holders and prescribing the restrictions of practice and the privileges and obligations of the classes or categories so established;

(y) respecting the academic and other qualifications and the experience required of the classes or categories established under clause (x);

(z) respecting the use of stamps, seals and permit numbers;

(aa) governing the eligibility for registration of persons, firms, partnerships and other entities as permit holders or certificate holders;

(bb) governing the operation of permit holders or certificate holders;

(dd) respecting registration, licensing, the issuing of permits and certificates, disciplinary matters and the practice of engineering and geoscience generally.

Bylaws

20(1) The Council may make bylaws

(q) respecting permit numbers issued to permit holders;

(t) respecting the establishment, content and maintenance of registers of professional members, licensees, permit holders and certificate holders and of records of other classes or categories of membership to be kept by the Registrar;

- (v) requiring professional members, licensees, permit holders and certificate holders to inform the Registrar in writing of their current mailing addresses and of any change of address forthwith after the change occurs;
- (w) prescribing the form of a certificate of registration, a licence, a permit, a certificate of authorization and an annual certificate;
- (x) respecting the expiry of annual certificates, annual licences, permits and other authorizations.

Part 4 Registration

Registers and membership records

21(1) The Registrar shall maintain, in accordance with the bylaws and subject to the direction of the Council, a register for each of the following:

- (e) permit holders to engage in the practice of
 - (i) professional engineering, or
 - (ii) professional geoscience;

(2) The Registrar shall enter in the appropriate register the name of a person who has paid the fee prescribed under the bylaws, and

- (b) whose registration to engage in the practice of the profession as a permit holder has been approved by the Council.

Registration of permit holders

24(1) The Council shall approve the registration as a permit holder of a partnership or other association of persons, or of a corporation incorporated or registered under the *Companies Act* or continued, incorporated or registered under the *Business Corporations Act*, that has applied to the Council and is eligible under this section and the regulations to become registered to engage in the practice of engineering or geoscience as a permit holder.

(2) A partnership or other association of persons or a corporation that applies to the Council is eligible to become registered as a permit holder entitled to engage in the practice of engineering or geoscience if it satisfies the Council that it complies with the Act and the regulations.

Evidence of registration

25(3) On entering the name of a permit holder in the register, the Registrar shall issue to the permit holder

- (a) a permit to engage in the practice of engineering or geoscience as a permit holder as authorized in the permit, and
 - (b) a permit number as prescribed in the bylaws.
- (6) A certificate of registration, a licence, a permit or a certificate of authorization issued under this section entitles the holder to engage in the practice of engineering or geoscience, as the case may be, subject to this Act, the regulations and the bylaws.

Annual certificate

26(1) A professional member, licensee, permit holder or certificate holder engaged in the practice of engineering or geoscience shall pay to the Association the annual fee prescribed under the bylaws.

(2) The Registrar shall issue an annual certificate in accordance with the bylaws to a professional member, licensee, permit holder or certificate holder

- (a) whose registration is not under suspension, and
- (b) who has paid the annual fee.

(3) Subject to this Act, an annual certificate entitles the professional member, licensee, permit holder or certificate holder to engage in the practice of engineering or geoscience, as the case may be, during the year for which the annual certificate is issued.

Entries in registers

27(1) The registration of a professional member, licensee, permit holder or certificate holder is suspended when the decision to suspend the registration is made in accordance with this Act.

(2) The Registrar shall enter a memorandum of suspension of a registration in the appropriate register indicating

- (a) the duration of the suspension, and
- (b) the reason for the suspension.

(3) The registration of a professional member, licensee, permit holder or certificate holder is cancelled when the decision to cancel the registration is made in accordance with this Act.

(4) The Registrar shall enter a memorandum of cancellation of a registration in the appropriate register.

(5) The Registrar shall not remove from the registers any memorandum made by the Registrar under this section, except in accordance with the bylaws.

List of registrants open to the public

28 The Registrar shall maintain and, during regular office hours, permit any person to inspect a list of all the professional members, licensees, permit holders and certificate holders in good standing.

Cancellation on request

29(1) The Registrar shall not cancel the registration of a professional member, licensee, permit holder or certificate holder at that person's request unless the request for the cancellation has been approved by the Council.

(2) When a request for cancellation of a registration is approved by the Council

- (a) the Registrar shall cancel that registration, and
- (b) the professional member, licensee, permit holder or restricted practitioner requesting the cancellation shall, on being notified of the approval,

- (i) immediately surrender to the Registrar

(A) the certificate of registration, licence and the stamp or seal, in the case of a professional member, licensee or restricted practitioner, or

- (B) the permit and annual certificate, in the case of a permit holder,

and

- (ii) cease using the permit number, in the case of a permit holder.

(3) The Council may direct the Registrar to reinstate in the applicable register a registration that was cancelled under this section, subject to any conditions that the Council may prescribe, and to reissue the certificate of registration, licence or permit and the stamp, seal or permit number.

(4) Notwithstanding subsection (3), if a person whose registration is cancelled applies to be reinstated more than 7 years after the date of the cancellation, the application for reinstatement must be referred to the Board of Examiners.

Cancellation

39(1) The Council may direct the Registrar to cancel the registration of

(a) a professional member, licensee or permit holder who is in default of payment of annual fees or any other fees, dues or levies payable under this Act, or

(b) a permit holder if it no longer has employees in compliance with this Act, after the expiration of 30 days following the service on the professional member, licensee or permit holder of a written notice by the Council pursuant to subsection (2), unless the professional member, licensee or permit holder on whom the notice is served complies with the notice.

(2) The notice under subsection (1) shall state that the Registrar may cancel the registration unless

(a) the fees, dues or levies are paid as indicated in that notice, or

(b) evidence satisfactory to the Council has been received by it within the time prescribed in the notice indicating that the permit holder has employees in compliance with this Act.

(3) The Council may direct the Registrar to cancel the registration of a professional member, licensee or permit holder that was entered in error in the register.

(4) If the registration of a professional member or licensee has been cancelled under this section, the professional member or licensee shall forthwith surrender to the Registrar any certificate of registration, licence, stamp or seal issued to the professional member or licensee.

(5) If the registration of a permit holder has been cancelled under this section, the permit holder shall immediately surrender the permit to the Registrar and cease to use the permit number issued to that permit holder.

(6) If a registration has been cancelled pursuant to subsection (1), the Council may direct the Registrar, subject to any conditions that the Council may prescribe, to reinstate that registration in the applicable register and to reissue the certificate of registration, licence or permit and the stamp, seal or permit number.

(7) Notwithstanding subsection (6), if a person whose registration is cancelled applies to be reinstated more than 7 years after the date of the cancellation, the application for reinstatement must be referred to the Board of Examiners.

Part 5 Discipline

Definitions

42 In this Part,

(b) “investigated person” means a professional member, licensee, permit holder, certificate holder or member-in-training with respect to whose conduct an investigation is held under this Part.

Complaints

43(1) A person may complain to the Registrar, or to a person who is authorized in writing by the Registrar to receive complaints, about the conduct of a professional member, licensee, permit

holder, certificate holder or member-in-training, and the complaint shall be dealt with in accordance with this Part and the regulations.

(2) A complaint must be in writing.

(3) A complaint respecting the conduct of a professional member, licensee, permit holder or certificate holder whose registration was cancelled pursuant to this Act may, notwithstanding the cancellation, be dealt with within 2 years following the date of cancellation of the registration as if the cancellation had not occurred.

Suspension pending investigation and hearing

55(1) Notwithstanding anything in this Act, the Investigative Committee may suspend the registration of a professional member, licensee, permit holder, certificate holder or member-in-training pending a preliminary investigation or a decision of the Discipline Committee.

(2) A person whose registration is suspended under subsection (1) may apply to the Court for an order staying the suspension.

(3) A copy of an application under subsection (2) must be served on the Registrar.

Powers of the Discipline Committee

63 If the Discipline Committee finds that the conduct of the investigated person is unprofessional conduct or unskilled practice of the profession, or both, the Discipline Committee may make any one or more of the following orders:

(a) reprimand the investigated person;

(b) suspend the registration of the investigated person for a specified period;

(c) suspend the registration of the investigated person either generally or from any field of practice until

(i) the investigated person has completed a specified course of studies or obtained supervised practical experience, or

(ii) the Discipline Committee is satisfied as to the competence of the investigated person generally or in a specified field of practice;

(d) accept in place of a suspension the investigated person's undertaking to limit the investigated person's practice;

(e) impose conditions on the investigated person's entitlement to engage in the practice of the profession generally or in any field of the practice, including the conditions that the investigated person

(i) practise under supervision,

(ii) not engage in sole practice,

(iii) permit periodic inspections by a person authorized by the Discipline Committee, or

(iv) report to the Discipline Committee on specific matters;

(f) direct the investigated person to pass a particular course of study or satisfy the Discipline Committee as to the investigated person's practical competence generally or in a field of practice;

(g) direct the investigated person to satisfy the Discipline Committee that a disability or addiction can be or has been overcome, and suspend the person until the Discipline Committee is so satisfied;

- (h) require the investigated person to take counselling or to obtain any assistance that in the opinion of the Discipline Committee is appropriate;
- (i) direct the investigated person to waive, reduce or repay a fee for services rendered by the investigated person that, in the opinion of the Discipline Committee, were not rendered or were improperly rendered;
- (j) cancel the registration of the investigated person;
- (k) any other order that it considers appropriate in the circumstances.

Order to pay costs or a fine

64(1) The Discipline Committee may, in addition to or instead of dealing with the investigated person in accordance with section 63, order that the investigated person pay

- (a) all or part of the costs of the hearing in accordance with the bylaws,
 - (b) a fine not exceeding \$10 000 to the Association, or
 - (c) both the costs under clause (a) and a fine under clause (b),
- within the time fixed by the order.

(2) If the investigated person ordered to pay a fine, costs, or both, under subsection (1) fails to pay the fine, costs, or both, within the time ordered, the Discipline Committee may suspend the registration of that person until the person has paid the fine, costs or both.

(3) A fine or costs ordered to be paid to the Association under this section is a debt due to the Association and may be recovered by the Association by civil action for debt.

Surrender of certificates

75(1) If the registration of a professional member, licensee or restricted practitioner has been cancelled or suspended under this Part, the professional member, licensee or restricted practitioner shall immediately surrender any certificate, stamp or seal to the Registrar.

(2) If the registration of a permit holder or joint firm has been cancelled or suspended under this Part, the permit holder or joint firm shall immediately

- (a) surrender the permit or certificate of authorization to the Registrar, and
- (b) cease using the permit number issued by the Registrar.

(3) If the registration of a professional member, licensee, permit holder or certificate holder has been cancelled under this Part, the registration shall not be reinstated in the register except by order of the Council, the Court or the Court of Appeal.

(4) No order shall be made under subsection (3) within one year after

- (a) the date on which the registration was cancelled, or
- (b) if an order was granted staying the imposition of a punishment imposed by the Council and the punishment is later confirmed by the Court or the Court of Appeal, the date on which the Court or the Court of Appeal made its order confirming the punishment.

(5) A member of the Council who is a member of a committee of inquiry appointed pursuant to the regulations to consider an application under this Part for reinstatement of registration may participate in or vote at any proceedings of the Council under this section, and the Registrar and the Association's solicitor may participate in those proceedings.

Misrepresentation of status

76 The conduct of a person who is or was registered as a professional member, licensee, permit holder or certificate holder who represents or holds out that the person is registered and in good standing while the person's registration is suspended or cancelled may be dealt with as being unprofessional conduct in accordance with this Part.

Part 6 General

Use of stamps, seal, permit number

78(1) A professional member, licensee or restricted practitioner shall, in accordance with the regulations,

- (a) sign documents or records, and
- (b) stamp or seal documents or records.

(2) A permit holder shall affix its permit number on documents or records in accordance with the regulations.

Exemption from municipal licence

79 No municipality has the power to require

- (a) any professional member, licensee, permit holder or certificate holder to obtain a licence from the municipality to engage in the practice of engineering or the practice of geoscience, or
- (b) any member-in-training to obtain a licence from the municipality for or in connection with the performance of any acts or services authorized by this Act to be performed by a member-in-training.

Liability to others

80(1) The relationship between a permit holder or certificate holder engaged in the practice of engineering or geoscience and a person receiving the professional services of the permit holder or certificate holder is subject to this Act, the regulations and any other law applicable to the relationship between a professional member and the professional member's client.

(2) The relationship of a professional member or licensee to a permit holder, whether as member, shareholder or employee of the permit holder, does not affect, modify or diminish the application of this Act, the regulations and the bylaws

- (a) to the professional member or licensee personally as a professional member or licensee, or
- (b) to the relationship between the professional member or licensee and the professional member's or licensee's client.

Part 7 Professional Licensees

Exclusive use of name

83.01(1) No individual, corporation, partnership or other entity, except a professional licensee (engineering) or a permit holder entitled to engage in the practice of engineering, shall use the title "professional licensee (engineering)".

(2) No individual, corporation, partnership or other entity, except a professional licensee (geoscience) or a permit holder entitled to engage in the practice of geoscience, shall use the title "professional licensee (geoscience)".

Practice prohibitions

86.3(1) A person whose registration as a professional licensee is cancelled or suspended under this Act shall not, without the consent of the Council, engage in the practice of engineering or geoscience or directly or indirectly associate with any professional member, professional licensee, licensee, permit holder or certificate holder in the practice of engineering, geology or geophysics.

(2) No professional licensee shall, in the practice of engineering or geoscience, except with the permission of the Council, directly or indirectly associate with or employ in connection with the professional licensee's practice a person whose registration has been cancelled or suspended under this Act.

Part 9 Prohibitions and Penalties

Practice prohibitions

97(1) A person whose registration as a professional engineer, professional geoscientist, licensee, permit holder or certificate holder is cancelled or suspended under this Act shall not, without the consent of the Council, engage in the practice of engineering or geoscience, as the case may be, or directly or indirectly associate the person or itself in the practice of engineering or geoscience with any other professional member, licensee, permit holder or certificate holder.

(2) No professional engineer, professional geoscientist, licensee, permit holder or certificate holder shall, except with the consent of the Council, associate in the practice of engineering or geoscience, as the case may be, directly or indirectly with or employ in connection with that practice a person whose registration has been cancelled or suspended under this Act.

(3) The Council may permit a professional member, licensee, permit holder or certificate holder to employ in connection with the person's practice a person whose registration has been cancelled or suspended under this Act, but the employment shall be in the capacity and subject to the terms and conditions that are prescribed by the Council.

Use of names and abbreviations relating to geology and geophysics

97.1(1) No individual, corporation, partnership or other entity, except

(c) a corporation, partnership or other association of persons that is registered to engage in the practice of geoscience as a permit holder and was registered to engage in the practice of geology as a permit holder immediately before the coming into force of this subsection, shall

(d) use the title "professional geologist", the abbreviation "P. Geol." or any other abbreviation of that title,

(e) use the word "geologist" in combination with any other name, title, description, letter, symbol or abbreviation that represents expressly or by implication that the individual,

corporation, partnership or other entity is a professional geologist, licensee or permit holder, or

(f) represent or hold out, expressly or by implication, that the individual, corporation, partnership or other entity is a professional geologist.

(2) No individual, corporation, partnership or other entity, except

- (c) a corporation, partnership or other association of persons that is registered to engage in the practice of geoscience as a permit holder and was registered to engage in the practice of geophysics as a permit holder immediately before the coming into force of this subsection, shall
 - (d) use the title “professional geophysicist”, the abbreviation “P. Geoph.” or any other abbreviation of that title,
 - (e) use the word “geophysicist” in combination with any other name, title, description, letter, symbol or abbreviation that represents expressly or by implication that the individual, corporation, partnership or other entity is a professional geophysicist, licensee or permit holder, or
 - (f) represent or hold out, expressly or by implication, that the individual, corporation, partnership or other entity is a professional geophysicist.
- (3) No individual, corporation, partnership or other entity, except
- (b) a corporation, partnership or other association of persons that is registered to engage in the practice of geoscience as a permit holder and was registered to engage in the practice of geology as a permit holder immediately before the coming into force of this subsection, shall
 - (c) use the title “professional licensee (geological)” or any abbreviation of that title, or
 - (d) represent or hold out, expressly or by implication, that the individual, partnership or other entity is a professional licensee (geological).
- (4) No individual, corporation, partnership or other entity, except
- (b) a corporation, partnership or other association of persons that is registered to engage in the practice of geoscience as a permit holder and was registered to engage in the practice of geophysics as a permit holder immediately before the coming into force of this section, shall
 - (c) use the title “professional licensee (geophysical)” or any abbreviation of that title, or
 - (d) represent or hold out, expressly or by implication, that the individual, partnership or other entity is a professional licensee (geophysical).

General Regulation

Part 5 Code of Ethics

Application and availability

31(1) Professional members, licensees, permit holders, members-in-training, examination candidates and students shall comply with the Code of Ethics in the Schedule to this Regulation.

(2) The Association shall publish interpretations of the rules comprising the Code of Ethics and distribute them to professional members, licensees, permit holders, members-in-training, examination candidates and students.

(3) The Association shall make the Code of Ethics available on request to members of the public.

Part 6 Discipline

Reinstatement of disciplined individuals

47(1) A professional member or licensee whose registration has been cancelled or a permit holder whose permit has been revoked under Part 5 of the Act as a result of the disciplinary proceedings may apply to the Council to be reinstated.

(2) An application under subsection (1) may not be made until at least one year after the date on which the registration was cancelled or the permit was revoked, or from the date on which the Court made its order confirming or varying the decision of the Council.

(3) The Council may establish a Committee of Inquiry to consider the application for reinstatement and make recommendations to the Council.

(4) The Council may require the former professional member, licensee or permit holder to demonstrate by means prescribed by the Council that that person is competent to re-engage in the practice of engineering or geoscience.

(5) Where an application for reinstatement is not approved by the Council, no further application may be made by the former professional member, licensee or permit holder until at least one year after the date the Council ruled on the previous application.

Part 7 Registration of Permit Holders

Interpretation

47.1 In this Part, “licensee” does not include a provisional licensee.

Requirements for issue of permit

48(1) The Council may issue to a partnership, corporation or other entity a permit to practice engineering or geoscience in its own name if

(a) an application is made to the Registrar in the form and containing the information required by the Council,

(b) the application is accompanied with the fees prescribed by the Council,

(c) the Council is satisfied that the practice will be carried on under the direct personal supervision and responsibility of a full time permanent employee or member of the partnership, corporation or other entity who is also a professional member or licensee and who is qualified by education and experience in the field of engineering or geoscience in which the partnership, corporation or other entity intends to engage, and

(d) the professional member or licensee certifies to the satisfaction of the Council that the partnership, corporation or other entity has in place and will follow a professional management plan that is appropriate to its professional practice.

(2) A permit expires one year after the date on which it is issued.

(3) When the Council issues a permit, it shall provide the permit holder with a permit number.

(4) No person shall use a permit number where the permit to which the number is assigned has been cancelled or suspended.

Seminars

48.1 A professional member or licensee who accepts responsibility under section 48(1)(c) shall every 5 years attend a permit to practice seminar acceptable to the Council.

Signing and sealing of documents

49 When the practice of engineering or geoscience is carried on by a partnership, corporation or other entity pursuant to a permit under section 48, all final plans, specifications, reports or documents of a professional nature must

(a) be signed by and be stamped or sealed with the stamp or seal of

(i) the professional member or licensee who prepared them or under whose supervision and control they were prepared, or

(ii) in the case of plans, specifications, reports or documents that were prepared by other persons, the professional member or licensee who thoroughly reviewed and accepted professional responsibility for them,

and

(b) show the permit number issued to the partnership, corporation or other entity under section 48.

Notification to Association

50(1) A partnership, corporation or other entity practising pursuant to a permit under section 48 shall keep the Association advised of the name of the professional member or licensee referred to in that section.

(2) The professional member or licensee referred to in section 48 shall forthwith advise the Registrar if the professional member or licensee

(a) ceases to be the person accepting responsibility under that section, or

(b) is no longer able to provide the certification referred to in section 48(1)(d).

Revocation of permit

51 The Council may revoke a permit issued under section 50 if the permit holder contravenes the Act, this Regulation or a term or condition of the permit.

Name of firm

52 No partnership, corporation or other entity may be incorporated or registered in the Province of Alberta under a name including the words “Engineering”, “Geology”, “Geophysics” or “Geoscience”, or variations of those words, unless it holds and continues to hold a valid permit issued under section 48.

Control and use of stamps and seals

53 The permit number issued to a permit holder may only be used by the professional members or licensees referred to in section 48(1)(c).

Part 8 General

Membership register

60 The Association may publish from time to time as directed by the Council, a register, in a format directed by the Council, of professional members, licensees, permit holders, joint firms and restricted practitioners.

APEGA Bylaws

Part 7 Finances of the Association

Fees

24(5)(a) The annual fee for a permit holder shall be fixed by Council from time to time and shall be not less than the annual fee for the professional member or licensee assuming direct personal supervision of and responsibility for the practice of the permit holder.

(b) Council may, in its discretion, on application of a permit holder waive or reduce the annual fee.

Part 11 Register of Members

Content

31(1) The Registrar shall be responsible for maintaining an up-to-date register providing a record of

(c) permit holders,

Mailing addresses

32 Professional members, licensees, permit holders, professional licensees, provisional licensees, Life Members, Honorary Life Members, Honorary Members, members-in-training, examination candidates, students, joint firms and certificate holders shall provide the Registrar with their current mailing addresses and advise the Registrar forthwith in writing of any change in address.

Onus to respond

32.1 Professional members, licensees, permit holders, life members, professional licensees, provisional licensees, members in training, joint firms, or certificate holders, shall respond promptly and appropriately to any duly served communication of a regulatory nature received from the Association that contemplates a reply.

Part 12 Seals, Stamps and Certificates

Seals and stamps

33(3) Stamps issued to permit holders shall be in a form prescribed by the Council and shall show the designation "Permit Holder".

Certificates

34(3) The Registrar shall issue to each permit holder a certificate in a form prescribed by the Council signed by the president and Registrar showing the permit number assigned to the permit holder and professional category in which the permit holder is entitled to practice; and upon renewal of the permit an annual certificate in the form of a permit renewal card.

Surrender of seals, stamps and certificates

35 Professional members, licensees, permit holders, certificate holders, and professional licensees shall surrender to the Registrar, forthwith upon development of any of the following eventualities, any seals, stamps and certificates that have been issued to them:

(a) temporary withdrawal of the professional member, licensee, permit holder, certificate holder, or

professional licensee from practice of the profession for a period estimated to exceed 1 year;

(b) resignation of the professional member, licensee, permit holder, certificate holder, or professional

licensee from the Association;

(c) the suspension or cancellation of the professional membership, license, permit or certificate

Appendix 2 – Permit to Practice Canadian Engineering and Geoscience Associations Summary and Analysis

These tables summarize the research on criteria for permits and certificates of authorization in the legislation of engineering and geoscience associations in Canada. Appendix 2A contains the relevant legislative provisions that form the basis of this summary.

This research shows that:

- a permit or certificate of authorization is required for corporations or other entities in the majority of constituent associations. It is usually not stated whether a permit or certificate of authorization is available to or mandatory for individuals (sole practitioners).
- the rights associated with holding a permit or certificate of authorization typically include practising the profession and using reserved titles
- the criteria associated with being a responsible member generally include being a member of the association and supervising the practice. In a number of cases, the responsible member must be a full-time employee.
- the entity that issues and/or cancels such authorizations is typically the registrar or executive director, or council and/or the discipline committee, usually based on specified criteria
- application requirements and fees are typically set by council or included in the bylaws. Authentication requirements specific to permit holders are specified in most cases.

Professional Association	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)	Engineers Geoscientists Manitoba (APEGM)	Professional Engineers Ontario (PEO)
What is this authorization called?	Certificate of authorization	Permit to Practice	Certificate of authorization	Certificate of authorization	Certificate of authorization, standard or general
Who has to get it?	Corporations, partnerships, or other legal entities engaging in the practice of engineering or geoscience	Partnerships, associations, and corporations engaging in the practice of engineering or geoscience	Partnerships, associations, or corporations engaging in the practice of engineering or geoscience as its principal or customary function	Partnerships, corporations, or other legal entities to practise engineering or geoscience in their own names	Persons, partnerships, or corporations offering to the public or engaging in the business of providing to the public services that are within the practice of professional engineering
Is it mandatory	Voluntary but must	Mandatory	Mandatory	Mandatory	Mandatory

Professional Association	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)	Engineers Geoscientists Manitoba (APEGM)	Professional Engineers Ontario (PEO)
or voluntary?	have on its active staff members or licensees who directly supervise and assume responsibility for the practice				
Which types of entities can get it?	Corporation, partnership, or other legal entity	Partnership or other association of persons. corporation, or other entity	Partnership, association, or corporation	Partnership, corporation, or other legal entity	Person, partnership, or corporation
Can individual practitioners get it?	Not specified	Not specified (see notes below)	Not specified	No	Yes
What rights go with the authorization?	Can practise professional engineering or professional geoscience through employees who are members or licensees; can engage in practice, assume title, and advertise using title and prescribed words	Can engage in the practice of engineering or geoscience subject to the Act, regulations, and bylaws Can use prescribed titles and words	Can engage in the practice of engineering or geoscience Can use prescribed titles and words	Entitled to practise engineering or geoscience within the province through partners or employees who are members, temporary licensees, or specified scope of practice licensees Can use prescribed titles, words, terms	Can offer to the public or engage in the business of providing to the public services that are within the practice of professional engineering A corporation that holds a certificate of authorization may provide services that are within the practice of professional engineering.
What criteria must a person meet to be eligible to be a responsible member?	Members or licensees, on active staff; "authorized representatives"	Full-time, permanent employee or a member of the partnership who is also a Professional Member or Licensee and who is qualified in	Licensee who has an annual or temporary licence, in accordance with any restrictions to which that licensee's licence is subject	Professional engineer or professional geoscientist who is a partner or full-time employee of the partnership or a full-	Person who holds a licence Person who holds a temporary or limited licence, subject to its

Professional Association	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)	Engineers Geoscientists Manitoba (APEGM)	Professional Engineers Ontario (PEO)
		the field in which the corporation intends to engage		time employee of the corporation or other entity	terms and conditions
What obligations do responsible members have?	<p>Directly supervise and assume responsibility for the practice</p> <p>Are subject to any inquiries under the Act</p> <p>Must immediately advise the registrar on relinquishing the responsibility</p>	<p>Direct supervision and responsibility for the practice</p> <p>Must certify that the Permit Holder has in place and will follow a Professional Practice Management Plan that is appropriate to its professional practice</p> <p>Must attend a Permit to Practice seminar acceptable to Council every five years</p> <p>Must advise Association when the person accepting responsibility changes or can no longer provide certification</p>	<p>Supervision or in charge of the practice</p> <p>Official representative whose duty it is to ensure compliance with the act and bylaws</p>	<p>Responsible for:</p> <ul style="list-style-type: none"> • direct personal supervision • assuming professional responsibility for the practice <p>Application must contain names of members or temporary members who are designated as being in charge and identity persons responsible for compliance with act and bylaws.</p> <p>Designated member and person responsible for compliance must notify registrar within 30 days of ceasing to be in charge or ceasing to be responsible for compliance.</p> <p>Designated member or licensee must respond to any complaint of</p>	<p>The responsible member assumes responsibility for and supervises the practice.</p> <p>They must give notice to the registrar when they are no long responsible for and supervising the practice.</p>

Professional Association	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)	Engineers Geoscientists Manitoba (APEGM)	Professional Engineers Ontario (PEO)
				misconduct or breach of the act or bylaws.	
Who issues the authorization?	Council	Council	Council (can be delegated to the registrar)	Approved by registration committee based on criteria and standards established by Council.	Registrar
Who cancels the authorization?	Council and Discipline Committee.	Council, Discipline Committee, and registrar with approval by or at direction of Council	Discipline Committee	Registrar or Discipline Committee	Registrar or Discipline Committee
On what basis can an authorization be cancelled (other than by discipline committee or equivalent body)?	Failure to pay fees Council can refuse to issue or renew if applicant is convicted of an offence that renders the person unsuitable for practice, contravenes the act, bylaws, or code of ethics, or demonstrates incompetence, negligence, or unprofessional conduct.	At request of permit holder Default of payment of fees, dues, or levies No longer has employees in compliance with the act Entered in error Contravenes act, regulation, or a term or condition of the permit	Automatically revoked if ceases to have an official representative	Failure to provide change in the particulars given in the application within 30 days of effective date of the change Registrar must remove name from register for failure to pay dues.	Failure to pay fees If there is no one who assumes responsibility for and supervises the practice. Registrar may refuse to issue or suspend or revoke based on person's past conduct or if person doesn't meet requirements, or performs a breach of condition.
Other ongoing regulatory authority	Subject to discipline provisions Bylaws suggest practice review applies only to members and licensees.	Subject to practice review and discipline provisions Must comply with Code of Ethics	Must provide information to association whether they hold a certificate of authorization. Discipline provisions	Must subscribe to and follow code of ethics Subject to discipline provisions Current list of	Subject to discipline provisions Code of ethics applies. Annual renewal form must be submitted to

Professional Association	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)	Engineers Geoscientists Manitoba (APEGM)	Professional Engineers Ontario (PEO)
	<p>Certificate of authorization valid provided holder complies with act and bylaws.</p> <p>Certificate holder must keep association advised of names of authorized representatives.</p>	Permit Holder must keep association advised of the name of the Responsible Member.	<p>apply with necessary modifications</p> <p>Must advise registrar of any changes of particulars provided in the application within 30 days of effective date of the change</p>	prescribed information must be provided to the registrar at least annually	<p>Registrar indicating any changes in information contained in the register.</p> <p>Changes to information must be provided within 30 days of the change.</p>
Application	Form provided by Council must be filed with registrar with application fee.	Made to registrar in the form and containing the information required by Council with application fee	<p>Submitted to the registrar in the form prescribed in the bylaws</p> <p>Must list names of official representatives</p>	<p>Application in prescribed form must be submitted to the registrar containing items listed in the act, including evidence of legal status, address of head office, and any office where practice will be carried out.</p> <p>Evidence of agreement to abide by code of ethics</p>	Prescribed application form must be submitted to the registrar along with application fee and annual fee.
Fees	<p>As specified by Council for certificate holders</p> <p>Fees specified by Council for certificate holders must be paid for the certificate to remain valid.</p>	Fixed by Council, not less than the annual fee for a Professional Member or Licensee assuming direct personal supervision of and responsibility for practice of Permit	Annual fee is \$400 if fewer than six professionals. Annual fee is \$800 if six or more professionals Both types of fees are subject to a 15% penalty for late	Application fees or dues are prescribed by bylaws. Annual dues shall be dictated by the financial needs of the association and established council during the preceding	<p>Application fee is \$330</p> <p>Annual fee is \$330.</p>

Professional Association	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)	Engineers Geoscientists Manitoba (APEGM)	Professional Engineers Ontario (PEO)
		Holder May be waived or reduced by Council	payment. Processing fee for certificate of authorization is \$325.	year. Fees and dues for application shall comprise a non-refundable administration fee set annually by council plus annual dues prorated in accordance with council policies.	
Professional liability insurance	Not required (same as for members and licensees) Must notify client whether or not professional liability insurance is held (bylaws)	Not currently required for any category or type of membership.	Not required (same as for members) Must notify client whether or not professional liability insurance is held (bylaws)	Must comply with requirements established by Council respecting amounts, terms, and conditions of coverage to be maintained, alternatives to professional liability insurance coverage, and disclosure of the nature and extent of professional liability insurance or alternative Must provide evidence of compliance as required by Council Must notify registrar and inform each client of amendment or cancellation	Must be insured in accordance with regulations

Professional Association	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)	Engineers Geoscientists Manitoba (APEGM)	Professional Engineers Ontario (PEO)
				Can be waived if practice restricted to providing professional geoscience service to the mining exploration industry	
Authentication	<p>Estimates, specifications, reports, documents, or plans must be signed and dated by and sealed with the stamp of the member or licensee who is responsible for them and supervised their preparation.</p> <p>Show "APEGBC Certificate of Authorization," certificate number, and expiry date</p>	<p>Must affix permit number on documents or records in accordance with regulations</p> <p>All final plans, specifications, reports, or documents of a professional nature must be signed and stamped or sealed by the 1) Professional Member or Licensee who prepared them or under whose supervision and control they were prepared or 2) if prepared by others, the Professional Member or Licensee who thoroughly reviewed and accepted professional responsibility for them.; Must show permit number</p>	Holder of certificate of authorization shall place its seal or equivalent on all documents that have been prepared by a licensee on its behalf.	A form of identification of the certificate holder must appear in the vicinity of the manual seal or digital signature of each engineering or geoscience estimate, specification, working drawing, plan and other engineering or geoscience document issued by the certificate holder.	Not stated specifically for holders of certificates of authorization.

Professional Association	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)	Engineers Geoscientists Manitoba (APEGM)	Professional Engineers Ontario (PEO)
Notes		<p>A corporation must be incorporated or registered under the <i>Companies Act</i> or the <i>Business Corporations Act</i>.</p> <p>APEGA website indicates that a Member practising as a sole proprietor does not need a Permit to Practice.</p>		<p>Must have the legal capacity to engage in the practice; won't give rise to unauthorized practice or circumvention of the Act</p>	<p>"Independent practice of professional engineering" is described in the regulation.</p> <p>Professional engineers in Ontario require at least five years of relevant experience after the conferral of the engineering degree or the completion of an equivalent engineering education.</p>

Professional Association	Association of Professional Geoscientists of Ontario (APGO)	Ordre des Ingénieurs du Québec (OIQ)	Ordre des géologues du Québec (OGQ)	Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)	Engineers Nova Scotia
What is this authorization called?	Certificate of authorization	No authorization is issued but must meet requirements	No authorization is issued but must meet requirements	Certificate of authorization	There is no authorization, but a certificate of compliance is issued based on annual filing of information return.
Who has to get it?	Corporations, partnerships, or other entities that offer or provide services to the public (Act)	Board may make regulations authorizing members to carry on professional activities within a limited liability partnership (LLP) or a joint-stock company (section 94 of <i>Professional Code</i>).		Partnerships, associations of persons, or corporations that practise the professions	Partnerships, associations of persons, or other legal entities may undertake and carry out

Professional Association	Association of Professional Geoscientists of Ontario (APGO)	Ordre des Ingénieurs du Québec (OIQ)	Ordre des géologues du Québec (OGQ)	Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)	Engineers Nova Scotia
	Companies, corporations, partnerships, or other entities that employ professional geoscientists and undertake or provide activities within the definition of the act and regulations (bylaws)	Members of an order may carry on their professional activities within an LLP or a joint-stock company if they meet prescribed conditions and the board makes a regulation under section 94. Geologists who wish to carry on professional activities within a partnership or joint-stock company must provide prescribed documents to the OGQ and must update them.		or offer or provide services to the public within the practice of the professions	application of engineering in their own names provided that one of principal and customary functions is application of engineering.
Is it mandatory or voluntary?	Mandatory with some exceptions Voluntary for sole proprietorships, partnerships, or other entities offering services in the name of one or more members of APGO who are also members of the partnership or entity	N/A	N/A	Mandatory	N/A
Which types of entities can get it?	Corporations, partnerships, or other entities	N/A	N/A	Partnerships, associations of persons, or corporations	N/A
Can individual practitioners get it?	Yes, but not required for sole proprietorships that offer services in the name of one or more members and each of whom are members	N/A	N/A	Not specified	N/A

Professional Association	Association of Professional Geoscientists of Ontario (APGO)	Ordre des Ingénieurs du Québec (OIQ)	Ordre des géologues du Québec (OGQ)	Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)	Engineers Nova Scotia
What rights go along with the authorization?	To engage in the business of offering or providing services to the public that constitute the practice of professional geoscience	Engineers may carry on professional activities within a joint-stock company constituted for that purpose before June 21, 2001 until coming into force of first regulation under s 94 of <i>Professional Code</i>	Geologists are authorized to carry on professional activities within an LLP or a joint-stock company (within the meaning of the <i>Professional Code</i>) subject to conditions set out in regulation	Take and use prescribed titles or designations; practise the professions; advertise recover, in court, fees or charges for services	N/A
What criteria must be met to be a responsible member?	Practising or temporary member Designates must be the applicant, employees, or partners	N/A	If more than one geologist carries on professional activities within the same partnership or joint-stock company, a representative may be designated. The representative must be a geologist to carry on professional activities in Quebec and be a partner or shareholder.	Partners, officers, directors, or full-time employees who are regular members or licensees	Members or a full-time permanent employees who are members of the association or licensed to practise
What obligations do responsible members have?	Responsible for and supervision of the provision of services Members who are designates must notify the registrar within 30 days of ceasing to be in charge of the	N/A	Must provide prescribed documents to OGQ and must update them must reply to requests by representatives of OGQ	In charge of the practice Duty to ensure compliance with the Act and Bylaws	Supervises application of engineering

Professional Association	Association of Professional Geoscientists of Ontario (APGO)	Ordre des Ingénieurs du Québec (OIQ)	Ordre des géologues du Québec (OGQ)	Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)	Engineers Nova Scotia
	practice or ceasing to hold responsibility for compliance.		must ensure accuracy of information given in the required declaration		
Who issues the authorization?	Registrar but must be referred to the registration committee in prescribed circumstances	N/A	N/A	Approved by Board of Admissions (may be delegated to registrar or other appropriate association staff with approval of Council)	N/A
Who cancels the authorization?	Council may revoke (registrar may suspend) Discipline committee	N/A	N/A	Not specified	N/A
On what basis can an authorization be cancelled (other than by discipline committee or equivalent body)?	Convicted of an offence that renders the person unsuitable to hold a certificate; fails to comply with the act or a regulation; has demonstrated professional misconduct, negligence, or incompetence; or other prescribed circumstances	N/A	If a geologist becomes aware that a condition of the <i>Professional Code</i> is no longer being complied with must, within 15 days, take necessary measures to ensure compliance, failing which the geologist ceases to be authorized to carry on professional activities within the partnership or joint-stock company	Not specified	N/A
Other ongoing regulatory authority	Subject to discipline provisions Must provide updated information with annual	N/A	There are terms and conditions of practice related to who can hold voting rights, structure, directors, etc.	Subject to complaints committee provisions (Discipline provisions appear to apply only to	Certificate of compliance issued based on annual filing of information return

Professional Association	Association of Professional Geoscientists of Ontario (APGO)	Ordre des Ingénieurs du Québec (OIQ)	Ordre des géologues du Québec (OGQ)	Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)	Engineers Nova Scotia
	renewal		A geologist must ensure that the conditions are stipulated in the contract constituting the LLP or appear in the articles of constitution of the joint-stock company, and that it is provided that it is constituted for the purpose of carrying on professional activities.	individuals) Must annually submit information prescribed in Bylaws. Notice of change of particulars must be given to registrar within 30 days of change	Discipline provisions apply only to registrants.
Application and required documentation	Submit application form provided by registrar, along with application fee set out in bylaws. Application must contain items listed in the regulation. It must state in the application that designates will devote sufficient time to carry out their responsibilities and that designates are the applicants, employees, or partners.	N/A	Geologists who wish to carry on professional activities within an LLP or joint-stock company must provide documents listed in the regulation, including sworn declaration as prescribed. Documents issued by a competent authority certifying existence of joint-stock company and confirming registration in Quebec Update certain documents annually	Applications for entrance in the register or any other status contemplated in the bylaws shall be in the form prescribed by Council and include fees and dues prescribed by Council	Must provide information prescribed in the bylaws
Fees	Application fees are \$175	N/A	Prescribed by the Board	Annual fee (dues) is established each year	The administrative fee for filing an information

Professional Association	Association of Professional Geoscientists of Ontario (APGO)	Ordre des Ingénieurs du Québec (OIQ)	Ordre des géologues du Québec (OGQ)	Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)	Engineers Nova Scotia
	Annual dues are \$250 for a sole practitioner, \$400 for two practitioners, and \$1,000 for three or more practitioners			by Council Fees cannot be increased by more than 5% in one year or 10% over a three-year period unless approved at an annual or special meeting. Dues for Certificate of Authorization Holders are 1.25 times the annual dues	return is \$300.
Professional liability insurance (PLI)	Must be insured under a policy that meets or exceeds the requirements in the regulations OR must provide written statement to client and the client provides a signed statement that the client has read it, both of which must be provided to the registrar Must notify registrar and each current client within 10 days of amendment or cancellation of insurance	Board must make regulations imposing obligation to provide and maintain coverage	Board must make regulations imposing obligation to provide and maintain coverage Must have insurance or suretyship contract or group insurance as prescribed in regulations Must inform secretary without delay of any change in or cancellation of coverage	Mandatory where services within the practice of the professions are offered or provided to the public May be exempt if unable to obtain PLI because of nature of practice Must notify all clients or customers in writing that they do not carry PLI and shall maintain a record that the clients or customers have acknowledged such in writing	Not required

Professional Association	Association of Professional Geoscientists of Ontario (APGO)	Ordre des Ingénieurs du Québec (OIQ)	Ordre des géologues du Québec (OGQ)	Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)	Engineers Nova Scotia
	Applicant must submit statement of PLI to the registrar				
Authentication	Stamp or seal should be affixed to a document or record only if it was prepared by or under the supervision of a member retained or employed by the certificate holder and with the knowledge and consent of the member	N/A	Not stated specifically for LLPs or joint-stock companies	Not stated specifically for holders of certificates of authorization	N/A
Notes	Certificate must be prominently displayed in place of business	N/A	N/A	Non-resident status shall be indicated on the certificate of authorization if the applicant does not have a functioning office in New Brunswick under the direct supervision of a regular member or licensee	N/A

Professional Association	Geoscientists Nova Scotia	Engineers PEI	Professional Engineers and Geoscientists Newfoundland and Labrador (PEGNL)	Engineers Yukon	Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists
What is this authorization called?	Certificate of authorization	Certificate of authorization	Permit (also issued to professional members)	Permit	Permit
Who has to get it?	Partnerships, associations of persons, or other legal entities can undertake and carry out application of geoscience in its own name if one of its principal and customary functions is the application of geoscience	Partnerships, associations of persons, or corporations to practise engineering in its own name Must engage in the practice of engineering as one of its principal functions	Professional members, partnerships, corporations, or other associations of persons to provide the services of a professional member directly to the public	Corporations, partnerships, or other entities engaging in the practice of engineering	Firms (which includes partnerships, corporations, or associations of persons) Permit not required if work is performed by an employee who is a member or licensee, is used exclusively by the firm, is not used by or delivered to another party, and does not affect the safety of any person
Is it mandatory or voluntary?	Voluntary	Mandatory	Mandatory	Mandatory	Mandatory, except in circumstances noted above
Which types of entities can get it?	Partnerships, associations of persons, or other legal entities	Partnerships, associations of persons, or corporations	Professional members, partnerships, corporations, or other associations of persons	Partnerships, corporations, firms, or associations of persons	Partnerships, corporations, firms, or associations of persons
Can individual practitioners get it?	Not specified	Not specified	Yes, permits are also issued to professional members Some requirements are specific to sole proprietors.	Not specified	Not specified
What rights go	N/A	Engage in practice of	Engage in the practice	Engage in the practice	Engage in the practice

Professional Association	Geoscientists Nova Scotia	Engineers PEI	Professional Engineers and Geoscientists Newfoundland and Labrador (PEGNL)	Engineers Yukon	Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists
along with the authorization?		engineering; use prescribed names and titles; advertise; recover fees or charges for services	of engineering or geoscience; use prescribed words and titles	of engineering; use prescribed words and titles	of engineering or geoscience; use prescribed words and titles; advertise
What criteria must be met to be a responsible member?	Member or full-time permanent employee who holds a certificate of registration or a licence to practise	Member or licensee who is a principal, partner, director, or full-time employee	Member who is an employee and currently registered and in professional good standing	Permanent employee or member of the partnership, corporation, firm, or association of persons who is a professional member or licensee of the association and qualified by education and experience in the fields of engineering in which the permit holder intends or offers to engage	At least one member or licensee who is a full-time employee, partner, or officer of the firm (professional representative) If a firm maintains an office in the Northwest Territories or Nunavut, at least one professional representative must be a resident in that territory unless Council dispenses with that requirement
What obligations do responsible members have?	Supervised application of geoscience	Responsible for practice of engineering and its supervision; in charge. Duty to ensure compliance	In responsible charge; directly supervises all aspects of the practice for each discipline; must immediately notify registrar on relinquishing responsibility temporarily, indefinitely, or permanently	All engineering work must be performed under their direct personal supervision. Must immediately advise registrar on relinquishing responsibility for any reason	To serve as professional representative and to assume responsibility for the professional conduct of the firm
Who issues the	By resolution of	Approved by Council	Registration committee	Approved by Council	Registered by

Professional Association	Geoscientists Nova Scotia	Engineers PEI	Professional Engineers and Geoscientists Newfoundland and Labrador (PEGNL)	Engineers Yukon	Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists
authorization?	Council				Executive Director
Who cancels the authorization?	N/A	Council and Discipline Committee.	Registrar, board or, registration committee, or adjudication tribunal	Registrar with approval or at direction of Council, discipline committee	Board of Inquiry
On what basis can an authorization be cancelled (other than by discipline committee or equivalent body)?	N/A	Failure to observe requirements or guilty of conduct that would be professional misconduct or incompetence Automatically revoked for failure to comply with certain requirements Registrar can remove name for failure to pay dues.	Default of payment of fees, dues, or levies The Board or registration committee may direct registrar to cancel permit entered or issued in error. Failure to meet requirements of the act and regulations for continuing registration	At request of permit holder Default of payment of fees, dues, or levies. Permit holder no longer has employees in compliance with the act Registration entered in error Fraudulent registration	Failure to observe any of the conditions in the act governing registration of a permit holder and issuance of a permit
Other ongoing regulatory authority	Annual information returns must be filed with registrar.	Subject to discipline provisions Must give registrar notice of change of particulars within 30 days of change; information must be updated annually	Subject to adjudication tribunal provisions Must keep registrar advised of names of responsible members and notify of changes in their status Meet conditions for continuing registration	Subject to discipline provisions Must keep association advised of the name of responsible members	Subject to discipline provisions Must conform to code of ethics
Application	N/A	Application form prescribed by Council containing items listed	Applications shall be made to the registrar in the required form.	Applications made to the Registrar on a form approved by the Board	Must file application in the form provided by Council

Professional Association	Geoscientists Nova Scotia	Engineers PEI	Professional Engineers and Geoscientists Newfoundland and Labrador (PEGNL)	Engineers Yukon	Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists
		in the act		of Examiners, fully completed with all necessary documentation	
Fees	None specified	There are different classes of fees.	Required fees must accompany application and annual renewal.	Necessary fees must accompany application.	Must pay required registration fee Annual fee fixed by Council
Professional liability insurance	Not required	Not required	Must provide proof of professional liability insurance coverage in a form and amount prescribed and published by the board (there are some exceptions in the bylaw)	Not required	Not required
Authentication	Not stated specifically for holders of certificates of authorization	Not stated specifically for holders of certificates of authorization	All plans, specifications, reports, and documents shall be signed by and sealed with the stamp or seal of the professional member who is responsible for and who supervised their preparation and carry the permit holder stamp or seal.	All final plans, specifications, reports, or documents shall be signed by, dated, and sealed by the professional member or licensee who is responsible for them and who supervised their preparation, and be dated and stamped with the seal issued to the permit holder. The seal issued to the permit holder must always be under the	The custodian of the permit stamp shall be an officer or employee of the permit holder authorized to control its use. The permit stamp shall be signed only after the professionals taking responsibility have affixed their personal stamps. The officer or employee authorized by the permit holder shall sign across the imprint of the stamp

Professional Association	Geoscientists Nova Scotia	Engineers PEI	Professional Engineers and Geoscientists Newfoundland and Labrador (PEGNL)	Engineers Yukon	Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists
				control of and only used by the responsible member.	and indicate the date.
Notes	A certificate of authorization is also issued by the registrar based on annual filing of information return.	Non-resident status will be indicated if the applicant does not have a functioning office in PEI under direct supervision of an engineer.	Practice is restricted to disciplines specified in the permit.		

**Appendix 2A – Permit to Practice
Canadian Engineering and Geoscience Associations**

The tables below reference legislation of engineering and geoscience constituent associations in Canada regarding permits to practice or certificates of authorization. The following text is quoted from the legislation and has not been modified to match APEGA’s style.

	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)
Provisions related to permits or certificates of authorization	<p>Act Definitions and interpretation 1 (1) In this Act: "certificate holder" means the corporation, partnership or other legal entity that holds a valid certificate of authorization; "certificate of authorization" means the authorization given under the seal of the association that permits corporations, partnerships or other legal entities to practise professional engineering or professional geoscience through employees who are members or licensees.</p> <p>Bylaws 10 (1) The council may pass, alter and amend bylaws, consistent with this Act, for the following: (b) the government, discipline and honour of the members, licensees and certificate holders of the association, including the establishment of a code of ethics. (c) the establishment of quality management programs for members, licensees and certificate holders; (d) the establishment by the council of a professional practice review program for members, licensees and certificate holders, including the creation of a practice review committee to conduct practice reviews as directed by the council, as recommended by the investigation committee or subcommittee or as referred by the registrar; (d.1) the establishment by the council of a conduct review program for members, licensees and certificate holders, including the creation of a conduct review committee to perform</p>	<p>Act Definitions 1 In this Act, (p) “permit holder” means a partnership or other association of persons or a corporation that holds a permit under this Act but does not include an ASET permit holder as defined in section 86.4.</p> <p>Part 1 Scope of Practice Exclusive scope of the practice of engineering 2(1) Except as otherwise provided in this Act, no individual, corporation, partnership or other entity, except a professional engineer, a licensee so authorized in the licensee’s licence, a permit holder so authorized in its permit or a certificate holder so authorized in the certificate holder’s certificate, shall engage in the practice of engineering. (2) No individual, corporation, partnership or other entity, shall engage in both the practice of engineering and the practice of architecture as defined in the <i>Architects Act</i>, or hold out that it is entitled to engage in both the practice of engineering and the practice of architecture unless it holds a certificate of authorization under this Act or the <i>Architects Act</i> permitting it to do so.</p>

	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)
	<p>conduct reviews as directed by the council, as recommended by the investigation committee or subcommittee or as referred by the registrar;</p> <p>(e) the circumstances in which members, licensees or certificate holders, or a class of members, licensees or certificate holders, must hold professional liability insurance and the amount and category of professional liability insurance that must be held;</p> <p>(e.1) the establishment and administration of a professional liability insurance program in any category including, without limitation, for providing the council with the power to establish terms, conditions, policies and procedures for categories of professional liability insurance;</p> <p>(e.2) the circumstances and manner in which members, licensees or certificate holders, or a class of members, licensees or certificate holders, must disclose</p> <p>(i) whether professional liability insurance is held, and</p> <p>(ii) whether the insurance is applicable to the services in question;</p> <p>(g) the establishment, levying, payment and remission of</p> <p>(ii) admission fees,</p> <p>(iii) application fees,</p> <p>(iv) licence fees,</p> <p>(v) professional liability insurance fees, and</p> <p>(vi) any other fees except, with respect to members, licensees and certificate holders, late fees, annual fees and reinstatement fees, including, without limitation, for providing the council with the power to establish, levy, require payment of, and authorize remission of, those fees;</p> <p>(j) the establishment and enforcement of standards for certificate holders;</p> <p>(k.2) the qualification and certification of members, licensees or certificate holders as specialists in areas of professional engineering or professional geoscience designated under paragraph (k.1);</p> <p>(k.3) the prohibition of members, licensees or certificate holders from holding themselves out as specialists in a designated area</p>	<p>Exclusive use of name engineer</p> <p>3(1) No individual, corporation, partnership or other entity, except a professional engineer, licensee or permit holder entitled to engage in the practice of engineering, shall</p> <p>(a) use</p> <p>(i) the title “professional engineer”, the abbreviation “P. Eng.” or any other abbreviation of that title,</p> <p>(ii) the word “engineer” in combination with any other name, title, description, letter, symbol or abbreviation that represents expressly or by implication that the individual, corporation, partnership or other entity is a professional engineer, licensee or permit holder,</p> <p>or</p> <p>(b) represent or hold out, expressly or by implication, that the individual, corporation, partnership or other entity</p> <p>(i) is entitled to engage in the practice of engineering, or</p> <p>(ii) is a professional engineer, licensee or permit holder.</p> <p>(2) No individual, corporation, partnership or other entity, except a professional engineer, licensee or permit holder entitled to engage in the practice of engineering, shall affix the stamp or seal of a professional engineer or licensee or the permit number of a permit holder or allow that stamp, seal or permit number to be affixed to a plan, drawing, detail drawing, specification or other document or a reproduction of any of them unless</p> <p>(a) that plan, drawing, detail drawing, specification, other document or reproduction was prepared by or under the supervision and control of, and</p> <p>(b) the stamp, seal or permit number is affixed with the knowledge and consent or in accordance with the direction of the professional engineer or licensee to whom or the permit holder to which the stamp, seal or permit number was issued.</p>

	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)
	<p>of professional engineering or professional geoscience unless the member, licensee or certificate holder is certified under a bylaw made under paragraph (k.2); (n.1) the establishment of requirements and procedures for the reinstatement of former members, licensees and certificate holders, including, without limitation, the imposition of conditions on reinstatement and direct supervision of former members, licensees and certificate holders.</p> <p>(1.1) For the purposes of bylaws under subsection (1) (e), (e.1) or (e.2), the council, by bylaw, may (a) establish classes of members, licensees or certificate holders, (b) specify different categories of professional liability insurance, and (c) require that different classes of members, licensees or certificate holders hold different categories of professional liability insurance.</p> <p>Admission to membership 13(6) Neither corporations nor partnerships as such may become members of the association. (7) If professional engineers or professional geoscientists are employed by corporations or are members of partnerships, they individually must assume the functions of and must be held responsible as professional engineers or professional geoscientists.</p> <p>Issue of certificates of authorization 14(1) The council must issue a certificate of authorization to a corporation, partnership or other legal entity for the practice of professional engineering or for the practice of professional geoscience if the council is satisfied that the corporation, partnership or other legal entity (a) has on its active staff members or licensees who directly supervise and assume responsibility for the practice of professional engineering or for the practice of professional</p>	<p>Exclusive scope of the practice of geoscience 5(1) Subject to subsection (2), no individual, corporation, partnership or other entity, except a professional geoscientist, a licensee so authorized in the licensee’s licence or a permit holder so authorized in the permit, shall engage in the practice of geoscience.</p> <p>Exclusive use of name geoscientist 6(1) No individual, corporation, partnership or other entity, except a professional geoscientist or a licensee or permit holder entitled to engage in the practice of geoscience, shall (a) use (i) the title “professional geoscientist”, the abbreviation “P. Geo.” or any other abbreviation of that title, (ii) the word “geoscientist” in combination with any other name, title, description, letter, symbol or abbreviation that represents expressly or by implication that the individual, corporation, partnership or other entity is a professional geoscientist, licensee or permit holder, or (b) represent or hold out, expressly or by implication, that the individual, corporation, partnership or other entity (i) is entitled to engage in the practice of geoscience, or (ii) is a professional geoscientist, licensee or permit holder. (2) No individual, corporation, partnership or other entity, except a professional geoscientist or a licensee or permit holder entitled to engage in the practice of geoscience, shall affix the stamp or seal of a professional geoscientist or licensee or the permit number of a permit holder or allow that stamp, seal or permit number to be affixed to a map, geoscientific cross section, specification, report or other document or a</p>

	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)
	<p>geoscience undertaken by the corporation, partnership or other legal entity, and</p> <p>(b) has satisfied the requirements of this section and the bylaws of the association.</p> <p>(2) An application for a certificate of authorization, on a form provided by the council, must be filed with the registrar, together with the application fee specified by the council, and, to remain valid, the certificate holder must pay all fees specified by the council for certificate holders.</p> <p>(3) If the practice of professional engineering or the practice of professional geoscience is carried on by a certificate holder as permitted under subsection (1), the estimates, specifications, reports, documents or plans prepared and delivered must</p> <p>(a) be signed and dated by, and sealed with the stamp of, the member or licensee of the association who is responsible for them and who supervised the preparation of them, and</p> <p>(b) show in a manner specified by the council the words "APEGBC CERTIFICATE OF AUTHORIZATION", together with the certificate number and expiry date.</p> <p>(4) A certificate holder engaged in the practice of professional engineering or in the practice of professional geoscience in its own name as permitted under subsection (1) must keep the association advised of the names of the members or licensees of the association who are on the active staff of the certificate holder and who are directly supervising and assuming responsibility for the practice of professional engineering or for the practice of professional geoscience.</p> <p>(5) The members or licensees named for the purposes of subsection (4) by a certificate holder</p> <p>(a) are the authorized representatives of the certificate holder for all purposes under this Act,</p> <p>(b) are subject to any inquiries under the Act, and</p> <p>(c) must immediately advise the registrar on relinquishing for any reason this responsibility for the certificate holder.</p> <p>(6) A certificate of authorization issued to a corporation, partnership or other legal entity is valid for the calendar year for which it was issued provided the certificate holder complies with</p>	<p>reproduction of any of them unless</p> <p>(a) that map, geoscientific cross section, specification, report, other document or reproduction was prepared by or under the supervision and control of, and</p> <p>(b) the stamp, seal or permit number is affixed with the knowledge and consent or in accordance with the direction of the professional geoscientist or licensee to whom or the permit holder to which the stamp, seal or permit number was issued.</p> <p>Part 2 Association</p> <p>Powers of the Practice Review Board</p> <p>16(1) The Practice Review Board</p> <p>(a) shall, on its own initiative or at the request of the Council, inquire into</p> <p>(i) the assessment of existing and the development of new educational standards and experience requirements that are conditions precedent to obtaining and continuing registration under this Act,</p> <p>(ii) the evaluation of desirable standards of competence of professional members, licensees, permit holders and certificate holders generally,</p> <p>(iii) the practice of the profession by professional members, licensees, permit holders or certificate holders generally, and</p> <p>(iv) any other matter that the Council from time to time considers necessary or appropriate in connection with the exercise of its powers and the performance of its duties in relation to competence in the practice of the profession under this Act and the regulations, and</p> <p>(b) may conduct a review of the practice of a professional member, licensee, permit holder or certificate holder in accordance with this Act and the regulations.</p>

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	<p>this Act and the bylaws governing certificate holders.</p> <p>(7) A corporation, partnership or other legal entity that holds a certificate of authorization must be registered by the registrar as a certificate holder but not as a member or licensee.</p> <p>(8) Despite subsection (1), the council may refuse to issue or renew a certificate of authorization if the applicant for the certificate of authorization or the certificate holder, as the case may be, or a member or licensee described in subsection (1)</p> <p>(a),</p> <p>(a) has been convicted in Canada or elsewhere of an offence that, if committed in British Columbia, would be an offence under an enactment of the Province or of Canada and, in the circumstances, renders the person unsuitable for the practice of professional engineering or for the practice of professional geoscience,</p> <p>(b) has contravened this Act, the bylaws or the code of ethics of the association, or</p> <p>(c) has demonstrated incompetence, negligence or unprofessional conduct.</p> <p>Register</p> <p>19 The registrar must do the following:</p> <p>(d) keep a record of licensees, certificate holders and members of each grade of membership in the association;</p> <p>(e) enter in the record the full name and address of each licensee and certificate holder and the date of issue of each licence and certificate of authorization.</p> <p>Failure to pay fees</p> <p>21.2(1) If a person fails to pay the annual fee or any other fee imposed under this Act, other than a late fee or a reinstatement fee, by the time the fee is required to be paid, the council must provide to the person at his or her last recorded address notice demanding payment of the fee.</p> <p>(2) Subject to sections 32.1 (5) and 32.2 (3), if a person is still in default 30 days after notice under subsection (1) of this section is sent, the council may do one or both of the following:</p>	<p>Part 3 Regulations and Bylaws</p> <p>Regulations</p> <p>19(1) The Council may make regulations</p> <p>(k) governing the names under which professional members, licensees, permit holders and certificate holders may engage in the practice of the profession;</p> <p>(m) respecting the procedures of the Discipline Committee, of the Practice Review Board, of the Investigative Committee and of the Appeal Board in matters relating to the conduct or practice of professional members, licensees, permit holders or certificate holders, whether or not a complaint has been made;</p> <p>(o) governing the publication of a notice of the suspension or cancellation of the registration of a professional member, licensee, permit holder or certificate holder in a form and manner prescribed by the Council;</p> <p>(x) establishing classes or categories of professional engineers or geoscientists and licensees or permit holders and prescribing the restrictions of practice and the privileges and obligations of the classes or categories so established;</p> <p>(y) respecting the academic and other qualifications and the experience required of the classes or categories established under clause (x);</p> <p>(aa) governing the eligibility for registration of persons, firms, partnerships and other entities as permit holders or certificate holders;</p> <p>(bb) governing the operation of permit holders or certificate holders;</p> <p>(dd) respecting registration, licensing, the issuing of permits and certificates, disciplinary matters and the practice of engineering and geoscience generally.</p>

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	<p>(a) require the person to pay a late fee in addition to the unpaid fee;</p> <p>(b) cancel the person's registration, licence or certificate of authorization without further notice.</p> <p>Prohibition on practice</p> <p>22(1) Except as permitted under this Act, an individual or corporation, partnership or other legal entity must not do any of the following:</p> <p>(a) engage in the practice of professional engineering or professional geoscience;</p> <p>(b) assume, verbally or otherwise, the title of professional engineer or professional geoscientist;</p> <p>(c) advertise or use, or permit to be advertised or used, in any manner whatsoever, in connection with the name of the individual, corporation, partnership or other legal entity, or otherwise,</p> <p>(i) the title of professional engineer or professional geoscientist,</p> <p>(ii) any word, name, title or designation mentioned in the definition of "practice of professional engineering" or "practice of professional geoscience", or any combination or abbreviation of them, or</p> <p>(iii) any other word, name, title, designation, descriptive term or statement implying, or calculated to lead any other person to believe, that the individual, corporation, partnership or other legal entity is a professional engineer or professional geoscientist or is ready or entitled to engage in, or is engaged in, the practice of professional engineering or professional geoscience as defined in section 1 (1);</p> <p>(d) act in a manner that leads any person to believe that the individual, corporation, partnership or other legal entity is authorized to fill the office of or act as a professional engineer or professional geoscientist;</p> <p>(e) advertise, use or display a sign, card, letterhead or other device representing to the public that the individual, corporation, partnership or other legal entity is a professional engineer or</p>	<p>Bylaws</p> <p>20(1) The Council may make bylaws</p> <p>(q) respecting permit numbers issued to permit holders;</p> <p>(t) respecting the establishment, content and maintenance of registers of professional members, licensees, permit holders and certificate holders and of records of other classes or categories of membership to be kept by the Registrar;</p> <p>(v) requiring professional members, licensees, permit holders and certificate holders to inform the Registrar in writing of their current mailing addresses and of any change of address forthwith after the change occurs;</p> <p>(w) prescribing the form of a certificate of registration, a licence, a permit, a certificate of authorization and an annual certificate;</p> <p>(x) respecting the expiry of annual certificates, annual licences, permits and other authorizations.</p> <p>Part 4</p> <p>Registration</p> <p>Registers and membership records</p> <p>21(1) The Registrar shall maintain, in accordance with the bylaws and subject to the direction of the Council, a register for each of the following:</p> <p>(e) permit holders to engage in the practice of</p> <p>(i) professional engineering, or</p> <p>(ii) professional geoscience;</p> <p>(2) The Registrar shall enter in the appropriate register the name of a person who has paid the fee prescribed under the bylaws, and</p> <p>(b) whose registration to engage in the practice of the profession as a permit holder has been approved by the Council.</p>

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	<p>professional geoscientist or an individual, corporation, partnership or other legal entity ready or entitled to engage in the practice of professional engineering or professional geoscience or holding out the individual, corporation, partnership or other legal entity to be a professional engineer, professional geoscientist or certificate holder.</p> <p>(2) Subsection (1) does not apply</p> <p>(a) to an individual who is a member of the association or holds a licence, other than a limited licence, issued by the association, or</p> <p>(b) to a corporation, partnership or other legal entity that has on its active staff members or licensees who directly supervise and assume responsibility as this Act provides for the practice of professional engineering or professional geoscience undertaken by the corporation, partnership or other legal entity.</p> <p>Disciplinary actions</p> <p>33(1) After an inquiry under section 32, the discipline committee may determine that the member, licensee or certificate holder</p> <p>(a) has been convicted in Canada or elsewhere of an offence that, if committed in British Columbia, would be an offence under an enactment of the Province or of Canada, and that the nature or circumstances of the offence render the person unsuitable for registration or licensing,</p> <p>(b) has contravened this Act or the bylaws or the code of ethics of the association, or</p> <p>(c) has demonstrated incompetence, negligence or unprofessional conduct.</p> <p>(2) If the discipline committee makes a determination under subsection (1), it may, by order, do one or more of the following:</p> <p>(a) reprimand the member, licensee or certificate holder;</p> <p>(b) impose conditions on the membership, licence or certificate of authorization of the member, licensee or certificate holder;</p> <p>(c) suspend or cancel the membership, licence or certificate of authorization of the member, licensee or certificate holder;</p> <p>(d) impose a fine, payable to the association, of not more than</p>	<p>Registration of permit holders</p> <p>24(1) The Council shall approve the registration as a permit holder of a partnership or other association of persons, or of a corporation incorporated or registered under the <i>Companies Act</i> or continued, incorporated or registered under the <i>Business Corporations Act</i>, that has applied to the Council and is eligible under this section and the regulations to become registered to engage in the practice of engineering or geoscience as a permit holder.</p> <p>(2) A partnership or other association of persons or a corporation that applies to the Council is eligible to become registered as a permit holder entitled to engage in the practice of engineering or geoscience if it satisfies the Council that it complies with the Act and the regulations.</p> <p>Evidence of registration</p> <p>25(3) On entering the name of a permit holder in the register, the Registrar shall issue to the permit holder</p> <p>(a) a permit to engage in the practice of engineering or geoscience as a permit holder as authorized in the permit, and</p> <p>(b) a permit number as prescribed in the bylaws.</p> <p>(6) A certificate of registration, a licence, a permit or a certificate of authorization issued under this section entitles the holder to engage in the practice of engineering or geoscience, as the case may be, subject to this Act, the regulations and the bylaws.</p> <p>Annual certificate</p> <p>26(1) A professional member, licensee, permit holder or certificate holder engaged in the practice of engineering or geoscience shall pay to the Association the annual fee</p>

	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)
	<p>\$25 000 on the member, licensee or certificate holder.</p> <p>(3) The discipline committee must give written reasons for any action it takes under subsection (2).</p> <p>(4) If a member, licensee or certificate holder is suspended from practice,</p> <p>(a) the registration, licence or certificate of authorization is deemed to be cancelled during the term of the suspension, and</p> <p>(b) the suspended member, licensee or certificate holder is not entitled to any of the rights or privileges of membership and must not be considered a member while the suspension continues.</p> <p>Conditions not met</p> <p>34(1) If the discipline committee imposes conditions under section 33 (2) (b) and the discipline committee subsequently is satisfied that these conditions have not been met, it may propose, in addition to any order under section 33 (2), one or more of the following:</p> <p>(a) imposition of further conditions;</p> <p>(b) suspension or cancellation of the membership, licence or certificate of authorization;</p> <p>(c) imposition of a fine, payable to the association, of not more than \$25 000 on the member, licensee or certificate holder.</p> <p>(2) Notice of the proposal in subsection (1) and the reasons for it must be given, in the manner set out in section 32(2), to the person on whom the conditions were imposed, setting out the proposal and giving the person at least 28 days from the date that notice is given to deliver to the discipline committee any written submissions the person wishes to make.</p> <p>(3) After the time for delivering written submissions has elapsed, the discipline committee may take the proposed action without a further inquiry if</p> <p>(a) no submissions have been made, or</p> <p>(b) on reviewing the submissions that have been made the discipline committee remains satisfied that the conditions have</p>	<p>prescribed under the bylaws.</p> <p>(2) The Registrar shall issue an annual certificate in accordance with the bylaws to a professional member, licensee, permit holder or certificate holder</p> <p>(a) whose registration is not under suspension, and</p> <p>(b) who has paid the annual fee.</p> <p>(3) Subject to this Act, an annual certificate entitles the professional member, licensee, permit holder or certificate holder to engage in the practice of engineering or geoscience, as the case may be, during the year for which the annual certificate is issued.</p> <p>Entries in registers</p> <p>27(1) The registration of a professional member, licensee, permit holder or certificate holder is suspended when the decision to suspend the registration is made in accordance with this Act.</p> <p>(3) The registration of a professional member, licensee, permit holder or certificate holder is cancelled when the decision to cancel the registration is made in accordance with this Act.</p> <p>Cancellation on request</p> <p>29(1) The Registrar shall not cancel the registration of a professional member, licensee, permit holder or certificate holder at that person's request unless the request for the cancellation has been approved by the Council.</p> <p>(2) When a request for cancellation of a registration is approved by the Council</p> <p>(a) the Registrar shall cancel that registration, and</p> <p>(b) the professional member, licensee, permit holder or restricted practitioner requesting the cancellation shall, on being notified of the approval,</p>

	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)
	<p>not been met.</p> <p>Cancellation of certificate of authorization 34.1 The council must inform the Registrar of Companies if a certificate of authorization is cancelled under section 21.2(2)(b), 33(2)(c) or 34(3).</p> <p>Practice review committee 44 If a practice review committee is created under section 10(1)(d), a member, licensee or certificate holder (a) must, on request, provide the practice review committee with any relevant information, record, document or thing, and (b) may not refuse to comply with a request under paragraph (a) on the grounds of confidentiality.</p> <p>Conduct review committee 44.1 If a conduct review committee is created under section 10(1)(d.1), a member, licensee or certificate holder (a) must, on request, provide the conduct review committee with any relevant information, record, document or thing, and (b) may not refuse to comply with a request under paragraph (a) on the grounds of confidentiality.</p> <p>APEGBC Bylaws Practice review 14 (c) By means of a practice review process, the details and implementation of which shall be authorized by council, council may cause the professional practice of members and licensees to be reviewed.</p> <p>Liability insurance 17(a) Before entering into an agreement to provide professional engineering or professional geoscience services to the public, a member, licensee or certificate holder must notify the client, in writing, whether or not professional liability insurance is held and whether that insurance is applicable to the services in</p>	<p>(i) immediately surrender to the Registrar (A) the certificate of registration, licence and the stamp or seal, in the case of a professional member, licensee or restricted practitioner, or (B) the permit and annual certificate, in the case of a permit holder, and (ii) cease using the permit number, in the case of a permit holder.</p> <p>(3) The Council may direct the Registrar to reinstate in the applicable register a registration that was cancelled under this section, subject to any conditions that the Council may prescribe, and to reissue the certificate of registration, licence or permit and the stamp, seal or permit number.</p> <p>(4) Notwithstanding subsection (3), if a person whose registration is cancelled applies to be reinstated more than 7 years after the date of the cancellation, the application for reinstatement must be referred to the Board of Examiners.</p> <p>Cancellation 39(1) The Council may direct the Registrar to cancel the registration of (a) a professional member, licensee or permit holder who is in default of payment of annual fees or any other fees, dues or levies payable under this Act, or (b) a permit holder if it no longer has employees in compliance with this Act, after the expiration of 30 days following the service on the professional member, licensee or permit holder of a written notice by the Council pursuant to subsection (2), unless the professional member, licensee or permit holder on whom the notice is served complies with the notice.</p>

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	<p>question. The note shall include a provision for an acknowledgement of the advice to be signed by the client.</p>	<p>(2) The notice under subsection (1) shall state that the Registrar may cancel the registration unless</p> <p>(a) the fees, dues or levies are paid as indicated in that notice, or</p> <p>(b) evidence satisfactory to the Council has been received by it within the time prescribed in the notice indicating that the permit holder has employees in compliance with this Act.</p> <p>(3) The Council may direct the Registrar to cancel the registration of a professional member, licensee or permit holder that was entered in error in the register.</p> <p>(4) If the registration of a professional member or licensee has been cancelled under this section, the professional member or licensee shall forthwith surrender to the Registrar any certificate of registration, licence, stamp or seal issued to the professional member or licensee.</p> <p>(5) If the registration of a permit holder has been cancelled under this section, the permit holder shall immediately surrender the permit to the Registrar and cease to use the permit number issued to that permit holder.</p> <p>(6) If a registration has been cancelled pursuant to subsection (1), the Council may direct the Registrar, subject to any conditions that the Council may prescribe, to reinstate that registration in the applicable register and to reissue the certificate of registration, licence or permit and the stamp, seal or permit number.</p> <p>(7) Notwithstanding subsection (6), if a person whose registration is cancelled applies to be reinstated more than 7 years after the date of the cancellation, the application for reinstatement must be referred to the Board of Examiners.</p> <p>Part 5 Discipline Definitions</p>

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		<p>42 In this Part,</p> <p>(b) “investigated person” means a professional member, licensee, permit holder, certificate holder or member-in-training with respect to whose conduct an investigation is held under this Part.</p> <p>Suspension pending investigation and hearing</p> <p>55(1) Notwithstanding anything in this Act, the Investigative Committee may suspend the registration of a professional member, licensee, permit holder, certificate holder or member-in-training pending a preliminary investigation or a decision of the Discipline Committee.</p> <p>(2) A person whose registration is suspended under subsection (1) may apply to the Court for an order staying the suspension.</p> <p>(3) A copy of an application under subsection (2) must be served on the Registrar.</p> <p>Powers of the Discipline Committee</p> <p>63 If the Discipline Committee finds that the conduct of the investigated person is unprofessional conduct or unskilled practice of the profession, or both, the Discipline Committee may make any one or more of the following orders:</p> <p>(a) reprimand the investigated person;</p> <p>(b) suspend the registration of the investigated person for a specified period;</p> <p>(c) suspend the registration of the investigated person either generally or from any field of practice until</p> <p style="padding-left: 40px;">(i) the investigated person has completed a specified course of studies or obtained supervised practical experience, or</p> <p style="padding-left: 40px;">(ii) the Discipline Committee is satisfied as to the competence of the investigated person generally or in a</p>

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		<p>specified field of practice;</p> <p>(d) accept in place of a suspension the investigated person's undertaking to limit the investigated person's practice;</p> <p>(e) impose conditions on the investigated person's entitlement to engage in the practice of the profession generally or in any field of the practice, including the conditions that the investigated person</p> <ul style="list-style-type: none"> (i) practise under supervision, (ii) not engage in sole practice, (iii) permit periodic inspections by a person authorized by the Discipline Committee, or (iv) report to the Discipline Committee on specific matters; <p>(f) direct the investigated person to pass a particular course of study or satisfy the Discipline Committee as to the investigated person's practical competence generally or in a field of practice;</p> <p>(g) direct the investigated person to satisfy the Discipline Committee that a disability or addiction can be or has been overcome, and suspend the person until the Discipline Committee is so satisfied;</p> <p>(h) require the investigated person to take counselling or to obtain any assistance that in the opinion of the Discipline Committee is appropriate;</p> <p>(i) direct the investigated person to waive, reduce or repay a fee for services rendered by the investigated person that, in the opinion of the Discipline Committee, were not rendered or were improperly rendered;</p> <p>(j) cancel the registration of the investigated person;</p> <p>(k) any other order that it considers appropriate in the circumstances.</p> <p>Order to pay costs or a fine</p>

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		<p>64(1) The Discipline Committee may, in addition to or instead of dealing with the investigated person in accordance with section 63, order that the investigated person pay</p> <ul style="list-style-type: none"> (a) all or part of the costs of the hearing in accordance with the bylaws, (b) a fine not exceeding \$10 000 to the Association, or (c) both the costs under clause (a) and a fine under clause (b), <p>within the time fixed by the order.</p> <p>(2) If the investigated person ordered to pay a fine, costs, or both, under subsection (1) fails to pay the fine, costs, or both, within the time ordered, the Discipline Committee may suspend the registration of that person until the person has paid the fine, costs or both.</p> <p>(3) A fine or costs ordered to be paid to the Association under this section is a debt due to the Association and may be recovered by the Association by civil action for debt.</p> <p>Surrender of certificates</p> <p>75(2) If the registration of a permit holder or joint firm has been cancelled or suspended under this Part, the permit holder or joint firm shall immediately</p> <ul style="list-style-type: none"> (a) surrender the permit or certificate of authorization to the Registrar, and (b) cease using the permit number issued by the Registrar. <p>(3) If the registration of a professional member, licensee, permit holder or certificate holder has been cancelled under this Part, the registration shall not be reinstated in the register except by order of the Council, the Court or the Court of Appeal.</p> <p>Misrepresentation of status</p> <p>76 The conduct of a person who is or was registered as a</p>

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		<p>professional member, licensee, permit holder or certificate holder who represents or holds out that the person is registered and in good standing while the person's registration is suspended or cancelled may be dealt with as being unprofessional conduct in accordance with this Part.</p> <p>Part 6 General Use of stamps, seal, permit number 78(2) A permit holder shall affix its permit number on documents or records in accordance with the regulations.</p> <p>Part 7 Professional Licensees Exclusive use of name 83.01(1) No individual, corporation, partnership or other entity, except a professional licensee (engineering) or a permit holder entitled to engage in the practice of engineering, shall use the title "professional licensee (engineering)". (2) No individual, corporation, partnership or other entity, except a professional licensee (geoscience) or a permit holder entitled to engage in the practice of geoscience, shall use the title "professional licensee (geoscience)".</p> <p>Part 9 Prohibitions and Penalties Practice prohibitions 97(1) A person whose registration as a professional engineer, professional geoscientist, licensee, permit holder or certificate holder is cancelled or suspended under this Act shall not, without the consent of the Council, engage in the practice of engineering or geoscience, as the case may be, or directly or indirectly associate the person or itself in the practice of engineering or geoscience with any other professional member, licensee, permit holder or certificate holder.</p>

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		<p>(2) No professional engineer, professional geoscientist, licensee, permit holder or certificate holder shall, except with the consent of the Council, associate in the practice of engineering or geoscience, as the case may be, directly or indirectly with or employ in connection with that practice a person whose registration has been cancelled or suspended under this Act.</p> <p>(3) The Council may permit a professional member, licensee, permit holder or certificate holder to employ in connection with the person's practice a person whose registration has been cancelled or suspended under this Act, but the employment shall be in the capacity and subject to the terms and conditions that are prescribed by the Council.</p> <p>General Regulation Part 3 Practice Review Board Investigation by Practice Review Board 23(1) If the Practice Review Board undertakes a review of the practice of a professional member, licensee, permit holder or certificate holder, it shall proceed with the review in accordance with this section.</p> <p>(4) If, on receipt of the report, the Board decides that investigation of a specific practice is necessary, it shall</p> <p>(a) issue notice of investigation to the professional member, licensee, permit holder or certificate holder if it is of the opinion that the matter to be investigated relates to matters other than to unskilled practice of the profession or unprofessional conduct, and proceed with its investigation in the same manner as provided for in a discipline investigation, or</p> <p>(b) lodge an appropriate complaint with the Investigative Committee if it is of the opinion that further investigation may</p>

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		<p>lead to a finding of unskilled practice of the profession or unprofessional conduct.</p> <p>Part 5 Code of Ethics Application and availability 31(1) Professional members, licensees, permit holders, members-in-training, examination candidates and students shall comply with the Code of Ethics in the Schedule to this Regulation.</p> <p>Part 6 Discipline Reinstatement of disciplined individuals 47(1) A professional member or licensee whose registration has been cancelled or a permit holder whose permit has been revoked under Part 5 of the Act as a result of the disciplinary proceedings may apply to the Council to be reinstated. (2) An application under subsection (1) may not be made until at least one year after the date on which the registration was cancelled or the permit was revoked, or from the date on which the Court made its order confirming or varying the decision of the Council. (3) The Council may establish a Committee of Inquiry to consider the application for reinstatement and make recommendations to the Council. (4) The Council may require the former professional member, licensee or permit holder to demonstrate by means prescribed by the Council that that person is competent to re-engage in the practice of engineering or geoscience. (5) Where an application for reinstatement is not approved by the Council, no further application may be made by the former professional member, licensee or permit holder until at least one year after the date the Council ruled on the previous</p>

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		<p>application.</p> <p>Part 7 Registration of Permit Holders Requirements for issue of permit</p> <p>48(1) The Council may issue to a partnership, corporation or other entity a permit to practice engineering or geoscience in its own name if</p> <ul style="list-style-type: none"> (a) an application is made to the Registrar in the form and containing the information required by the Council, (b) the application is accompanied with the fees prescribed by the Council, (c) the Council is satisfied that the practice will be carried on under the direct personal supervision and responsibility of a full time permanent employee or member of the partnership, corporation or other entity who is also a professional member or licensee and who is qualified by education and experience in the field of engineering or geoscience in which the partnership, corporation or other entity intends to engage, and (d) the professional member or licensee certifies to the satisfaction of the Council that the partnership, corporation or other entity has in place and will follow a professional management plan that is appropriate to its professional practice. <p>(2) A permit expires one year after the date on which it is issued.</p> <p>(3) When the Council issues a permit, it shall provide the permit holder with a permit number.</p> <p>(4) No person shall use a permit number where the permit to which the number is assigned has been cancelled or suspended.</p>

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		<p>Seminars 48.1 A professional member or licensee who accepts responsibility under section 48(1)(c) shall every 5 years attend a permit to practice seminar acceptable to the Council.</p> <p>Signing and sealing of documents 49 When the practice of engineering or geoscience is carried on by a partnership, corporation or other entity pursuant to a permit under section 48, all final plans, specifications, reports or documents of a professional nature must</p> <ul style="list-style-type: none"> (a) be signed by and be stamped or sealed with the stamp or seal of <ul style="list-style-type: none"> (i) the professional member or licensee who prepared them or under whose supervision and control they were prepared, or (ii) in the case of plans, specifications, reports or documents that were prepared by other persons, the professional member or licensee who thoroughly reviewed and accepted professional responsibility for them, and (b) show the permit number issued to the partnership, corporation or other entity under section 48. <p>Notification to Association 50(1) A partnership, corporation or other entity practising pursuant to a permit under section 48 shall keep the Association advised of the name of the professional member or licensee referred to in that section. (2) The professional member or licensee referred to in section 48 shall forthwith advise the Registrar if the professional member or licensee</p> <ul style="list-style-type: none"> (a) ceases to be the person accepting responsibility under that section, or

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		<p>(b) is no longer able to provide the certification referred to in section 48(1)(d).</p> <p>Revocation of permit 51 The Council may revoke a permit issued under section 50 if the permit holder contravenes the Act, this Regulation or a term or condition of the permit.</p> <p>Name of firm 52 No partnership, corporation or other entity may be incorporated or registered in the Province of Alberta under a name including the words “Engineering”, “Geology”, “Geophysics” or “Geoscience”, or variations of those words, unless it holds and continues to hold a valid permit issued under section 48.</p> <p>Control and use of stamps and seals 53 The permit number issued to a permit holder may only be used by the professional members or licensees referred to in section 48(1)(c).</p> <p>APEGA Bylaws Part 7 Finances of the Association Fees 24(5)(a) The annual fee for a permit holder shall be fixed by Council from time to time and shall be not less than the annual fee for the professional member or licensee assuming direct personal supervision of and responsibility for the practice of the permit holder. (b) Council may, in its discretion, on application of a permit holder waive or reduce the annual fee.</p> <p>Part 11 Register of Members Mailing addresses 32 Professional members, licensees, permit holders,</p>

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		<p>professional licensees, provisional licensees, Life Members, Honorary Life Members, Honorary Members, members-in-training, examination candidates, students, joint firms and certificate holders shall provide the Registrar with their current mailing addresses and advise the Registrar forthwith in writing of any change in address.</p> <p>Onus to respond 32.1 Professional members, licensees, permit holders, life members, professional licensees, provisional licensees, members in training, joint firms, or certificate holders, shall respond promptly and appropriately to any duly served communication of a regulatory nature received from the Association that contemplates a reply.</p> <p>Part 12 Seals, Stamps and Certificates Seals and stamps 33(3) Stamps issued to permit holders shall be in a form prescribed by the Council and shall show the designation "Permit Holder".</p> <p>Certificates 34(3) The Registrar shall issue to each permit holder a certificate in a form prescribed by the Council signed by the president and Registrar showing the permit number assigned to the permit holder and professional category in which the permit holder is entitled to practice; and upon renewal of the permit an annual certificate in the form of a permit renewal card.</p> <p>Surrender of seals, stamps and certificates 35 Professional members, licensees, permit holders, certificate holders, and professional licensees shall surrender to the Registrar, forthwith upon development of any of the following eventualities, any seals, stamps and certificates that have been issued to them: (a) temporary withdrawal of the professional member, licensee, permit holder, certificate holder, or</p>

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		<p>professional licensee from practice of the profession for a period estimated to exceed 1 year;</p> <p>(b) resignation of the professional member, licensee, permit holder, certificate holder, or professional licensee from the Association;</p> <p>(c) the suspension or cancellation of the professional membership, license, permit or certificate</p>
Notes	Certificate holders are not mentioned in bylaws in context of practice reviews.	<p>There are similar provisions for the Association of Professional Engineers and Geoscientists of Alberta Science & Engineering Technology Professionals of Alberta that are not included here.</p> <p>The APEGA website indicates that a Member practising as a sole proprietor does not need a Permit to Practice because the Member's APEGA licence grants a sole proprietor the right to independently practise engineering or geoscience.</p>

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Provisions related to permits or certificates of authorization	<p>Act</p> <p>Bylaws</p> <p>16(1) Subject to this Act, administrative bylaws may be made pursuant to section 15 for the following purposes:</p> <p>(p) prescribing the form, content and maintenance of the register and the information to be provided by members, licensees and holders of certificates of authorization for the purpose of the register;</p> <p>(s) prescribing requirements governing the signing and sealing, by licensees and holders of certificates of authorization, of documents and designs and specifying the forms of seals and the conditions for their issuance and</p>	<p>Act</p> <p>PART 1 DEFINITIONS</p> <p>Definitions</p> <p>1 In this Act,</p> <p>"certificate of authorization" means the certificate issued under the seal of the association certifying that a partnership, corporation, or other legal entity is entitled to practice professional engineering or professional geoscience within the province through partners or employees who are members, temporary licensees or specified scope of practice licensees;</p> <p>"holder of a certificate of authorization" means a partnership, corporation or other legal entity other than a natural</p>

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	<p>ownership;</p> <p>Register 19(1) In accordance with the bylaws, the council shall keep a register in which the name and address of every member, licensee and holder of a certificate of authorization is to be recorded.</p> <p>Corporations, partnerships, etc. 22(1) No partnership, association of persons or corporation is eligible to be admitted as a member of the association. (2) Every partnership, association of persons or corporation that engages in the practice of professional engineering or the practice of professional geoscience as its principal or customary function shall obtain a certificate of authorization. (3) The holder of a certificate of authorization shall only engage in the practice of professional engineering or the practice of professional geoscience: (a) under the supervision of a licensee who has an annual or temporary licence; and (b) in accordance with any restrictions or terms and conditions to which that licensee's licence is subject. (4) The council shall issue a certificate of authorization to a partnership, association of persons or corporation that submits an application to the registrar in the form prescribed in the bylaws containing: (a) the names of all licensees, who have annual or temporary licences, who will be in charge of the practice of professional engineering or the practice of professional geoscience, as the case may be, on its behalf; and (b) the names of the licensees listed in accordance with clause (a) who are its official representatives and whose duty it is to ensure that it complies with this Act and the bylaws.</p>	<p>person that holds a valid and subsisting certificate of authorization;</p> <p>PART 4 CODE OF ETHICS AND BY-LAWS Application of code of ethics 11(2) All members, temporary licensees, holders of certificates of authorization, engineering interns, geoscience interns and specified scope of practice licensees shall subscribe to and shall follow this code of ethics in the practice of professional engineering or the practice of professional geoscience.</p> <p>Bylaws 12(1) In accordance with procedures set out in its by-laws, the association may make, amend or repeal by-laws, not inconsistent with this Act, (n) establishing fees and dues to be paid by members, holders of certificates of authorization, temporary licensees, specified scope of practice licensees, engineering interns, geoscience interns and applicants to the association; (r) respecting the government and discipline of members, holders of certificates of authorization, temporary licensees, specified scope of practice licensees, engineering interns and geoscience interns including, but not limited to, the reprimand, temporary suspension, indefinite suspension, acceptance of undertakings, imposing of conditions on practice, directing additional study, directing that a disability or addiction be overcome, directing counselling, directing waiver, reduction or repayment of monies, imposition of fines and cancellation of membership, licensing or enrolment of members, holders of certificates of authorization, temporary licensees, specified scope of practice licensees, engineering interns and geoscience interns found to be guilty of professional</p>

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	<p>(5) A holder of a certificate of authorization shall advise the registrar of any changes in the particulars provided in its application as required pursuant to subsection (4) not later than 30 days after the effective date of the change.</p> <p>(6) If a partnership, association of persons or corporation ceases to have an official representative, its certificate of authorization is revoked and the partnership, association of persons or corporation shall cease to practise professional engineering or professional geoscience.</p> <p>Information to be provided 23(1) Every partnership, association of persons or corporation that engages in the practice of professional engineering or the practice of professional geoscience shall provide the association with any records or property that the council or a person designated by the council requests and that the council or the person designated by the council reasonably believes are required to investigate alleged professional misconduct or professional incompetence or an alleged contravention of this Act.</p> <p>(2) The requirement to provide records and property applies whether or not the partnership, association of persons or corporation holds a certificate of authorization.</p> <p>Delegation and appeal 24(1) The council may delegate to the registrar the power to do all or any of the following: (c) issue certificates of authorization.</p> <p>Protection of title 26(3) No sole proprietor, partnership, association of persons or corporation shall use the word or phrase “engineer”, “engineering”, “P.Eng.”, “consulting engineer”, “P. Geo.”, “consulting geoscientist” or “geoscience” without the written authorization of the association, either alone or in combination with any other word, title, or designation, abbreviated or otherwise, to imply that the sole proprietor, partnership,</p>	<p>misconduct or unskilled practice of professional engineering or professional geoscience, but subject to any right of appeal given by this Act;</p> <p>(s) respecting the establishment and maintenance of the standards of professional conduct and ethics by members, holders of certificates of authorization, temporary licensees, specified scope of practice licensees, engineering interns and geoscience interns;</p> <p>(t) respecting the procedures for dealing with complaints against members, holders of certificates of authorization, temporary licensees, specified scope of practice licensees, engineering interns and geoscience interns;</p> <p>(w) prescribing the circumstances and manner in which members, temporary licensees, engineering interns, geoscience interns, specified scope of practice licensees and certificate holders must disclose that errors and omissions insurance is not held or is not applicable;</p> <p>PART 6 REGISTRATION, CERTIFICATION AND LICENCES Registration committee 14(1) The council shall, in accordance with the by-laws, appoint a registration committee to consider and decide upon applications for certificates of registration, certificates of authorization, temporary licences, specified scope of practice licences and enrolment as engineering interns or geoscience interns.</p> <p>Criteria and standards used by committee 14(2) The council must establish criteria and standards to be used by the registration committee (a) in (i) assessing the academic qualifications and engineering work</p>

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	<p>association of persons or corporation or any of its members are professional engineers or professional geoscientists.</p> <p>Enforcement 43(1) Every member or other person, partnership, association of persons or corporation who keeps any records or other property of or related to a member or other records or property to which the association is entitled pursuant to section 23 shall comply with the demand of the council or a person designated by the council to produce any of those records or other property that the council or the person designated by the council reasonably believes are required for the purposes of an investigation pursuant to this Act.</p> <p>Temporary licensees and holders of certificate of authorization subject to discipline 45 Sections 28.1 to 43 [discipline] and section 49 [report of termination of employment] apply, with any necessary modification, to: (a) the holder of a certificate of authorization that fails to observe any of the provisions of section 22; and (b) the holder of a certificate of authorization or a licensee who has a temporary licence, who is guilty of conduct that would, in the case of a member, be professional misconduct or professional incompetence.</p> <p>Annual register 52 On or before February 1 in each year, the association shall file with the Director of Corporations a list, certified by the registrar to be a true list, showing: (a) the names of all members, licensees and holders of certificates of authorization as at December 31 in the preceding</p>	<p>experience, (ii) prescribing confirmatory, exploratory, proficiency and qualifying examinations, and (iii) setting such other requirements as are not inconsistent with this Act and the by-laws, for applicants for certificates of registration, certificates of authorization, temporary licences, specified scope of practice licences and enrolment as engineering interns or geoscience interns; and (b) in determining restrictions that are to be imposed on the scope of practice that may be carried on under a specified scope of practice licence.</p> <p>Practice under certificate of authorization 16(1) A partnership, corporation or other legal entity may, in its own name, practice professional engineering or professional geoscience if (a) it has the legal capacity to engage in the practice of professional engineering or professional geoscience; (b) the practice is carried on by or under the direct personal supervision of a professional engineer in the case of engineering practice or a professional geoscientist in the case of geoscience practice who, in either case, (i) assumes professional responsibility for the practice, and (ii) is a partner or full-time employee of the partnership or a full-time employee of the corporation or other entity; (c) the practice of professional engineering or professional geoscience is subject to the same standards of professional conduct as if the practice of professional engineering or professional geoscience were provided by a member or temporary licensee of the association; and (d) such practice will not give rise to unauthorized practice or</p>

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	<p>year; (b) the addresses of the members, licensees and holders of certificates of authorization mentioned in clause (a) as shown by the records of the association; and (c) the respective dates of admission and category of practice of the members and licensees mentioned in clause (a).</p> <p>Compliance 54(3) Every holder of a certificate of authorization shall comply with this Act and the bylaws.</p> <p>Administrative Bylaws</p> <p>Certificates of authorization 27(1) The annual fee payable for a certificate of authorization: (a) in the case of a holder who employs fewer than six professional engineers and professional geoscientists, is \$400.00; and (b) in the case of a holder who employs six or more professional engineers and professional geoscientists, is \$800.00.</p> <p>Administrative fees 28(1) Subject to subsection (2), the processing fee payable for: (f) a certificate of authorization is \$325.00.</p> <p>General 30(1) All annual fees are payable on or before January 31 of the year to which they relate. (2) Fees for certificates of authorization are subject to a 15% penalty for late payment.</p> <p>Regulatory Bylaws</p> <p>Permission to consult 17(6) Every holder of a permission to consult shall place his or</p>	<p>otherwise lead to circumvention of this Act; provided that such partnership, corporation or other legal entity, at the time it conducts the practice of professional engineering or professional geoscience, is the holder of a valid and subsisting certificate of authorization.</p> <p>Qualifications for certificate of authorization 16(2) No person is entitled to hold a certificate of authorization, unless such person (a) is a partnership, corporation or other legal entity other than a natural person; (b) submits to the registrar an application in the prescribed form containing (i) evidence of the legal status of the partnership, corporation or other entity, (ii) the name or names and addresses of the members or temporary licensees who are designated by the holder of the certificate of authorization as being in charge of the practice of professional engineering or of professional geoscience on its behalf, (iii) the identity of the person or persons whose responsibility it will be to ensure that this Act and the by-laws are complied with by the holder of the certificate of authorization, and (iv) the address of its head office and any office in which the practice of professional engineering and/or the practice of professional geoscience in Manitoba will be carried out; (c) pays such fees or dues as are prescribed by the by-laws; (d) submits evidence of agreement to abide by the code of ethics prescribed by the by-laws; (e) complies with such requirements as the council, taking into account the public interest, may establish from time to time respecting</p>

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	<p>her signature and registration number on all documents that have been prepared under his or her supervision within the certificate of authorization seal appearing on the document.</p> <p>Certificate of authorization 18(1) A partnership, association of persons or corporation described in subsection 22(2) of the Act that wishes to apply for a certificate of authorization shall submit an application to the Association on the form prescribed in Appendix 1, together with the prescribed fee. (2) Every holder of a certificate of authorization shall place its seal or equivalent on all documents that have been prepared by a licensee on its behalf.</p> <p>Disclosure 21.2 A member, licensee, temporary licensee or holder of a certificate of authorization whose conduct is being investigated shall be afforded the right to be heard and to examine, at or before the mediation session, any written or documentary evidence relevant to the complaint.</p> <p>Liability insurance 28 Prior to providing professional engineering or professional geoscience services, a member or holder of a certificate of authorization shall notify the client, in writing, whether or not the member or holder has professional liability insurance that applies to those services.</p> <p>APPENDIX 1 Application Form Certificate of Authorization (Section 18)</p>	<p>(i) the amounts, terms and conditions of professional liability insurance coverage to be maintained by a partnership, corporation or other legal entity, (ii) alternatives to professional liability insurance coverage for a partnership, corporation or other legal entity that provide coverage which is substantially the same or greater than that which would be provided by professional liability insurance for the legal entity, and (iii) disclosure of the nature and extent of professional liability insurance coverage or any alternative to such coverage maintained by a partnership, corporation or other legal entity, or one or more of its partners, employees or members, and provides evidence of compliance as required by the council; and (f) complies with such other terms and conditions as may be imposed in accordance with this Act or the by-laws.</p> <p>Waiver of insurance requirement 16(2.1) Notwithstanding clause (2)(e), after taking into account the public interest, the council may waive the requirement to maintain professional liability insurance coverage for a partnership, corporation or other legal entity that undertakes to restrict its practice to providing professional geoscience services to the mining exploration industry.</p> <p>Continuance of certificate of authorization 16(3) The holder of a certificate of authorization shall, whenever there is a change in the particulars given in its application under subclause (2)(b)(i), (ii) or (iii), give notice of the change to the registrar within thirty days after the effective date of the change, and if the holder of a certificate of authorization fails to comply with the above, the certificate may be revoked by the registrar</p>

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		<p>and the partnership, corporation, or other legal entity shall not practise professional engineering or professional geoscience until a new certificate of authorization is issued.</p> <p>Information to be updated 16(4) The holder of a certificate of authorization shall provide to the registrar a current list of the information required under subclauses (2)(b)(ii) and (iii) at least annually in the manner prescribed in accordance with the by-laws.</p> <p>Responsibility for practice 16(5) Each member and licensee whose name is shown on the application pursuant to subclause (2)(b)(ii) or any notice of change thereof given to the association under subsection (3) shall be obliged to respond, on behalf of the holder of the certificate of authorization, to any complaint of misconduct against, or any breach of this Act or the by-laws by, the holder of the certificate of authorization as if the act or omission complained of or the breach was done or omitted to be done, as the case may be, by such member or licensee.</p> <p>PART 7 DUES Annual dues 24(1) Each member, holder of a certificate of authorization, temporary licensee, specified scope of practice licensee, engineering intern and geoscience intern shall pay in advance to the secretary, or any person deputed by the council to receive the dues, such annual dues as may be prescribed by the by-laws of the association and the dues are a debt due by the member, holder of a certificate of authorization, temporary licensee, specified scope of practice licensee, engineering intern and geoscience intern and are recoverable by the</p>

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		<p>association in any court of competent jurisdiction.</p> <p>Consequences of non-payment 24(2) When a person who is a member, holder of a certificate of authorization, temporary licensee, specified scope of practice licensee, engineering intern or geoscience intern does not pay the prescribed annual dues within one month after the day on which payment is due, the registrar must remove the person's name from the register.</p> <p>PART 8 SEAL Identification by holder of certificate of authorization 26(6) When the practice of professional engineering or the practice of professional geoscience is carried out under a certificate of authorization, a form of identification of the certificate holder must, in accordance with the by-laws, appear in the vicinity of the manual seal or digital signature on each engineering or geoscience estimate, specification, working drawing, plan and other engineering or geoscientific document issued by the holder of a certificate of authorization.</p> <p>PART 9 REGISTER Certificate of authorization 28(2) The registrar shall issue or cause to be issued to each partnership, corporation or other legal entity to whom the council has granted authorization, a certificate of authorization.</p> <p>Signing of certificates 28(5) Each certificate issued under this section shall be signed by the president, or any other person appointed by the council, and the registrar under the seal of the association, and shall remain the property of the association and shall be returned to</p>

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		<p>the association upon the suspension or cancellation or removal from the register of the registration, licence, or certificate of authorization.</p> <p>PART 10 DISCIPLINE Extended definitions 29 In this Part, "investigated person" means (a) a member, holder of a certificate of authorization, temporary licensee, specified scope of practice licensee, engineering intern or geoscience intern.</p> <p>Suspension pending decision 37(1) Notwithstanding anything in this Act the investigation committee may, when there is a question of serious risk to the public, suspend the certificate of registration, certificate of authorization, temporary licence, specified scope of practice licence or enrolment as an engineering intern or geoscience intern of the investigated person pending the outcome of proceedings under this part.</p> <p>Conviction in another jurisdiction 46(3) Where any member, holder of a certificate of authorization, temporary licensee or specified scope of practice licensee is the subject of an order of any other association of professional engineers or association of professional geoscientists, having the same effect as any order made under section 47 or 48, such member, holder of a certificate of authorization, temporary licensee or specified scope of practice licensee may at the discretion of the discipline committee be deemed to be guilty of either unskilled practice of professional engineering or professional geoscience or professional misconduct, whichever the panel finds.</p>

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		<p>Orders of the panel</p> <p>47(1) If the panel finds that the conduct of an investigated person constitutes unskilled practice of professional engineering or professional geoscience, or professional misconduct, or both, the panel may make any one or more of the following orders:</p> <ul style="list-style-type: none"> (a) reprimand the investigated person; (b) suspend the certificate of registration, certificate of authorization, temporary licence, specified scope of practice licence or enrolment as an engineering intern or geoscience intern of the investigated person for a stated period; (c) suspend the certificate of registration, certificate of authorization, temporary licence, specified scope of practice licence or enrolment as an engineering intern or geoscience intern of an investigated person until <ul style="list-style-type: none"> (i) the investigated person has completed a specified course of studies or obtained supervised practical experience, or (ii) the discipline committee is satisfied as to the competence of the investigated person to practice professional engineering or professional geoscience; (e) impose conditions on the investigated person's entitlement to engage in the practice of professional engineering or professional geoscience, including the conditions that he, she, or it <ul style="list-style-type: none"> (i) practice under supervision, (ii) not engage in sole practice, (iii) not function as a holder of a certificate of authorization for a specified period, (iv) permit periodic inspections by a person authorized by the discipline committee to carry out inspections, (v) permit periodic audits of records, or

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		<p>(vi) report to the discipline committee or the council on specific matters;</p> <p>(f) direct the investigated person to pass a particular course of study or satisfy the discipline committee or the council as to the person's competence;</p> <p>(g) direct the investigated person to satisfy the discipline committee that a disability or addiction can be or has been overcome, and suspend the certificate of registration, certificate of authorization, temporary licence, specified scope of practice licence or enrolment as an engineering intern or geoscience intern of the investigated person until the discipline committee is so satisfied;</p> <p>(h) require the investigated person to take counselling that in the opinion of the panel is appropriate;</p> <p>(i) direct the investigated person to waive, reduce or repay money paid to the investigated person that, in the opinion of the panel was unjustified for any reason;</p> <p>(j) cancel the certificate of registration, certificate of authorization, temporary licence, specified scope of practice licence or enrolment as an engineering intern or geoscience intern of the investigated person.</p> <p>Contravention of order</p> <p>47(4) If the discipline committee is satisfied that an investigated person has contravened an order under subsection (1), it may, without a further hearing, cancel or suspend the certificate of registration, certificate of authorization, temporary licence, specified scope of practice licence or enrolment as an engineering intern or geoscience intern of the investigated person.</p> <p>PART 12 PROHIBITIONS</p>

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		<p>Prohibitions on practice</p> <p>57 Except as otherwise provided in this Act, no person who is not a member, a holder of a certificate of authorization, a temporary licensee, or a specified scope of practice licensee shall</p> <p>(a) engage in the practice of professional engineering or the practice of professional geoscience within the province; or</p> <p>(b) act in such a manner as to lead any person to believe that he or she is authorized to fulfil the office of, or act as, a professional engineer or professional geoscientist within the province.</p> <p>Representation as a professional engineer or professional geoscientist</p> <p>58(1) Except as otherwise provided in this Act, no person who is not a member or a temporary licensee shall use, orally or otherwise, any of the following titles:</p> <p>(a) professional engineer;</p> <p>(b) engineer;</p> <p>(c) consulting engineer;</p> <p>(d) professional geoscientist;</p> <p>(e) geoscientist;</p> <p>(f) consulting geoscientist;</p> <p>or any similar designation or any suffix, prefix, word, title or designation, abbreviated or otherwise, implying that the person is a member, holder of a certificate of authorization, temporary licensee, specified scope of practice licensee, engineering intern or geoscience intern, or is engaged in or entitled to engage in the practice of professional engineering or professional geoscience.</p> <p>Use of professional engineer or professional geoscientist</p>

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		<p>in business name</p> <p>58(2) No person who is not a member, the holder of a certificate of authorization or a temporary licensee shall</p> <p>(a) advertise, list, display, or use in any manner, or permit to be used in any manner, any description, title, designation or term referred to in subsection (1) or any other term that may lead anyone to infer that such person is entitled to engage in the practice of professional engineering or professional geoscience;</p> <p>or</p> <p>(b) submit for registration under <i>The Corporations Act</i> or <i>The Business Names Registration Act</i> any corporate or business name using any description, title, designation or term referred to in subsection (1) or any other term that may lead anyone to infer that such person is entitled to engage in the practice of professional engineering or professional geoscience.</p> <p>Prohibition on contracting with corporations and partnerships</p> <p>59 No person shall knowingly engage, employ or contract with any person, corporation, partnership or other legal entity that does not hold a certificate of authorization for any work that requires the services of a professional engineer or professional geoscientist.</p> <p>APEGM Bylaws</p> <p>PART VIII CERTIFICATE OF AUTHORIZATION</p> <p>8.1 Information to be Provided</p> <p>The information to be provided by the applicant for a Certificate of Authorization under sub-clauses 16 (2) (b) (ii) and 16 (2) (b) (iii) of the Act shall be submitted to the Association at the time of application for the certificate on a form provided by the</p>

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		<p>registrar.</p> <p>8.2 Changes in Designated Members or Temporary Licensees</p> <p>8.2.1 Designated Members or Temporary Licensees Members or Temporary Licensees designated by the holder of a Certificate of Authorization under sub-clause 16 (2) (b) (ii) of the Act shall notify the registrar in writing within 30 days of ceasing to be in charge of the practice of professional engineering or professional geoscience on the holder's behalf.</p> <p>8.2.2 Persons Responsible for Compliance The person or persons designated by the holder of a Certificate of Authorization under sub-clause 16 (2) (b) (iii) of the Act shall notify the registrar in writing within 30 days of ceasing to hold responsibility for compliance with the Act and the bylaws on the holder's behalf.</p> <p>8.3. Current Information</p> <p>8.3.1 Information The current list of information to be provided by the holder of a Certificate of Authorization under sub-section 16 (4) of the Act shall be submitted to the Association with its application for the annual renewal of the certificate of authorization.</p> <p>8.3.2 Request In addition to the provisions of sub-section 16 (3) of the Act, the registrar may issue a notice of request for current information under sub-section 16 (4) of the Act upon notification of a change from a person or persons designated under sub-clauses 16 (2) (b) (ii) and 16 (2) (b) (iii), or at any other time that he or she has reason to believe that the holder is not in</p>

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		<p>compliance with sub-section 16 (3).</p> <p>8.3.3 Revised Information to be Provided Revisions to the information to be provided by the holder of a Certificate of Authorization under sub-clauses 16 (2) (b) (ii) and 16 (2) (b) (iii) of the Act shall be submitted to the registrar in writing.</p> <p>PART IX DUES AND FEES</p> <p>9.1 Annual Dues</p> <p>9.1.5 Certificate of Authorization The annual dues to be paid by a holder of a Certificate of Authorization for any given year shall accompany an application under section 16 of the Act, shall be dictated by the financial needs of the association, and shall be established by the council during the preceding year.</p> <p>9.2 Fees</p> <p>9.2.4 Certificate of Authorization</p> <p>9.2.4.1 Application The fees and dues applicable to an application for a certificate of authorization, as prescribed under sub-section 16 (2) (c) of the act, shall comprise a non-refundable administration fee in an amount to be set annually by council plus the annual dues for a certificate of authorization, prorated in accordance with the policies of the council.</p> <p>PART XII CERTIFICATES, SEALS AND STAMPS</p> <p>12.1 Certificates</p> <p>12.1.4 Certificate of Authorization The certificate of authorization issued to each holder will have the name of the legal entity inscribed thereon stating that the</p>

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		<p>entity is entitled to engage in the practice of professional engineering, or professional geoscience as the case may be, in the Province of Manitoba for the time period stated thereon.</p> <p>12.1.4.1 Validity of Certificate of Authorization The certificate of authorization shall not be valid unless it bears a sticker issued by the association indicating that the certificate is valid for the period shown on the sticker.</p> <p>12.1.4.2 Ownership of Certificate of Authorization Each seal issued by the association shall remain the property of the association and shall be returned to the registrar upon the suspension or cancellation of registration or non-renewal of the certificate of authorization.</p> <p>12.3 Stamps 12.3.1 Certificate of Authorization Stamp The form of identification required under sub-section 26 (4) of the Act shall include the identity of the holder and a number on a stamp issued by the Association. The image of the stamp may be reproduced by the holder of the Certificate of Authorization and incorporated in electronic documents.</p> <p>PART XIV LIABILITY INSURANCE REQUIREMENTS 14.1 Certificate of Authorization 14.1.1 Terms and Conditions In establishing the amounts, terms and conditions of the professional liability insurance, or alternatives thereto, required of the holder of a Certificate of Authorization under section 16 (2) of the Act, the Council shall provide for terms, exclusions and conditions consistent with normal insurance industry practice.</p>

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		<p>14.1.2 Changes to the Policy of Insurance The holder of the certificate of authorization shall notify the registrar in writing, and shall inform each current client within 10 days of the receipt of any notice of amendment to, or cancellation of, the policy of insurance upon which the certificate of insurance provided with the application for the certificate of authorization was issued.</p> <p>PART XV COMPLAINTS AND DISCIPLINE 15.0 Discipline By-Law pursuant to Sub-section 12 (1) and Part 10 of the Act Each professional member, holder of a certificate of authorization, temporary licensee, specified scope of practice licensee or member-in-training is required to practice in accordance with the highest standards of professional conduct and to comply with the Act, these by-laws and the code of ethics of the association. Failure to do so shall constitute either unskilled practice of professional engineering or professional geoscience or professional misconduct, or both.</p> <p>15.2 Investigation Committee 15.2.9 The investigation committee may, when consulted, offer advice to professional members, holders of a certificate of authorization, temporary licensees, specified scope of practice licensees or members-in-training on questions of proper professional conduct and the investigation committee shall prepare, or cause to be prepared, a report to the council on advice given from time to time.</p> <p>15.3 Investigation Committee Procedures 15.3.4 Whether or not an investigation has been undertaken, the complainant and any professional member, holder of a certificate of authorization, temporary licensee, specified scope of practice licensee or member-in-training shall provide to the investigation committee, within 10 working days of receipt of a request therefore, any information, documentation and records, which in the opinion of the investigation committee is material to</p>

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		<p>the complaint.</p> <p>15.3.6.4 When the certificate of registration, certificate of authorization, temporary license or specified scope of practice license is suspended or canceled, the holder of such certificate or license shall not practice professional engineering or professional geoscience, as the case may be, during the period of the suspension or cancellation.</p> <p>15.6 Hearing Procedures</p> <p>15.6.7 When the certificate of registration, certificate of authorization, temporary license or specified scope of practice license is suspended or canceled, the holder of such certificate or license shall not practice professional engineering or professional geoscience during the period of the suspension or cancellation.</p>
Notes		<p>APEGA September 16, 2004 Insurance Review Task Force Report to Council indicates that sole proprietorships with APEGM do not require a Certificate of Authorization but must divulge if they do not hold insurance.</p>

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Provisions related to permits or certificates of authorization	<p>Act</p> <p>Definitions</p> <p>1. In this Act, “certificate of authorization” means a certificate of authorization issued under this Act to engage in the business of providing services that are within the practice of professional engineering.</p> <p>Regulations</p> <p>7. (1) Subject to the approval of the Lieutenant Governor in Council and with prior review by the Minister, the Council may make regulations,</p> <p>9. respecting any matter ancillary to the provisions of this Act with regard to the issuing, suspension and revocation of licences, certificates of authorization, temporary licences, provisional licences and limited licences, including but not limited to regulations respecting,...</p> <p>vi. other classes of certificates of authorization, temporary licences, provisional licences and limited licences, including prescribing requirements and qualifications for the issuance of specified classes of certificates of authorization, temporary licences, provisional licences and limited licences, and terms and conditions that shall apply to specified classes of certificates of authorization, temporary licences, provisional licences and limited licences;</p> <p>10. prescribing forms of applications for licences, certificates of authorization, temporary licences, provisional licences and limited licences and requiring their use;</p> <p>11. requiring the making of returns of information in respect of the holdings of shares and the officers and directors of corporations that apply for or hold certificates of authorization and in respect of the interests of partners that apply for or hold certificates of authorization and prescribing and requiring the</p>	<p>Act</p> <p>Interpretation</p> <p>Definitions</p> <p>1. In this Act, “certificate of authorization” means a certificate of authorization issued by the Association; “certificate holder” means a corporation, partnership or other entity to whom a certificate of authorization is issued.</p> <p>Engaging in business</p> <p>4.(1) A corporation, partnership or other entity shall not engage in the business of offering or providing services to the public that constitute the practice of professional geoscience unless,</p> <p>(a) the corporation, partnership or other entity has a certificate of authorization to do so; and</p> <p>(b) the corporation, partnership or other entity does so in accordance with the certificate of authorization.</p> <p>Exception</p> <p>(2) Subsection (1) does not apply to a partnership or other entity offering the services in the name of one or more members of the Association who are also members of the partnership or entity.</p> <p>Same</p> <p>(3) Subsection (1) does not apply to a corporation, partnership or other entity that does not employ or use the services of a member or certificate holder and that holds a certificate of authorization under the <i>Professional Engineers Act</i> that qualifies it to provide services that would also constitute the practice of professional geoscience.</p>

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	<p>use of forms of such returns;</p> <p>13. requiring the making of returns of information by members of the Association and holders of certificates of authorization, temporary licences, provisional licences and limited licences in respect of names, addresses, telephone numbers, professional associates, partners, employees and professional liability insurance, and prescribing and requiring the use of forms of such returns;</p> <p>14. requiring and governing the disclosure of the identity of holders of certificates of authorization on documents and designs involving the practice of professional engineering issued by such holders and specifying the form and manner of such disclosure;</p> <p>15. governing the use of names and designations in the practice of professional engineering by members of the Association and holders of certificates of authorization, temporary licences, provisional licences and limited licences;</p> <p>16. providing for the maintenance and inspection of registers of members of the Association, holders of temporary licences, holders of limited licences, holders of provisional licences and holders of certificates of authorization;</p> <p>22. providing for the designation of members of the Association and holders of temporary licences as specialists, prescribing the qualifications and requirements for designation as a specialist, providing for the suspension or revocation of such a designation and for the regulation and prohibition of the use of the designation by members of the Association, a holder of a temporary licence or a certificate of authorization;</p> <p>23. providing for the designation of members of the Association as consulting engineers, prescribing the qualifications and requirements for designation as a consulting engineer, providing for the suspension or revocation of such a designation</p>	<p>Use of stamp or seal</p> <p>6.(1) An individual shall not affix the stamp or seal of a member or a certificate holder to a document or record (or a copy of one) unless,</p> <p>(a) the document or record was prepared by or under the supervision of the member or by or under the supervision of a member retained or employed by the certificate holder, as the case may be; and</p> <p>(b) the stamp or seal is affixed with the knowledge and consent of the member.</p> <p>Same</p> <p>(2) Despite subsection (1), with the consent of the member or certificate holder, an individual may affix the member's or certificate holder's stamp or seal to a document or record (or a copy of one) prepared by or under the supervision of an individual who is not described in clause (1) (a).</p> <p>Effect of consent</p> <p>(3) If a member or certificate holder consents to have his, her or its stamp or seal affixed to a document or record in the circumstances described in subsection (2), the member or certificate holder is responsible for the contents of the document or record as if it had been prepared by the member or under the supervision of the member or certificate holder in the course of the practice of professional geoscience.</p> <p>Certificates of Authorization</p> <p>Application for certificate of authorization</p> <p>15.(1) A corporation, partnership or other entity that wishes to obtain a certificate of authorization to offer or provide services to the public that constitute the practice of professional</p>

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	<p>and for the regulation and prohibition of the use of the designation by members of the Association, a holder of a temporary licence or a certificate of authorization;</p> <p>24. prescribing the minimum requirements for professional liability insurance, requiring the delivery to the Registrar of proof of such insurance and prescribing the form of such proof and the manner and time of the delivery;</p> <p>25. prescribing the amount of and requiring the payment of annual fees by holders of certificates of authorization, temporary, provisional and limited licences and by students and members of related classes recognized by the Association, and fees for temporary licences, provisional licences, limited licences, certification, registration, designations, examinations and continuing education, including penalties for late payment, and fees for anything the Registrar is required or authorized to do, and prescribing the amounts thereof;</p> <p>26. providing for the entering into of arrangements by the Association for its members and holders of certificates of authorization, temporary licences, provisional and limited licences respecting indemnity for professional liability and requiring the payment and remittance of premiums in connection therewith and prescribing levies to be paid by members and holders of certificates of authorization, temporary licences, provisional and limited licences in respect of such indemnity for professional liability;</p> <p>29. prescribing qualifications and requirements that shall be complied with to obtain the reinstatement of a licence, certificate of authorization, temporary licence or limited licence that was cancelled by the Registrar;</p> <p>30. classifying and exempting any class of holders of licences, certificates of authorization, temporary licences or limited licences from any provision of the regulations under such</p>	<p>geoscience shall apply in accordance with the prescribed procedures.</p> <p>Eligibility (2) A corporation, partnership or other entity is eligible for a certificate of authorization if, (a) it employs an individual who is a member of the Association and who directly supervises the practice of professional geoscience undertaken by the corporation, partnership or entity; and (b) it meets such other requirements as may be set out in the regulations.</p> <p>Issuance of certificate 16.(1) The Registrar shall issue a certificate of authorization to a corporation, partnership or other entity if the corporation, partnership or entity has made an application in accordance with the prescribed procedures and if it is eligible for one.</p> <p>Referral to committee (2) The Registrar shall refer an application for a certificate of authorization to the registration committee, (a) if the Registrar considers on reasonable grounds that the corporation, partnership or entity may not be eligible for a certificate of authorization; or (b) despite subsection (1), if the Registrar considers on reasonable grounds that terms, conditions or limitations should be imposed on the certificate).</p> <p>Effect of referral (3) The registration committee shall determine whether the corporation, partnership or entity is eligible for a certificate of</p>

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	<p>special circumstances in the public interest as the Council considers advisable.</p> <p>By-laws</p> <p>8. (1) The Council may pass by-laws relating to the administrative and domestic affairs of the Association not inconsistent with this Act and the regulations and, without limiting the generality of the foregoing,</p> <p>6. providing for meetings of the Council and committees, except in a proceeding in respect of a membership, certificate of authorization, temporary licence, provisional licence or limited licence, by means of conference telephone or other communications equipment by means of which all persons participating in the meeting can hear each other, and a member of the Council or committee participating in a meeting in accordance with such by-law shall be deemed to be present in person at the meeting;</p> <p>7. providing that the Council or a committee may act upon a resolution consented to by the signatures of all members of the Council or the committee except in a proceeding in respect of a licence, certificate of authorization, temporary licence, provisional licence or limited licence, and a resolution so consented to in accordance with such a by-law is as valid and effective as if passed at a meeting of the Council or the committee duly called, constituted and held for that purpose.</p> <p>When licences or certificates required</p> <p>Licensing requirement</p> <p>12. (1) No person shall engage in the practice of professional engineering or hold himself, herself or itself out as engaging in the practice of professional engineering unless the person is the holder of a licence, a temporary licence, a provisional licence or</p>	<p>authorization and has made an application in accordance with the prescribed procedures and may impose such terms, conditions or limitations on the certificate as the committee considers appropriate.</p> <p>Variation of certificate</p> <p>17.(1) The registration committee may vary or remove any of the terms, conditions or limitations on a certificate of authorization in such circumstances as may be prescribed.</p> <p>Application for variation</p> <p>(2) A certificate holder who wishes to have any of the terms, conditions or limitations on its certificate varied or removed shall apply in accordance with the prescribed procedures.</p> <p>Suspension of certificate</p> <p>18.(1) The Registrar may suspend a certificate of authorization on any of the grounds set out in the regulations. [see Complaints and Discipline Regulation]</p> <p>Application for reinstatement</p> <p>(2) A corporation, partnership or other entity whose certificate of authorization is suspended may apply to have it reinstated and shall do so in accordance with the prescribed procedures.</p> <p>Same</p> <p>(3) The registration committee shall decide the application in accordance with the prescribed criteria.</p> <p>Revocation of certificate</p> <p>19. The council may revoke a certificate of authorization of a corporation, partnership or other entity,</p>

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	<p>a limited licence.</p> <p>Certificate of authorization (2) No person shall offer to the public or engage in the business of providing to the public services that are within the practice of professional engineering except under and in accordance with a certificate of authorization.</p> <p>Exceptions (3) Subsections (1) and (2) do not apply to prevent a person, (a) from doing an act that is within the practice of professional engineering in relation to machinery or equipment, other than equipment of a structural nature, for use in the facilities of the person's employer in the production of products by the person's employer.</p> <p>Note: On a day to be named by proclamation of the Lieutenant Governor, clause (a) is repealed.</p> <p>(b) from doing an act that is within the practice of professional engineering where a professional engineer or limited licence holder assumes responsibility for the services within the practice of professional engineering to which the act is related; (c) from designing or providing tools and dies; (d) from doing an act that is within the practice of professional engineering but that is exempt from the application of this Act when performed or provided by a member of a class of persons prescribed by the regulations for the purpose of the exemption, if the person is a member of the class; (e) from doing an act that is exempt by the regulations from the application of this Act; (f) from using the title "engineer" or an abbreviation of that title</p>	<p>(a) if it is convicted of an offence that, if committed in Ontario, would be an offence under the laws of Canada or of Ontario and that relates to its professional integrity and renders the certificate holder unsuitable to hold a certificate; (b) if it fails to comply with this Act or a regulation made under it; (c) if it has demonstrated professional misconduct, negligence or incompetence; or (d) in such other circumstances as may be prescribed.</p> <p>Investigations and Disciplinary Proceedings Complaints committee 21. The complaints committee may consider and investigate the conduct of a member or certificate holder with respect to the practice of professional geoscience and it may, (a) direct that a matter be referred, in whole or in part, to the discipline committee; (b) direct that a matter not be referred to the discipline committee; or (c) take such other action as it considers appropriate in the circumstances and that is not inconsistent with this Act or the regulations or by-laws.</p> <p>Disciplinary proceedings 26. (1) A disciplinary proceeding may be initiated against a member or certificate holder by the prescribed persons or entities and in accordance with the prescribed procedures.</p> <p>Powers of the committee (4) The discipline committee may do any of the following things upon making a finding of professional misconduct, negligence or incompetence:</p>

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	<p>in a manner that is authorized or required by an Act or regulation.</p> <p>Corporation 13. A corporation that holds a certificate of authorization may provide services that are within the practice of professional engineering.</p> <p>Issuance of certificate of authorization 15(1) The Registrar shall issue a certificate of authorization to a natural person, a partnership or a corporation that applies therefor in accordance with the regulations if the requirements and qualifications for the issuance of the certificate of authorization set out in the regulations are met.</p> <p>General and standard certificate (2) Where the Registrar proposes to issue a certificate of authorization to an applicant, the Registrar shall issue a standard certificate of authorization or, where the primary function of the applicant is or will be to provide to the public services that are within the practice of professional engineering and the applicant requests a general certificate of authorization, the Registrar shall issue a general certificate of authorization to the applicant.</p> <p>Partnership of corporations (3) The Registrar shall issue a standard certificate of authorization to a partnership of corporations that applies therefor in accordance with the regulations if at least one of the corporations holds a certificate of authorization.</p> <p>Terms and conditions (4) Where a holder of a temporary licence assumes responsibility for and supervises the practice of professional engineering related to the services provided by the holder of a certificate of authorization, the certificate of authorization is</p>	<p>1. Revoke the member's registration or the certificate holder's certificate of authorization. 2. Suspend the member's registration or the certificate holder's certificate of authorization for a specified period or until he, she or it takes specified steps relating to its practice of professional geoscience.</p> <p>General Same 39(2) Every person who makes a representation, knowing it to be false, for the purpose of having a certificate of authorization is guilty of an offence and on conviction is liable, (a) to a fine of not more than \$10,000 for a first offence; (b) to a fine of not more than \$20,000 for a subsequent offence. .</p> <p>Public register 40.(1) The Registrar shall maintain a public register of information about members and certificate holders.</p> <p>Regulations 43.(1) Subject to the approval of the Minister, the council may make regulations, (a) respecting eligibility for membership, standards relating to the practice of the profession, including education requirements for members, and the discipline of members and certificate holders, including what constitutes professional misconduct; (c) prescribing classes of individuals who are exempt from subsections 3 (1) and (2) (prohibitions re practice of professional geoscience), prescribing classes of membership and certificates of authorization and imposing terms, conditions and limitations on any class;</p>

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	<p>subject to the same terms and conditions prescribed by the regulations that apply to the temporary licence.</p> <p>Same (4.1) Where a holder of a limited licence assumes responsibility for and supervises the practice of professional engineering related to the services provided by the holder of a certificate of authorization, the certificate of authorization is subject to the same terms and conditions prescribed by the regulations that apply to the limited licence.</p> <p>Suspension of effect of certificate of authorization (5) A holder of a certificate of authorization ceases to be entitled to offer to the public or to provide to the public services that are within the practice of professional engineering as soon as there is no holder of a licence, temporary licence or limited licence who assumes responsibility for and supervises the practice of professional engineering provided by the holder of the certificate of authorization.</p> <p>Notice to Registrar by holder of certificate of authorization (6) The holder of a certificate of authorization must give notice to the Registrar when there ceases to be a holder of a licence, temporary licence or limited licence who assumes responsibility for and supervises the practice of professional engineering by the holder of the certificate of authorization and when the holder of the certificate of authorization designates another holder of a licence, temporary licence or limited licence to assume such responsibility and carry out such supervision.</p> <p>Notice to Registrar by person in position of professional responsibility (7) A holder of a licence, temporary licence or limited licence who ceases to be responsible for and to supervise the practice of professional engineering by a holder of a certificate of authorization as the person so designated by the holder of the certificate of authorization shall give notice of the cessation</p>	<p>(e) prescribing circumstances in which an individual is not eligible to be a member or a corporation, partnership or other entity is not eligible to hold a certificate of authorization.</p> <p>Registration Regulation Certificates of Authorization Certificate of authorization 21. An applicant for a certificate of authorization shall do the following: 1. Designate one or more practising or temporary members as being responsible for and supervising the provision of professional geoscientific services to be provided by the applicant. 2. State in the application that the persons designated under paragraph 1 will devote sufficient time to the applicant's work to carry out the responsibilities referred to in that paragraph. 3. State in the application that the persons designated under paragraph 1 are the applicant for the certificate of authorization, the employees of the applicant or, where the applicant is a partnership, the partners and their employees.</p> <p>Application for certificate of authorization 22.(1) A corporation, partnership or other entity may apply for a certificate of authorization by completing the application form provided by the Registrar and submitting it along with the application fee set out in the by-laws. (2) The application shall contain, (a) the names and addresses of the individual, or all of the partners or all of the officers and directors of the applicant, as the case may be; (b) the names of the individual, partners or employees, as the</p>

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	<p>forthwith to the Registrar.</p> <p>Past conduct (8) The Registrar may refuse to issue or may suspend or revoke a certificate of authorization where the Registrar is of the opinion, upon reasonable and probable grounds, (a) that the past conduct of a person who is in a position of authority or responsibility in the operation of the business of the applicant for or the holder of the certificate of authorization affords grounds for the belief that the applicant or holder will not engage in the business of providing services that are within the practice of professional engineering in accordance with the law and with honesty and integrity; (b) that the holder of the certificate of authorization does not meet the requirements or the qualifications for the issuance of the certificate of authorization set out in the regulations; or (c) that there has been a breach of a condition of the certificate of authorization.</p> <p>Exclusion (9) Sections 3.2, 3.3 and 3.4 of the <i>Business Corporations Act</i> do not apply to, (a) a corporation that has been issued a certificate of authorization under subsection (1); or (b) a corporation that is a partner in a partnership of corporations that has been issued a certificate of authorization under subsection (3).</p> <p>Issuance of licence or certificate of authorization on direction of Council 16. The Registrar shall issue a licence or a certificate of authorization upon a direction of the Council made in accordance with a recommendation by the Joint Practice Board.</p> <p>Supervision under certificate of authorization 17. (1) It is a condition of every certificate of authorization that</p>	<p>case may be, who hold certificates of registration in the practising or temporary member class and who will assume responsibility for and supervise the professional geoscientific services provided on the applicant's behalf; (c) the certificate or certificates of the persons named in clause (b) certifying, (i) that the information contained in the application is true and correct, and (ii) where applicable, that one of the primary functions of the applicant is or will be to provide professional geoscientific services to the public. (3) The information required under subsection (2) shall be noted on the registers maintained by the Registrar and may be published by the council from time to time.</p> <p>Duration of certificate of authorization 23.(1) A certificate of authorization is valid from the date of issue until it expires one year after the last day of the month in which it was issued. (2) A certificate of authorization may be renewed by paying the renewal fee set out in the Association's by-laws no later than the date of expiry. (3) Despite subsection (1), if the individual, partners or employees named in an application for a certificate of authorization are all holders of temporary certificates of registration, a certificate of authorization issued in respect of the application expires on the date of expiry of the temporary certificate that expires last.</p> <p>Ineligibility for certificate of authorization 24. The following is prescribed as a circumstance in which an applicant is not eligible to be issued a certificate of</p>

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	<p>the holder of the certificate shall provide services that are within the practice of professional engineering only under the personal supervision and direction of a holder of a licence, temporary licence or limited licence.</p> <p>Notice of proposal to revoke or refuse to renew 19.(1) Where the Registrar proposes, (a) to refuse to issue a licence; or (b) to refuse to issue, to suspend or to revoke a temporary licence, a provisional licence, a limited licence or a certificate of authorization, the Registrar shall serve notice of the proposal, together with written reasons therefor, on the applicant.</p> <p>Registers 21. (1) The Registrar shall maintain one or more registers containing the following information: 1. Every holder of a licence, certificate of authorization, temporary licence, provisional licence or limited licence. 2. The terms, conditions and limitations attached to every licence, certificate of authorization, temporary licence, provisional licence and limited licence. 3. Every revocation, suspension and cancellation or termination of a licence, certificate of authorization, temporary licence, provisional licence or limited licence.</p> <p>Cancellation for default of fees 22.(1) The Registrar may cancel a licence, certificate of authorization, temporary licence, provisional licence or limited licence for non-payment of any fee prescribed by the regulations or the by-laws after giving the member or the holder of the certificate of authorization, temporary licence, provisional licence or limited licence at least two months notice of the default and intention to cancel, subject to the continuing jurisdiction of the Association in respect of any disciplinary action arising out of the person's professional conduct while a</p>	<p>authorization: 1. The Registrar has reasonable and probable grounds for believing, on the basis of the past conduct of a person who is in a position of authority or responsibility in the operation of the business of the applicant for the certificate of authorization, that the applicant will not engage in the business of providing professional geoscientific services in accordance with the law and with honesty and integrity.</p> <p>Professional liability insurance 25.(1) It is a condition of every certificate of authorization that, (a) before December 20, 2006, the certificate holder be insured against professional liability under a policy of professional liability insurance that meets or exceeds the requirements set out in subsection (2); and (b) on and after December 20, 2006, (i) the certificate holder be insured against professional liability under a policy of professional liability insurance that meets or exceeds the requirements set out in subsection (2), (ii) the certificate holder be insured against professional liability under a policy of professional liability insurance that substantially complies with the requirements set out in subsection (2) and, before the certificate holder enters into any agreement to provide professional geoscientific services to any person, the certificate holder provide documentation of the insurance to the person and to the Registrar, or (iii) if the certificate holder is not insured against professional liability, the requirements listed in subsection (3) be met before the certificate holder enters into an agreement to provide professional geoscientific services to any person. (2) The requirements referred to in clause (1) (a) and in subclause (1) (b) (i) are as follows:</p>

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	<p>member or holder.</p> <p>Reinstatement (2) A person who was a member of the Association or a holder of a certificate of authorization, temporary licence, provisional licence or limited licence whose licence, certificate of authorization, temporary licence, provisional licence or limited licence was cancelled by the Registrar under subsection (1) is entitled to have the licence, certificate of authorization, temporary licence, provisional licence or limited licence reinstated upon compliance with the requirements and qualifications prescribed by the regulations.</p> <p>Duties of Complaints Committee 24. (1) The Complaints Committee shall consider and investigate complaints made by members of the public or members of the Association regarding the conduct or actions of a member of the Association or holder of a certificate of authorization, a temporary licence, a provisional licence or a limited licence.</p> <p>Reference by Council or Executive Committee 27.1 The Council or the Executive Committee may, by resolution, refer to the Discipline Committee for hearing and determination any allegation of professional misconduct or incompetence on the part of a member of the Association or a holder of a certificate of authorization, a temporary licence, a provisional licence or a limited licence specified in the resolution.</p> <p>Duties and powers of Discipline Committee Duties of Discipline Committee 28. (1) The Discipline Committee shall, (a) when so directed by the Council, the Executive Committee or the Complaints Committee, hear and determine allegations of professional misconduct or incompetence against a member of the Association or a holder of a certificate of authorization, a</p>	<p>1. A policy limit for each single claim of not less than \$250,000 and either an aggregate policy limit for all claims of not less than \$500,000 per year or an automatic policy reinstatement feature.</p> <p>2. Coverage for liability for errors, omissions and negligent acts arising out of the performance of all services within the practice of professional geoscience offered or provided to the public by the insured subject to such exclusions and conditions and otherwise on such terms as are consistent with normal insurance industry practice from time to time.</p> <p>(3) For the purposes of subclause (1) (b) (iii), the following requirements must be met before a certificate holder who is not insured against professional liability enters into an agreement to provide professional geoscientific services to any person:</p> <p>1. The certificate holder provides to the person a copy of the certificate holder's identification and a copy of his or her certificate of authorization.</p> <p>2. The certificate holder provides the following written statement to the person: The regulation respecting registration requirements under the <i>Professional Geoscientists Act, 2000</i> (Ontario Regulation 59/01 (Registration) made under the Act), requires a holder of a certificate of registration who is not insured against professional liability to inform a person with whom he or she intends to enter into an agreement for professional geoscientific services, that he or she is not so insured. I, (<i>name of certificate holder</i>), as the holder of a certificate of authorization issued by the Association of Professional Geoscientists of Ontario, inform you with this statement that I am not insured against professional liability.</p> <p>3. The person provides to the certificate holder a signed statement that the person has read the statement set out in</p>

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	<p>temporary licence, a provisional licence or a limited licence; (b) hear and determine matters referred to it under section 24, 27.1 or 37; and (c) perform such other duties as are assigned to it by the Council.</p> <p>Powers of Discipline Committee (4) Where the Discipline Committee finds a member of the Association or a holder of a certificate of authorization, a temporary licence, a provisional licence or a limited licence guilty of professional misconduct or to be incompetent it may, by order, (a) revoke the licence of the member or the certificate of authorization, temporary licence, provisional licence or limited licence of the holder; (b) suspend the licence of the member or the certificate of authorization, temporary licence, provisional licence or limited licence of the holder for a stated period, not exceeding 24 months; (c) accept the undertaking of the member or holder to limit the professional work of the member or holder in the practice of professional engineering to the extent specified in the undertaking; (d) impose terms, conditions or limitations on the licence or certificate of authorization, temporary licence, provisional licence or limited licence, of the member or holder, including but not limited to the successful completion of a particular course or courses of study, as are specified by the Discipline Committee; (e) impose specific restrictions on the licence or certificate of authorization, temporary licence, provisional licence or limited licence, including but not limited to, (i) requiring the member or the holder of the certificate of authorization, temporary licence, provisional licence or limited licence to engage in the practice of professional engineering only under the personal supervision and direction of a member, (ii) requiring the member to not alone engage in the practice of professional engineering,</p>	<p>paragraph 2 and acknowledges that the certificate holder is not insured against professional liability. 4. The certificate holder provides the following to the Registrar: i. The documents described in paragraph 1. ii. A copy of the statements described in paragraphs 2 and 3.</p> <p>BY-LAW NO. 2 – FEES AND DUES <i>APPLICATION FEES</i> 3. An applicant for a Certificate of Authorization shall pay the application fees as set out in Schedule “A”.</p> <p><i>ANNUAL MEMBERSHIP DUES</i> 8. Each corporation, partnership or other entity required to hold a Certificate of Authorization shall pay annual membership dues as set out in Schedule “A” commencing with the first year of admission. (a) A sole practitioner in a corporation or other entity shall pay the annual membership dues as set out in Schedule “A”. (b) Two practitioners in a corporation, partnership or other entity shall pay the annual membership dues as set out in Schedule “A”. (c) Three or more practitioners in a corporation, partnership or other entity, shall pay the annual membership dues as set out in Schedule “A”.</p> <p>9. Council shall, from time to time, establish a due date for payment of the annual membership dues for a Certificate of Registration and Certificate of Authorization. The Registrar shall send an invoice with the date for payment of annual membership dues to the member or to the corporation, partnership or other entity holding a certificate to the last known address on file with the Association not less than sixty (60) days</p>

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	<p>(iii) requiring the member or the holder of the certificate of authorization, temporary licence, provisional licence or limited licence to accept periodic inspections by the Committee or its delegate of documents and records in the possession or under the control of the member or the holder in connection with the practice of professional engineering,</p> <p>(iv) requiring the member or the holder of the certificate of authorization, temporary licence, provisional licence or limited licence to report to the Registrar or to such committee of the Council as the Discipline Committee may specify on such matters in respect of the member's or holder's practice for such period of time, at such times and in such form, as the Discipline Committee may specify;</p> <p>(f) require that the member or the holder of the certificate of authorization, temporary licence, provisional licence or limited licence be reprimanded, admonished or counselled and, if considered warranted, direct that the fact of the reprimand, admonishment or counselling be recorded on the register for a stated or unlimited period of time;</p> <p>(g) revoke or suspend for a stated period of time the designation of the member or holder by the Association as a specialist, consulting engineer or otherwise;</p> <p>(h) impose such fine as the Discipline Committee considers appropriate, to a maximum of \$5,000, to be paid by the member of the Association or the holder of the certificate of authorization, temporary licence, provisional licence or limited licence to the Treasurer of Ontario for payment into the Consolidated Revenue Fund;</p> <p>(i) subject to subsection (5) in respect of orders of revocation or suspension, direct that the finding and the order of the Discipline Committee be published in detail or in summary and either with or without including the name of the member or holder in the official publication of the Association and in such other manner or medium as the Discipline Committee considers appropriate in the particular case;</p> <p>(j) fix and impose costs to be paid by the member or the holder to the Association;</p>	<p>prior to the date of required payment.</p> <p><i>REPLACEMENT CERTIFICATES</i></p> <p>16. A holder of a Certificate of Registration or a holder of a Certificate of Authorization may request a replacement of the certificate from the Registrar and shall pay the fee as set out in Schedule "A".</p> <p>BY-LAW NO. 4 – CERTIFICATE OF AUTHORIZATION</p> <p><i>GENERAL</i></p> <p>1. Any company or corporation, partnership or other entity that employs professional geoscientists and undertakes or provides geoscience activities within the definition of the Act and Regulations, shall be required to be a holder of a Certificate of Authorization (the "Certificate").</p> <p>2. A Certificate is not required for a sole proprietorship, a partnership or other entity that offers services in the name of one or more members of the Association and each of whom are members of the Association. A sole proprietorship, a partnership or other entity may apply for a Certificate in accordance with the Registration Regulation.</p> <p>3. A member of the Association shall not be prohibited from accepting employment as a professional geoscientist for a corporation that does not engage in the practice of professional geoscience.</p> <p><i>APPLICATION</i></p> <p>4. The Registrar shall provide an application form for a Certificate for the purpose of the Act and Registration Regulation, which form shall be approved by Council.</p>

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	<p>(k) direct that the imposition of a penalty be suspended or postponed for such period and upon such terms or for such purpose as the Discipline Committee may specify, including but not limited to,</p> <p>(i) the successful completion by the member or the holder of the temporary licence, provisional licence or limited licence of a particular course or courses of study,</p> <p>(ii) the production to the Discipline Committee of evidence satisfactory to it that any physical or mental incapacity in respect of which the penalty was imposed has been overcome, or any combination of them.</p> <p>Registrar's investigation</p> <p>33. (1) Where the Registrar believes on reasonable and probable grounds that a member of the Association or a holder of a certificate of authorization, a temporary licence, provisional licence or limited licence has committed an act of professional misconduct or incompetence or that there is cause to refuse to issue or to suspend or revoke a certificate of authorization, the Registrar by order may appoint one or more persons to investigate whether such act has occurred or there is such cause, and the person or persons appointed shall report the result of the investigation to the Registrar.</p> <p>Liability insurance</p> <p>34. It is a condition of every certificate of authorization that the holder of the certificate shall not offer or provide to the public services that are within the practice of professional engineering unless the holder is insured in respect of professional liability in accordance with the regulations.</p> <p>Surrender of revoked licence or certificate</p> <p>36. Where a licence, certificate of authorization, temporary licence, provisional licence or limited licence is revoked or cancelled, the former holder thereof shall forthwith deliver the licence, certificate of authorization, temporary licence,</p>	<p>5. A company or corporation, partnership or other entity that desires a Certificate shall submit an application form and application fee as set out in By-law No. 2 to the Registrar. The applicant shall provide additional information as may be required by the Registrar and/or the Registration Committee.</p> <p>6. Subject to Section 5 of this By-law, every applicant who in the opinion of the Registrar and/or Registration Committee has complied with the requirements as set out in the Act and Registration Regulation shall be granted a Certificate.</p> <p><i>CERTIFICATE</i></p> <p>10. The Registrar shall issue to each company or corporation, partnership or other entity a Certificate in the form approved by Council, signed by the President and Registrar indicating:</p> <p>(a) the name of the company or corporation;</p> <p>(b) partnership or other entity;</p> <p>(c) the registration number;</p> <p>(d) the date of registration;</p> <p>(e) the name or names of the members who are the designated responsibility holders for the Certificate; and</p> <p>(f) that the named company or corporation, partnership or other entity is entitled to engage in the provision of geoscience activities in the Province of Ontario.</p> <p>11. The Certificate shall be prominently displayed in the place of business of the Certificate holder.</p> <p>12. The member or members designated by the holder of a Certificate shall notify the Registrar in writing within 30 days of ceasing to be in charge of the practice of professional</p>

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	<p>provisional licence or limited licence and related seal to the Registrar.</p> <p>Offences and penalties Offence, services of professional engineer 40(3) Every person who is not acting under and in accordance with a certificate of authorization and who, (a) uses a term, title or description that will lead to the belief that the person may provide to the public services that are within the practice of professional engineering; or (b) uses a seal that will lead to the belief that the person may provide to the public services that are within the practice of professional engineering, is guilty of an offence and on conviction is liable for the first offence to a fine of not more than \$10,000 and for each subsequent offence to a fine of not more than \$25,000.</p> <p>General Regulation 1. In this Regulation, “practitioner” means holder of a licence, a temporary licence, a provisional licence, a limited licence or a certificate of authorization, as the case requires;</p> <p>47. The following are prescribed as requirements and qualifications for the issuance of a certificate of authorization: 1. The applicant shall designate as the person or persons who will assume responsibility for and supervise the services within the practice of professional engineering to be provided under the certificate of authorization one or more holders of, i. a licence, ii. a temporary licence, or iii. a limited licence, if the application for the limited licence was made on or after the day section 16 of Ontario Regulation 71/15</p>	<p>geoscience on the Certificate holder’s behalf.</p> <p>13. The member or members designated by the holder of a Certificate shall notify the Registrar in writing within 30 days of ceasing to hold responsibility for compliance with the Act, Regulations and By-laws on the holder’s behalf.</p> <p>14. The holder of a Certificate shall provide updated information in writing to the Association with the annual renewal.</p> <p>15. The Registrar may request updated information in writing of the holder of a Certificate upon receiving notification of change from a person or persons designated to hold responsibility for the practice of professional geoscience or for compliance or at any other time that the Registrar has reason to believe that the holder of the Certificate is not in compliance with the Act, Regulations, By-laws or conditions of the Certificate.</p> <p>16. In the event that there is a change in the information on the Certificate, the Certificate, if unexpired, shall be surrendered by the holder and a new Certificate issued by the Registrar.</p> <p><i>REPLACEMENT</i> 17. In the event that a Certificate is lost or damaged, the Registrar may issue a replacement Certificate to a holder in good standing upon receipt of a written request from the certificate holder and payment of the fee as set out in By-law No. 2.</p> <p><i>LIABILITY INSURANCE</i> 18. An applicant for a Certificate shall submit to the Registrar a statement of professional liability insurance including the</p>

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	<p>came into force.</p> <p>2. The applicant shall submit to the Registrar a completed application in the form titled “Application for Certificate of Authorization”, dated November 2013 and available from the Association.</p> <p>3. The applicant shall pay the application fee and the annual fee prescribed by this Regulation.</p> <p>48. Every certificate of authorization that is issued by the Registrar shall contain a description of any terms and conditions to which it is subject under the Act.</p> <p>49. (1) If a holder of a temporary licence is the only person assuming responsibility for and supervising the services within the practice of professional engineering to be provided under a certificate of authorization, the certificate of authorization expires on the date on which the holder’s temporary licence expires.</p> <p>(2) If two or more holders of a temporary licence are the only persons assuming responsibility for and supervising the services within the practice of professional engineering to be provided under a certificate of authorization, the certificate of authorization expires on the date on which the last of the temporary licences expires.</p> <p>50. Every year, every holder of a certificate of authorization shall, on or before the anniversary of the date on which the certificate was issued,</p> <p>(a) submit to the Registrar a completed annual renewal form, provided by the Association for the purpose, indicating whether the information contained in the registers in respect of the certificate is current and correct and providing information</p>	<p>amounts, terms and conditions and policy number.</p> <p>19. A holder of a Certificate shall notify the Registrar in writing, and shall inform each current client within ten (10) days of the receipt of the policy of insurance, or any notice of amendment to or cancellation of the policy of insurance, under which the Certificate was issued.</p> <p><i>OTHER ASSOCIATIONS</i></p> <p>20. The Registrar may cooperate with the Registrar and/or registration officials in each of the other provincial and territorial Associations in establishing and implementing information exchange and transfer procedures for applicants who are registered with such Associations or for certificate holders of the Association who wish to transfer into or be recognized by those Associations.</p>

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	<p>respecting any necessary changes or corrections; and (b) pay the annual fee prescribed by this Regulation.</p> <p>50.1 (1) Every holder of a licence, temporary licence, provisional licence, limited licence or certificate of authorization shall give to the Registrar notice, in the form provided by the Association for the purpose, of any change in the information contained in the registers relating to the holder. (2) The notice of a change shall indicate the date on which the change occurred and be submitted no later than 30 days after that date.</p> <p>54. Every person whose licence, temporary licence, provisional licence, limited licence or certificate of authorization is suspended or revoked and every partnership whose certificate of authorization is suspended or revoked shall forthwith deliver it to the Registrar together with the person's or partnership's related seal and the certificate, if any, designating the person as a specialist or a consulting engineer.</p> <p>60. For the purpose of this Regulation, a Member shall be deemed to be in the independent practice of professional engineering if the Member, (a) holds a certificate of authorization and is primarily engaged in offering or providing services within the practice of professional engineering to the public; or (b) is a partner in or employee of a holder of a certificate of authorization, is designated in the application for the certificate as a person who will assume responsibility for and supervise the services of the holder that are within the practice of professional engineering and is primarily engaged in offering or providing, on behalf of the holder, services within the practice of</p>	

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	<p>professional engineering to the public.</p> <p>68. A holder of a certificate of authorization who is primarily engaged in offering to the public services within the practice of professional engineering and who satisfies the Council that the practice of professional engineering by the holder is and will be carried on under the responsibility and supervision of a designated consulting engineer named in the application for the certificate of authorization or in a related notice of change filed with the Registrar may use the title “consulting engineers” or a variation approved by Council from time to time.</p> <p>69. A holder of a certificate of authorization ceases to be entitled to use the title “consulting engineer” or a variation thereof approved by the Council when there ceases to be a designated consulting engineer who assumes responsibility for and supervises the practice of professional engineering provided by the holder of the certificate of authorization or when the holder ceases to be primarily engaged in offering to the public services within the practice of professional engineering.</p> <p>74. (1) Subject to subsection (2), a holder of a certificate of authorization must be insured against professional liability under a policy of professional liability insurance which complies with the following minimum requirements:</p> <ol style="list-style-type: none"> 1. A policy limit for each single claim of not less than \$250,000 and either an aggregate policy limit for all claims of not less than \$500,000 per year or an automatic policy limit reinstatement feature. 2. A maximum deductible amount under the policy of the greater of \$5,000 or 5 per cent of the annual fees the holder billed in the twelve months immediately before the issuance of 	

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	<p>the policy.</p> <p>3. Coverage for liability for errors, omissions and negligent acts arising out of the performance of all services within the practice of professional engineering offered or provided to the public by the insured subject to such exclusions and conditions and otherwise on such terms as are consistent with normal insurance industry practice from time to time.</p> <p>4. A provision that neither party may cancel or amend the policy of insurance in a way that results in non-compliance with this Regulation without first giving the other party at least forty-five days written notice or, in the event of non-payment of premiums, fifteen days written notice.</p> <p>5. The insurance must be placed with an insurer with an aggregate capital and surplus of at least \$20,000,000 or an underwriter or syndicate of underwriters operating on the plan known as Lloyds.</p> <p>(2) A holder of a certificate of authorization is not required to be insured against professional liability under subsection (1) if,</p> <p>(a) the holder is participating in the Indemnity Plan of the Ontario Association of Architects and the holder's practice is limited to professional activities covered by that Plan;</p> <p>(b) substantially all claims arising out of the service performed within the practice of professional engineering would be covered by other insurance whose terms of coverage are not materially less than the minimum requirements under subsection (1);</p> <p>(c) the professional liability insurance would be in respect of pollution hazards, nuclear hazards, aviation hazards or shipping hazards; or</p> <p>(d) before entering into an agreement to provide professional engineering services, the holder notifies each person to whom the holder intends to provide professional engineering services</p>	

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	<p>that the holder is not insured in accordance with the minimum requirements of this section and receives from each such person written authority to provide these services without that insurance.</p> <p>(3) The notice under clause (2) (d) shall be in the form provided by the Association for the purpose, and shall be signed by,</p> <p>(a) in the case of a holder who is a natural person, the person;</p> <p>(b) in the case of a holder that is a corporation, an officer or director of the corporation;</p> <p>(c) in the case of a holder that is a partnership, a partner in the partnership; or</p> <p>(d) in the case of a holder that is a partnership of corporations, an officer or director of a partner in the partnership.</p> <p>77. The following is the Code of Ethics of the Association:</p> <p>1. It is the duty of a practitioner to the public, to the practitioner's employer, to the practitioner's clients, to other members of the practitioner's profession, and to the practitioner to act at all times with...</p> <p>2. A practitioner shall,</p> <p>iv. endeavour to keep the practitioner's licence, temporary licence, provisional licence, limited licence or certificate of authorization, as the case may be, permanently displayed in the practitioner's place of business.</p> <p>84. (1) The application fee for registration as a holder of a certificate of authorization is \$330.</p> <p>(2) The annual fee for a certificate of authorization is \$330.</p> <p>(3) The fee for each replacement certificate of authorization issued is \$50.</p>	
Notes	From PEO website: In Ontario, professional engineers who provide engineering services directly to the public must have a Certificate of Authorization (C of A). This certificate is issued to individuals or firms and the professional engineers on the	

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	certificate require at least five years of relevant experience after the conferral of the engineering degree or the completion of an equivalent engineering education.	

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Provisions related to permits or certificates of authorization	<p>Professional Code</p> <p>93. The board of directors must, by regulation, (g) pursuant to paragraph 2 of section 187.11, impose on the members referred to therein, on the basis of the risk they represent, the obligation to furnish and maintain coverage, on behalf of the partnership or company, by means of an insurance or suretyship contract or by any other means determined by the regulation, against liabilities of the partnership or company arising from fault in the practice of their profession, or the obligation to join a group plan contract entered into by the order or to contribute to a professional liability insurance fund established for such purposes in accordance with section 86.1; the regulation shall also determine the minimum amount of coverage and prescribe specific rules according to such factors as the nature of the professional activities carried on and the number of members of the order in the partnership or company; the coverage must extend to any claim filed against the partnership or company during the five years following the year the members cease to maintain the coverage, or during a longer period determined by the board of directors in the regulation;</p> <p>(h) fix the conditions and procedure applicable to a declaration pursuant to paragraph 3 of section 187.11.</p> <p>94. The board of directors may, by regulation:</p> <p>(p) authorize the members of the order to carry on their professional activities within a limited liability partnership or a joint-stock company constituted for that purpose and, as appropriate, determine the applicable terms and conditions and restrictions. If the board of directors authorizes the members to carry on their professional activities within a joint-stock company, the regulation may, in particular,</p> <p>(1) determine standards with regard to the name of the company;</p>	<p>Act</p> <p>DEFINITIONS AND INTERPRETATION</p> <p>1 The following definitions apply in this Act</p> <p>“certificate of authorization” means the licensing of a partnership, association of persons or a corporation to practise the Professions.</p> <p>“member” means a person, resident of New Brunswick, licensed to practise the Professions and does not include a licensee or holder of a certificate of authorization</p> <p>BY-LAWS</p> <p>7(1) The Association may make by-laws consistent with the provisions of this Act for:</p> <p>(a) governing and regulating</p> <p>(i) the admission, suspension, expulsion, removal, discipline and reinstatement of members, licencees, and holders of certificates of authorization and the conditions precedent to membership in the Association, and</p> <p>(ii) the registration, licensing and renewal, suspension, cancellation, and reinstatement of registration in the Register of members, licencees and holders of certificates of authorization, including the imposition of limitations, restrictions, and conditions on members, licencees or holders of certificates of authorization;</p> <p>(c) levying and collecting fees from members, licencees, and holders of certificates of authorization and any penalty or consequence associated with the failure to pay such fees;</p> <p>(f) examination and admission of members, licencees, and holders of certificates of authorization;</p> <p>(h) the requirements pertaining to professional liability insurance for members, licencees, and holders of certificates of authorization;</p> <p>(i) issuance and use of seals by members, licencees, and holders of certificate of authorization; (j) requirements pertaining to continuing competency for members, licencees, and holders of certificates of authorization;</p> <p>(n) the assessment of members, licencees, and holders of</p>

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	<p>(2) fix, according to whether or not the shares of the company are listed on a stock exchange, the proportion of voting shares that must be held by members of the order;</p> <p>(3) fix, according to whether or not the shares of the company are listed on a stock exchange, the proportion or number of directors of the company who must be members of the order;</p> <p>(4) determine, according to whether or not the shares of the company are listed on a stock exchange, conditions governing the transfer of shares, or shares of certain classes, and the exercise of the voting rights of a shareholder whose right to engage in professional activities has been restricted or suspended or who is no longer a member of the order, and, as appropriate, the applicable procedures and restrictions; and</p> <p>(5) define, if applicable, the professions, trades, industries, businesses, offices or duties incompatible with the status of employee, shareholder or director of the company;</p> <p>CHAPTER VI.3 CARRYING ON OF PROFESSIONAL ACTIVITIES WITHIN A LIMITED LIABILITY PARTNERSHIP OR A JOINT-STOCK COMPANY</p> <p>187.11. The members of an order may carry on their professional activities within a limited liability partnership or a joint-stock company constituted for that purpose, if</p> <p>(1) the board of directors of the order makes a regulation under paragraph p of section 94 authorizing the members of the order to carry on their professional activities within such a partnership or company and, as appropriate, determining the applicable terms and conditions and restrictions;</p> <p>(2) the members of the order carrying on their professional activities within such a partnership or company furnish and maintain security against professional liability, on behalf of the partnership or company, in accordance with the requirements prescribed in a regulation made by the board of directors of the</p>	<p>certificates of authorization for special or extraordinary expenditures that may be deemed necessary or expedient to further the objects of the Association;</p> <p>AUTHORIZED PRACTICE</p> <p>9 Only persons who are members of the Association, or licencees, or holders of certificates of authorization as provided in this Act or by-laws, shall be entitled:</p> <p>(a) to take and use the title or designation “Engineer”, “Professional Engineer”, “Eng.”, “P. Eng.”, “Geoscientist”, “Professional Geoscientist”, “Geo.”, or “P. Geo.”, or any addition to such title or designation or any abbreviation thereof, and, in the case of geoscientists, any similar titles or designations referring to the subdisciplines of geoscience; or</p> <p>(b) to practise the Professions in or for application in New Brunswick.</p> <p>BOARD OF ADMISSIONS</p> <p>11(2) Every person who is approved by the Board may become a member, licencee, or holder of a certificate of authorization upon compliance with the provisions of the by-laws.</p> <p>11(3) The Registrar shall enter in the Register the name of each member, licencee, or holder of a certificate of authorization entitled to practise the Professions and any certificate or licence used by the Registrar under the seal of the Association shall be <i>prima facie</i> evidence of registration and licensure under this Act.</p> <p>11(4) Subject to the approval of Council, the Board may delegate to the Registrar or other appropriate Association staff, such functions for the approval of an application of members, licencees, and holders of certificates of authorization as it considers appropriate.</p> <p>11(7) The Board shall approve any person who is, at the time, a duly registered member of an association of engineers or</p>

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	<p>order under paragraph g of section 93; and (3) the members of the order carrying on their professional activities within such a partnership or company declare that fact to the order in accordance with the conditions and procedure fixed in a regulation made by the board of directors under paragraph h of section 93.</p> <p>Engineers Act 28.1. An engineer may carry on his or her professional activities within a joint-stock company constituted for that purpose before 21 June 2001 until the coming into force of the first regulation made by the Order under paragraph p of section 94 of the Professional Code (chapter C-26).</p> <p>From the coming into force of the regulation, an engineer may carry on his or her professional activities within such a company insofar as the engineer complies with the provisions of the regulation. The regulation may nevertheless provide that an obligation, term, condition or restriction in respect of the carrying on of professional activities within a joint-stock company shall not apply to the engineer until the expiry of a certain period of time, which may not exceed one year from the coming into force of the regulation.</p> <p>Geologists Act 8. No geologist may practise his or her profession under a name other than his or her own name. Nevertheless, geologists are allowed to practise their profession under a firm name which may be the name of one, several or all of the partners. The firm name may also include the name of any partner who has ceased to practise, for a period not exceeding three years from the date on which the partner</p>	<p>geoscientists of some other province or territory of Canada, with an act of incorporation or a constitution similar to that of the Association, as a member, licence, or holder of a certificate of authorization upon application and payment of requisite fees and upon provision of satisfactory evidence to the Board of registration in good standing in such other association.</p> <p>COMPLAINTS COMMITTEE 12(10) The Complaints Committee, in accordance with the information it has received, may: (a) direct that the matter be referred, in whole or in part, to the Discipline Committee;</p> <p>12(12) In circumstances where the Complaints Committee makes a referral under paragraph (10)(a), the Committee may suspend or place conditions on the member, licensee, or certificate of authorization holder pending completion of the proceedings before the Discipline Committee if it is of the opinion that a danger to the public could result from not suspending or placing conditions on the member, licensee, or certificate of authorization holder.</p> <p>PUBLIC OFFENCES 17(1) Any person, other than a member, licensee, or a certificate of authorization holder who (a) takes and uses orally or otherwise any title or designation allowed to be used under section 9, or uses any addition to or abbreviation of such titles, or any words, names or designations, including the use of a professional seal, with the intent that such use will lead to the belief that the person is a member, licensee, or certificate of authorization holder; (b) advertises, holds out, or represents in any way or by any means to be a member, licensee, or certificate of authorization holder; (c) wilfully procures or attempts to procure registration or licensing under this Act for that person or for another person by making, producing or causing to be made or produced any</p>

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	<p>ceased to practise, provided the name of the partner was included in the firm name at the time the partner ceased to practise.</p> <p>Regulation respecting the practice of the profession of geologist within a partnership or a joint-stock company DIVISION I GENERAL</p> <p>1. Geologists are authorized to carry on professional activities within a limited liability partnership or a joint-stock company within the meaning of Chapter VI.3 of the Professional Code (chapter C-26) subject to the conditions set out in this Regulation.</p> <p>A geologist who becomes aware that a condition set out in Chapter VI.3 of the Professional Code is no longer being complied with must, within 15 days, take the necessary measures to ensure compliance, failing which the geologist ceases to be authorized to carry on professional activities within the partnership or joint-stock company.</p> <p>DIVISION II TERMS AND CONDITIONS OF PRACTICE</p> <p>3. A geologist may carry on professional activities within a limited liability partnership or a joint-stock company if</p> <p>(1) more than 50% of the voting rights attached to the shares or units of the partnership or joint-stock company are held by</p> <p>(a) members of a professional order governed by the Professional Code (chapter C-26) or by persons subject to similar rules;</p> <p>(b) legal persons, trusts or other enterprises whose voting rights attached to the shares or units, ownership interests or other rights are held entirely by one or more persons referred to</p>	<p>fraudulent representation or declaration, either verbal or written; or</p> <p>(d) engages in the practice of the Professions; commits an offence.</p> <p>17(3) No partnership, association of persons, or corporation shall</p> <p>(a) practise the Professions;</p> <p>(b) use any name, title, description or designation that will lead to the belief that it is entitled to practise the Professions;</p> <p>(c) advertise, hold itself out, or conduct itself in any manner as to lead to the belief it is entitled to practise the Professions, unless the partnership, association of persons, or corporation is the holder of a valid certificate of authorization, and every member or manager of the partnership or association of persons, and every shareholder, director, officer or manager of a corporation who participates in a violation of this subsection commits an offence.</p> <p>17(4) Where a partnership, an association of persons or a corporation that has a subsisting certificate of authorization practises the Professions in contravention of this Act, every member or manager of the partnership or association of persons, and every shareholder, director, officer or manager of a corporation who participates in such contravention, commits an offence.</p> <p>RECOVERY OF CHARGES</p> <p>20 No person, partnership, association of persons, or corporation shall be entitled to the payment or recovery of any fees or charges in any court, or otherwise, for any service performed within the practice of the Professions unless, at the time the services were performed, the member, licensee, or holder of certificate of authorization was enrolled in the Register.</p>

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	<p>in subparagraph a; or (c) a combination of persons, trusts or enterprises referred to in subparagraphs a and b; (2) the members of the board of directors of the joint-stock company, the partners or, where applicable, the directors appointed by the partners to manage the affairs of the limited liability partnership are a majority of the persons referred to in subparagraph a of subparagraph 1 of the first paragraph who constitute the majority of the quorum of the board of directors or internal management board, as the case may be; and (3) at least one geologist carrying on professional activities within the partnership or company holds a voting share or unit.</p> <p>A geologist must ensure that the conditions are stipulated in the contract constituting the limited liability partnership or appear in the articles of constitution of the joint-stock company, the unanimous shareholders' agreement or in any other document related to the constitution and operation of the partnership or company. A geologist must also ensure that it is provided that the partnership or joint-stock company is constituted for the purpose of the carrying on of professional activities.</p> <p>4. A geologist who wishes to carry on professional activities within a partnership or joint-stock company must first provide the Order with the following documents: (1) a sworn declaration that meets the requirements of section 5, accompanied by the fees prescribed by the board of directors of the Order; (2) written confirmation from the competent authority that the partnership or joint-stock company complies with the professional liability coverage requirements of Division III; (3) in the case of a joint-stock company, a written document</p>	<p>APGNB Bylaws CERTIFICATES OF AUTHORIZATION 4.1.0 Partnerships, associations of persons, or corporations that offer or provide services to the public within the practice of the Professions shall obtain a Certificate of Authorization.</p> <p>4.1.1 The name of a partnership, association of persons, or corporation that practices the Professions in its own name and has been issued a Certification of Authorization is entered in the Register.</p> <p>4.1.2 A partnership, association of persons, or a corporation that has been issued a Certificate of Authorization and entered in the Register is not entitled to attend and vote at an Annual or Special Meeting of the Association, to be elected or appointed to Council, or to be appointed to Committees of Council.</p> <p>BOARD OF ADMISSIONS Composition & Authority 5.1.3 In carrying out the duties, the Board may: (d) confirm that requirements for Certificates of Authorization are satisfied.</p> <p>Standards – Certificate of Authorization 5.4.0 Annually, a partnership, an association of persons, or a corporation, desiring to practice the Professions in its own name, shall submit to the Board: (a) the names of all partners, officers, directors or full-time employees, who are Regular Members or Licencees, and who will be in charge of the practice of the Professions on its behalf, and whose duty it will be to ensure that the Act and the bylaws are complied with; (b) the address of any New Brunswick office and any office in which the practice of the Professions will be carried out; and (c) such other information as the Board may require to evaluate the qualifications of the applicant.</p>

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	<p>issued by the competent authority certifying the existence of the joint-stock company;</p> <p>(4) where applicable, a certified true copy of the declaration issued by a competent authority indicating that the general partnership has become a limited liability partnership;</p> <p>(5) written confirmation from the competent authority that the partnership or joint-stock company is registered in Québec;</p> <p>(6) written confirmation from the competent authority that the partnership or joint-stock company maintains an establishment in Québec; and</p> <p>(7) irrevocable written authorization from the partnership or joint-stock company within which the geologist carries on professional activities entitling a person, a committee, a disciplinary body or a tribunal referred to in section 192 of the Professional Code (chapter C-26) to require any partner or shareholder to produce and to obtain a document referred to in section 12, or a copy of such a document.</p> <p>5. The sworn declaration required by paragraph 1 of section 4 must be made on the form provided for that purpose by the Order and contain</p> <p>(1) the geologist's name, domicile address, status within the partnership or joint-stock company and professional activities carried on therein;</p> <p>(2) the name of the partnership or joint-stock company and any other names used in Québec and its business number assigned by the competent authority;</p> <p>(3) the legal form of the partnership or joint-stock company;</p> <p>(4) in the case of a joint-stock company, the address of its head office and establishments in Québec, the name of all shareholders and their domicile address, the percentage of voting and non-voting shares they hold, the name of the</p>	<p>5.4.1 In case the applicant does not have a functioning office in New Brunswick under the direct supervision of Regular Member or Licencee, non-resident status shall be indicated on the Certificate of Authorization.</p> <p>5.4.2 The applicant or Certificate of Authorization holder shall, whenever there is a change in the particulars given its application, give notice of the change to the Registrar within thirty days after the effective date of the change.</p> <p>DUES & FEES</p> <p>Dues</p> <p>6.1.0 An annual fee, hereinafter referred to as dues, shall be established each year by Council. An increase from the preceding year's dues, not exceeding five percent and an aggregate increase(s) over any consecutive three-year period not exceeding ten percent, may be authorized by Council. An increase exceeding the above shall take effect only when approved at an Annual or Special Meeting.</p> <p>6.1.2 Certificate of Authorization holders shall be assessed dues equal to one and one-quarter the amount in 6.1.0.</p> <p>Fees</p> <p>6.2.0 In addition to dues, a fee equal to the amount in 6.1.0 shall be paid by new Regular Members, Licencees, and Certificate of Authorization holders.</p> <p>GENERAL</p> <p>10.1.0 "Good Standing" means a Member, Licencee, or Certificate of Authorization holder who is not in arrears of any fees or other amount owing to the Association, and who is not under suspension.</p> <p>10.1.1 Applications for entrance in the Register or any other status contemplated in these by-laws shall, be in the form prescribed by</p>

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	<p>directors and officers and their domicile address and the professional order or equivalent to which they belong, if any;</p> <p>(5) in the case of a limited liability partnership, the address of its establishments in Québec, indicating its principal establishment, the name of all partners and their domicile address, and, where applicable, the name and domicile address of the directors appointed by the partners to manage the partnership, domiciled or not in Québec, and the professional order or equivalent to which they belong, if any;</p> <p>(6) where applicable, the date on which the general partnership became a limited liability partnership or a joint-stock company; and</p> <p>(7) an indication that the holding of shares or units and the rules governing the administration of the partnership or joint-stock company comply with the conditions set out in this Regulation.</p> <p>6. To maintain the right to carry on professional activities within a partnership or joint-stock company, a geologist must</p> <p>(1) update and submit, before 31 March of each year, the documents referred to in paragraphs 1, 2, 3 and 5 of section 4 and pay the fees prescribed by the board of directors; and</p> <p>(2) inform the secretary of the Order without delay of any change in or cancellation of the coverage under Division III, of the striking off, dissolution, assignment of assets, bankruptcy, voluntary or forced liquidation of the partnership or joint-stock company or of any other cause likely to prevent the partnership or joint-stock company from pursuing its activities, as well as of any change in the information provided in the declaration provided for in paragraph 1 of section 4 that may affect compliance with the conditions set out in section 3.</p>	<p>Council, include fees and dues prescribed by Council, and require successful conclusion of a Professional Practice Exam.</p> <p>MISCELLANY</p> <p>Mandatory Professional Liability Insurance</p> <p>11.6.0 Subject to 11.6.2, every person or holder of a Certificate of Authorization entered in the Register who offers or provides to the public, services that are within the practice of the Professions shall maintain in full force and effect at all times a policy of insurance issued by an insurer licensed to sell insurance in Canada to protect against claims resulting from errors or omissions of the practitioner. Such insurance shall be in an amount appropriate to the risk of the practice and not less than \$250,000 per claim and \$500,000 aggregate and shall be maintained for a period of at least three years following cessation of practice. Council may amend the minimum amounts above at a regular meeting of Council held prior to June 30 of any year to take effect on January 1 in the following year.</p> <p>11.6.2 A person eligible for entrance in the Register who is unable to obtain professional liability insurance because of the nature of the practice, may be exempted by Council from the requirement in 11.6.0 by submitting each year, with fees and renewal request, a sworn statement before a Notary Public or a Commissioner of Oaths stating reasons why insurance cannot be obtained. Council may grant an exemption in cases where insurance is not obtainable due to a past claim. A person who is exempted by Council under this clause shall notify all clients or customers in writing that they do not carry professional liability insurance and shall maintain a record that the clients or customers have acknowledged such in writing.</p>

	Ordre des Ingénieurs du Québec (OIQ) and Ordre des Géologues du Québec (OGQ)	The Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)
	<p>7. If more than one geologist carries on professional activities within the same partnership or joint-stock company, a representative may be designated who is to act on behalf of all the geologists in the partnership or joint-stock company to meet the requirements of sections 4 to 6. The representative must reply for all the geologists to requests made by the syndic, an inspector, an investigator or any other representative of the Order and submit, as applicable, the documents and information that the geologists are required to submit.</p> <p>The representative must be a geologist, carry on professional activities in Québec within the partnership or joint-stock company and be a partner or shareholder of the partnership or joint-stock company with voting rights.</p> <p>The declaration by the representative is deemed to be the declaration of each of the geologists of the partnership or joint-stock company. Except for paragraph 1 of section 6, the representative must ensure the accuracy of the information given in the declaration.</p> <p>DIVISION III PROFESSIONAL LIABILITY COVERAGE</p> <p>8. A geologist who carries on professional activities within a partnership or joint-stock company must furnish and maintain for that partnership or joint-stock company, either by an insurance or suretyship contract or by participation in group insurance contracted by the Order, or by contributing to a professional liability insurance fund established in accordance with section 86.1 of the Professional Code (chapter C-26), security against professional liability that the partnership or joint-stock company may incur as the result of fault or negligence on the part of geologists committed while carrying</p>	

	Ordre des Ingénieurs du Québec (OIQ) and Ordre des Géologues du Québec (OGQ)	The Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)
	<p>on professional activities within the partnership or joint-stock company.</p> <p>9. The security must provide the following minimum terms:</p> <p>(1) an undertaking by the insurer or the surety to pay in lieu of the partnership or joint-stock company, over and above the amount of the security to be furnished by the geologist pursuant to the Règlement sur l'assurance de la responsabilité professionnelle des membres de l'Ordre des géologues du Québec (chapter G-1.01, r. 2), or of any other coverage taken out by the geologist if it is greater, up to the amount of the security, any sum that the partnership or joint-stock company may be legally bound to pay to a third person on a claim filed during the coverage period and arising from fault or negligence on the part of the geologist committed while carrying on professional activities within the partnership or joint-stock company;</p> <p>(2) an undertaking by the insurer or the surety to take up the cause of the partnership or joint-stock company and defend it in any action against it and to pay, in addition to the amounts covered by the security, all costs and expenses of proceedings against the partnership or joint-stock company, including the costs of the inquiry and defence and the interest on the amount of the security;</p> <p>(3) an undertaking to maintain the security against all claims filed during the 5 years following the coverage period during which a geologist of the partnership or joint-stock company dies, leaves the partnership or joint-stock company or ceases to be a member of the Order;</p> <p>(4) a security amount of at least \$1,000,000 per claim and for all claims filed against the partnership or joint-stock company during a 12-month coverage period;</p>	

	Ordre des Ingénieurs du Québec (OIQ) and Ordre des Géologues du Québec (OGQ)	The Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)
	<p>(5) where a geologist is a sole practitioner, as the unique shareholder of a joint-stock company in which no other geologist is an employee, the coverage must be at least \$250,000 per claim and \$500,000 for all claims filed against the company in a 12-month coverage period; and</p> <p>(6) an undertaking by the insurer or surety to give 30 days' notice to the secretary of the Order prior to any cancellation or non-renewal of the insurance or suretyship contract or any amendment to the contract if the amendment affects a condition set out in this Regulation.</p> <p>10. The suretyship contract must be with a bank, savings and credit union or trust company or insurance company domiciled in Canada. The surety must also maintain sufficient property in Québec to satisfy the coverage under this Division.</p> <p>The surety will provide the coverage in accordance with the conditions of this Division and will pay the sum due by the partnership or joint-stock company, by waiving the benefit of division and discussion, in lieu of the partnership or joint-stock company up to the amount of the suretyship.</p> <p>DIVISION IV ADDITIONAL INFORMATION</p> <p>11. On a general partnership being continued as a limited liability partnership, or a joint-stock company being constituted, a geologist must send a notice to clients, on the date of the continuation or constitution, informing them of the nature and effects of the continuation or constitution, including as regards the geologist's professional liability and that of the partnership or joint-stock company.</p>	

	Engineers Nova Scotia	Geoscientists Nova Scotia
Provisions related to permits or certificates of authorization	<p>Act</p> <p>PARTNERSHIP AND COMPANIES</p> <p>Non-individual</p> <p>11(1) A partnership, association of persons or body corporate, shall not as such be registered as a member of the Association or licensed to practise.</p> <p>(2) A partnership, association of persons or body corporate, may undertake and carry out the application of engineering in its own name provided that one of its principal and customary functions is the application of engineering and such application of engineering is done under the supervision of a member or a full-time permanent employee thereof, who in either case is a member of the Association or is licensed to practise.</p> <p>Illegal practice by non-individual</p> <p>21 Any partnership, association of persons or body corporate, not having as a partner or full-time permanent employee a person who is a member or licensed to practise, that</p> <p>(a) undertakes or carries out the application of engineering;</p> <p>(b) uses verbally or otherwise any name, title, description or designation that may lead any person to believe that the partnership, association of persons, or body corporate is qualified or entitled to undertake or carry out the application of engineering; or</p> <p>(c) advertises, holds out or conducts itself in any way implying or intending to lead any person to believe that the partnership, association of persons or body corporate is qualified or entitled to undertake or carry out the application of engineering, shall be guilty of an offence and the partnership or any partner thereof, the association of persons or any member thereof, or the body corporate, or any director thereof shall be liable upon summary conviction to a fine of not less than one hundred dollars nor more than five hundred dollars and costs and on</p>	<p>Act</p> <p>Interpretation</p> <p>2 In this Act,</p> <p>(d) "certificate of authorization" means a certificate in force under this Act that is issued to a partnership, association of persons or a body corporate that meets the requirements of this Act for the practice of professional geoscience.</p> <p>Partnerships, associations and bodies corporate</p> <p>14(1) A partnership, association of persons or body corporate shall not be registered as a member of the Association or licensed to practise.</p> <p>(2) A partnership, association of persons or body corporate may undertake and carry out the application of geoscience in its own name if one of its principal and customary functions is the application of geoscience and such application of geoscience is carried on under the supervision of a member or full-time permanent employee of the partnership, association or body corporate who holds a certificate of registration or a licence to practise.</p> <p>(3) A partnership, association of persons or body corporate that, in the opinion of the Council expressed by a resolution of the Council, has complied with subsection (2) shall, in the manner prescribed by this Act and the by-laws, be issued a certificate of authorization.</p> <p>Offences</p> <p>25(1) Any partnership, association of persons or body corporate, not having as a partner or full-time permanent employee a person who holds a certificate of registration or a licence to practise, that</p> <p>(a) undertakes or carries out the application of geoscience;</p> <p>(b) uses verbally or otherwise any name, title, description or designation that may lead any person to believe that the partnership, association of persons, or body corporate is qualified or entitled to undertake or carry out the application of</p>

	Engineers Nova Scotia	Geoscientists Nova Scotia
	<p>failure to pay the same to imprisonment for not more than three months for the first offence, and for any subsequent offence to a fine of not less than two hundred dollars and not more than one thousand dollars and on failure to pay the same to imprisonment for not more than six months.</p> <p>Bylaws Partnerships, associations of persons, bodies corporate 13B(1) Every partnership, association of persons and body corporate which, pursuant to Section 10 of the Act, undertakes and carries out the application of engineering in its own name by providing engineering services to the public shall furnish to the Association, in the manner and form prescribed by this Section, the following information: (a) the names, addresses and occupations of all of the partners, members of the association of persons, or officers and directors of the body corporate, as the case may be; (b) the names of its members or full-time permanent employees, as the case may be, who are the members of the Association or persons licensed to practise under whose supervision engineering is applied; (c) a description of the nature of its business and professional activities, including areas of engineering specialization, and confirmation that one of its principal and customary functions is the application of engineering. (2) The information specified in subsection (1) shall be filed with the Registrar by way of an information return in such form as is prescribed from time to time by the Council. Every information return which is filed with the Registrar shall contain information which is in all respects current and accurate as of the date of filing. (3) An administrative fee of \$300.00 shall be payable to the</p>	<p>geoscience; or (c) advertises, holds out or conducts itself in any way implying or intending to lead any person to believe that the partnership, association of persons or body corporate is qualified or entitled to undertake or carry out the application of geoscience, is guilty of an offence and the partnership or any partner, the association of persons or any member of the association or the body corporate or any director of the body corporate is liable upon summary conviction for the first offence to a fine of not less than five thousand dollars and not more than twenty-five thousand dollars and costs, and on failure to pay the same to imprisonment for a period of not more than three months and for any subsequent offence to a fine of not less than ten thousand dollars and not more than fifty thousand dollars, and on failure to pay the same to imprisonment for a period of not more than six months. (2) Subsection (1) does not apply to a partnership, association of persons or body corporate entitled under the <i>Engineering Profession Act</i> to undertake and carry out the application of engineering in respect of the application of engineering or the performance of any act within, involving or related to engineering.</p> <p>APGNS Bylaws Partnerships, associations of persons, bodies corporate 13B(1) Every partnership, association of persons and body corporate which, pursuant to the Act, undertakes and carries out the application of geoscience in its own name by providing geoscience services to the public shall furnish to the Association, in the manner and form prescribed by this Section, the following information: (a) names, addresses and occupations of all of the partners, members of the association of persons, or officers and directors of the body corporate, as the case may be; (b) names of its members or full-time permanent employees, as</p>

	Engineers Nova Scotia	Geoscientists Nova Scotia
	<p>Registrar by every partnership, association of persons, and body corporate on each occasion that it files an information return as required by this Section.</p> <p>(4) Information returns shall be filed with the Registrar as follows:</p> <p>(a) every partnership, association of persons or body corporate which is engaged in providing engineering services to the public as of the date that this Section comes into force shall file an information return in prescribed form with the Registrar on or before a date fixed by the Council, which date shall not be less than thirty (30) days or more than ninety 9 (90) days after the coming into force of this Section. Thereafter, every such partnership, association of persons or body corporate shall, for as long as it continues to be engaged in providing engineering services to the public, annually file a further information return with the Registrar on or before January 1st of each year;</p> <p>(b) every partnership, association of persons or body corporate which becomes engaged in providing engineering services to the public after the date that this Section comes into force shall file the prescribed form of information return upon becoming so engaged. Thereafter every such partnership, association of persons or body corporate shall, for as long as it continues to be engaged in providing engineering services to the public, annually file a further information return with the Registrar on or before January 1st of each year.</p> <p>(5) Where a partnership, association of persons or body corporate has filed the prescribed form of information return together with the required administrative fee, and the Registrar is satisfied that the return contains all information required to be provided under subsection (1), the Registrar shall issue in the name of the partnership, association of persons or body corporate a certificate recording its compliance with the requirements of this Section. The certificate shall apply only</p>	<p>the case may be, who are the members of the Association or persons licensed to practise under whose supervision geoscience is applied;</p> <p>(c) a description of the nature of its business and professional activities, including areas of geoscience specialization, and confirmation that one of its principal and customary functions is the application of geoscience.</p> <p>(2) The information specified in subsection (1) shall be filed with the Registrar by way of an information return in such form as is prescribed from time to time by the Council. Every information return which is filed with the Registrar shall contain information which is in all respects current and accurate as of the date of filing.</p> <p>(3) Information returns shall be filed with the Registrar as follows:</p> <p>(a) every partnership, association of persons or body corporate which is or becomes engaged in providing geoscience services to the public shall, for as long as it is engaged in providing geoscience services to the public, annually file a further information return with the Registrar on or before January 1st of each year;</p> <p>(4) Where a partnership, association of persons or body corporate has filed the prescribed form of information return together with the required administrative fee, and the Registrar is satisfied that the return contains all information required to be provided under subsection (1), the Registrar shall issue in the name of the partnership, association of persons or body corporate a Certificate of Authorization with the requirements of this Section. The certificate shall apply only during the calendar year in which it is issued, and shall be in such form as is prescribed from time to time by the Council. Issuance of such a certificate shall indicate compliance with the requirements of this Section only, and shall not affect, and shall not be deemed to affect, any right, duty, obligation or liability imposed by or under the Act on any partnership, association of persons, or body corporate respecting the application of geoscience.</p> <p>(5) The Registrar shall maintain a record of partnerships, associations of persons and bodies corporate which have filed</p>

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	<p>during the calendar year in which it is issued, and shall be in such form as is prescribed from time to time by the Council. Issuance of such a certificate shall indicate compliance with the requirements of this Section only, and shall not affect, and shall not be deemed to affect, any right, duty, obligation or liability imposed by or under the Act on any partnership, association of persons, or body corporate respecting the application of engineering.</p> <p>(6) The Registrar shall maintain a record of partnerships, associations of persons and bodies corporate which have filed information returns in accordance with the requirements of this Section, which record will include information from which it can be ascertained from time to time which partnerships, associations of persons and bodies corporate hold current certificates of compliance under this Section.</p>	<p>information returns in accordance with the requirements of this Section, which record will include information from which it can be ascertained from time to time which partnerships, associations of persons and bodies corporate hold current certificates of compliance under this Section.</p>
	<p>“registrant” means either a member, a person licensed to practise or an engineer-in-training; discipline provisions apply only to registrants.</p>	<p>Complaints and discipline provisions don’t apply to holders of certificates of authorization.</p>

	Engineers PEI	Professional Engineers and Geoscientists Newfoundland and Labrador (PEGNL)
Provisions related to permits or certificates of authorization	<p>Act</p> <p>1. In this Act (e) "certificate of authorization" means a certificate which is issued under this Act to a partnership, association of persons or corporation that is entitled to practise professional engineering in Prince Edward Island; (m) “holder” means the holder of a certificate of authorization issued and in force under the provisions of this Act.</p> <p>POWERS OF THE ASSOCIATION</p> <p>4. The Association is empowered (e) to establish and maintain a register of professional</p>	<p>Act</p> <p>Definitions</p> <p>2. In this Act (g) "permit holder" means a professional member, a partnership or other association of persons, or a corporation, that holds a permit under this Act;</p> <p>Registration</p> <p>11. A person who (a) has met the requirements for registration that may be prescribed by the board; and (b) pays the fees set by the association,</p>

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	<p>engineers and holders of certificates of authorization, which register shall be the official register of persons and holders that are entitled to practice professional engineering within the Province of Prince Edward Island;</p> <p>(f) to prescribe the amount and collect the annual dues and other fees payable by any person or holder of a certificate of authorization upon such terms and conditions as provided in the bylaws;</p> <p>(g) to exempt any person or holder of a certificate of authorization from the payment of any such fee or dues for such reasons and upon such terms and conditions as provided in the bylaws;</p> <p>(k) to prescribe the nature and extent of the information required to be filed with the Registrar by a holder of certificate of authorization;</p> <p>(o) to issue a certificate of authorization to any partnership, association of persons or corporation which is qualified to practice professional engineering in the Province of Prince Edward Island.</p> <p>PARTNERSHIPS AND COMPANIES</p> <p>6. (1) No partnership, association of persons or corporation shall as such be a member, or a licensee, or shall, except as authorized by this section, practise professional engineering.</p> <p>(2) Any partnership, association of persons or corporation that holds a certificate of authorization may, in its own name, practise professional engineering if it</p> <p>(a) engages in the practice of engineering as one of its principal functions; and</p> <p>(b) has a member or licensee of the association who, as principal of the association of persons, partner of the partnership, director or full-time employee of the corporation, is responsible for the practice of engineering and its supervision.</p> <p>(3) A partnership, association of persons or corporation may apply for a certificate of authorization by submitting to the Registrar an application in the form prescribed by the Council containing</p>	<p>is entitled to be registered as a professional engineer or geoscientist.</p> <p>Permit holders</p> <p>12. (1) A professional member, partnership, corporation or other association of persons that proposes to provide the services of a professional member directly to the public shall apply to the board for a permit to provide those services.</p> <p>(2) An applicant for a permit under subsection (1) shall pay the fee set by the association for the permit.</p> <p>(3) As a condition of receiving a permit, a professional member, partnership, corporation or association of persons shall provide proof that he or she has obtained professional liability insurance coverage in a form and amount satisfactory to the board.</p> <p>Register</p> <p>13. (1) The registrar shall keep a register in which shall be entered the names of all persons registered, under section 11 and all professional members, partnerships, corporations or other associations of persons issued a permit under section 12.</p> <p>Exclusive scope of the practice of engineering</p> <p>14. (1) A person, corporation, partnership or other association of persons, except a professional engineer or a permit holder, shall not engage in the practice of engineering.</p> <p>(2) A professional engineer or permit holder may engage in the practice of surveying except land surveying as defined in the <i>Land Surveyors Act, 1991</i> and as defined for geological and geophysical surveying in the practice of geoscience.</p> <p>Exclusive use of name engineer</p> <p>15. (2) A person, corporation, partnership or other association of persons, except a professional engineer or permit holder, shall not</p> <p>(a) use the word "engineer or engineering" in combination with a name, title, description, letter, symbol or abbreviation, except</p>

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	<p>(a) the names and addresses of all its officers and directors, as the case may be;</p> <p>(b) the names and addresses of all officers, directors or full-time employees who are members or licensees, who will be in charge of the practice of professional engineering on its behalf, and whose duty it will be to ensure that this Act, and the bylaws, are complied with by the applicant; and</p> <p>(c) the address of its head office and any office in which the practice of engineering in Prince Edward Island will be carried out.</p> <p>(4) The applicant or holder of a certificate of authorization shall, whenever there is a change in the particulars given in its application to be given to Registrar made under subsection (3), give notice of the change to the Registrar within thirty days after the effective date of the change.</p> <p>(5) If the provisions of subsection (3) are met, and upon payment of fees as prescribed in the bylaws, the applicant shall upon approval of the Council, be entitled to a certificate of authorization and if the applicant does not have a functioning office in Prince Edward Island under the direct supervision of an engineer, non-resident status shall be indicated on the certificate of authorization.</p> <p>(6) Where a holder of a certificate of authorization fails to comply with subsection (2) or (3), the certificate is automatically revoked and the partnership, association of persons or corporation shall not practice engineering until a new certificate of authorization is issued.</p> <p>(7) If the Council finds that the holder of a certificate of authorization has failed to observe any of the provisions of this section, or has been guilty of conduct that would, in the case of a member or licensee be professional misconduct or incompetence, the Council may reprimand the holder, or suspend or revoke its certificate of authorization.</p> <p>REGISTRATION</p> <p>7. (1) The Registrar shall keep a register provided by the Council and enroll therein in the manner provided by the bylaws</p>	<p>a registered engineering geologist, that represents expressly or by implication that he or she is a professional engineer or permit holder;</p> <p>(b) represent, expressly or by implication, that</p> <p>(i) he or she is entitled to engage in the practice of engineering, or</p> <p>(ii) he or she is a professional engineer or permit holder; or</p> <p>(c) affix the stamp or seal of a professional engineer or permit holder, or allow that stamp or seal to be affixed to a plan, drawing, detail drawing, specification, other document or reproduction of either of them unless</p> <p>(i) the plan, drawing, detail drawing, specification, other document or reproduction was prepared by or under the supervision and control of a professional engineer,</p> <p>(ii) the stamp or seal is affixed with the knowledge and consent or in accordance with the direction of the professional engineer or permit holder to whom the stamp or seal was issued, and</p> <p>(iii) a professional engineer signs the stamp or seal affixed.</p> <p>Exclusive scope of the practice of geoscience</p> <p>16. (1) A person, corporation, partnership or other association of persons, except a professional geoscientist or a permit holder, shall not engage in the practice of geoscience.</p> <p>Exclusive use of name geoscientist</p> <p>17. (2) A person, corporation, partnership or other association of persons, except a professional geoscientist or a permit holder, shall not</p> <p>(a) use the word "geoscientist" in combination with a name, title, description, letter, symbol or abbreviation that represents expressly or by implication that he or she is a professional geoscientist or permit holder;</p> <p>(b) represent, expressly or by implication, that</p> <p>(i) he or she is entitled to engage in the practice of geoscience, or</p>

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	<p>the names and addresses of all persons who are members, licensed to practise, engineers-in-training and holders of certificates of authorization.</p> <p>(4) The Registrar upon resolution of the Council and receipt of the fee prescribed by the bylaws shall issue a certificate of authorization to the partnership, association of persons, or corporation which has been approved to receive such certificate.</p> <p>(5) The form of the certificate or license shall be as prescribed in the bylaws.</p> <p>EXEMPTED PERSONS</p> <p>9. (1) Every person who is a member, licensed to practise, an engineer-in-training, or a holder of a certificate of authorization shall pay, on or before January 1 in each year to the treasurer or any person authorized by the Council to receive it, the annual dues as prescribed in the bylaws.</p> <p>(2) The annual dues shall be deemed to be a debt due by such person or holder of a certificate of authorization to the Association, and recoverable with costs in the name of the Association in any court of competent jurisdiction.</p> <p>(3) If any member, licensee, engineer-in-training or holder of a certificate of authorization fails to pay the annual dues within such time as prescribed by the bylaws, the Registrar, after issuing ten days notice by registered letter addressed to the latest known address of such person or holder on the register, shall cause the name of such person or holder to be removed from the register and such person or holder shall thereupon cease to be a member, licensee, engineer-in-training or holder of a certificate of authorization.</p> <p>(4) Any member, licensee, engineer-in-training or holder of certificate of authorization whose name is so removed from the register shall be entitled, upon payment of such penalties and annual dues as prescribed in the bylaws and compliance with such other directions as established by the Council, to</p>	<p>(ii) he or she is a professional geoscientist or permit holder; or</p> <p>(c) affix the stamp or seal of a professional geoscientist or permit holder, or allow that stamp or seal to be affixed to a report or document, or a reproduction, unless</p> <p>(i) the report or document or reproduction was prepared by or under the supervision and control of a professional geoscientist,</p> <p>(ii) the stamp or seal is affixed with the knowledge and consent or under the direction of the professional geoscientist or the permit holder to whom the stamp or seal was issued, and</p> <p>(iii) a professional geoscientist signs the stamp or seal.</p> <p>Requirement for permit</p> <p>18. (1) A professional member shall not offer or provide professional services directly to the public unless the member has a permit issued under section 12.</p> <p>(2) A permit issued under section 12 may contain those restrictions on the practice of engineering or geoscience that the board considers appropriate.</p> <p>Definition</p> <p>20. In this section and sections 21 to 37,</p> <p>(c) "conduct deserving of sanction" includes</p> <p>(iii) conduct unbecoming a professional member or permit holder,</p> <p>(f) "respondent" means a current or former professional member or permit holder against whom an allegation is made.</p> <p>Allegation</p> <p>22. (3) Where the registrar has been informed that a professional member or permit holder has been convicted of an offence under the provisions of the Criminal Code or a similar penal statute of another country or has been suspended by a governing body of professional members and permit holders in another province or territory of Canada or another territory or</p>

	Engineers PEI	Professional Engineers and Geoscientists Newfoundland and Labrador (PEGNL)
	<p>reinstatement of his certificate of registration, license to practise, certificate of engineer-in-training or certificate of authorization.</p> <p>ENGINEERING QUALIFICATIONS COMMITTEE 12. (1) The Council shall, in the manner provided by the bylaws, appoint an Engineering Qualifications Committee. (2) The Committee shall in the manner provided in the bylaws (a) examine and report to the Council on all degrees, diplomas, certificates and other credentials presented or given in evidence for the purpose of obtaining a certificate of registration, license to practise, enrollment as an engineer-in-training or certificate of authorization;</p> <p>DISCIPLINE 13. (2) The procedure to be followed before reprimanding and censuring any member, person licensed to practise or engineer-in-training, or suspending or cancelling the certificate of registration of any member or the license to practise of any person or the enrollment of any engineer-in-training or a certificate of authorization shall be as set out in sections 16, 19 and 20.</p> <p>ACT ENFORCEMENT OFFICER 15. (2) The Act Enforcement Officer shall be by virtue of his office a member of the Act Enforcement Committee and shall investigate complaints against a member, licensee, engineer-in-training, holder of certificate of authorization or any other person, partnership or corporation who is alleged to have violated any provision of this Act or bylaws.</p> <p>PROFESSIONAL MISCONDUCT AND INCOMPETENCE 18. (1) A member, licensee, engineer-in-training or holder of a certificate of authorization may be found guilty of professional misconduct by the Discipline Committee if (a) the member, licensee, engineer-in-training or holder of a certificate of authorization has been found guilty of an offence</p>	<p>country for reason of professional misconduct, conduct unbecoming a professional member or permit holder, or professional incompetence, the information shall be dealt with by the registrar as an allegation.</p> <p>Complaints authorization committee 24. (1) Where an allegation has been submitted to the complaints authorization committee, the committee may exercise one or more of the following powers: (a) refer the allegation back to the registrar for an investigation or alternative dispute resolution in accordance with the regulations; (b) conduct an investigation itself or appoint a person to conduct an investigation on its behalf; and (c) conduct a practice review into the respondent's practice; and (d) require the respondent to appear before it.</p> <p>Guilty plea by respondent 28. (1) Where a respondent pleads guilty to one or more of the charges set out in a complaint, the adjudication tribunal shall, without calling evidence or hearing witnesses, unless the tribunal believes it is appropriate to do so, hear submissions from the parties.</p> <p>(2) Where a respondent pleads guilty, and following submissions under subsection (1), the adjudication tribunal may (a) reprimand the respondent; (b) order that the respondent be suspended for a fixed period that it considers appropriate, until conditions which it may impose are fulfilled, or until further order of the adjudication tribunal; (c) allow or direct the respondent to surrender his or her registration or permit to the board upon those conditions that may be considered appropriate and strike the respondent's name from the register;</p>

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	<p>which, in the opinion of the Committee, is relevant to suitability to engage in the practice of engineering; or</p> <p>(b) the member, licensee, engineer-in-training or holder of a certificate of authorization has been guilty, in the opinion of the Committee, of conduct that is not in the best interest of the public or tends to harm the standing of the Association.</p> <p>HEARINGS</p> <p>19. (6) In proceedings before the Discipline Committee, the Association and the member, licensee, engineer-in-training or the holder of a certificate of authorization, whose conduct is being investigated, are parties.</p> <p>PROCEDURE FOLLOWING HEARING</p> <p>20. (2) Upon completion of the hearing, the Discipline Committee may pass a resolution dismissing the complaint or, if the Discipline Committee finds a member, licensee, engineer-in-training or the holder of a certificate of authorization guilty of professional misconduct or incompetence, or in breach of any of the requirements of this Act or any bylaws made hereunder, the Committee may, by order, do any one or more of the following:</p> <p>(a) revoke the right to practise professional engineering for a stated period of time after which time the person or holder of certificate of authorization may reapply for membership, license to practise, enrollment as an engineer-in-training or certificate of authorization;</p> <p>(c) accept the undertaking of the member, licensee, engineer-in-training or holder of a certificate of authorization to limit the professional work in the practice of engineering to the extent specified in the undertaking;</p> <p>(e) impose specific restrictions on the member, licensee or engineer-in-training or holder of a certificate of authorization including</p> <p>(i) requiring the member, licensee, or engineer-in-training to engage in the practice of engineering only under the personal supervision and direction of a member,</p>	<p>(d) impose a fine not to exceed \$25,000 to be paid to the association;</p> <p>(e) order that the respondent pay the costs or a part of the costs incurred by the association in the investigation and hearing of the complaint;</p> <p>(f) order that the registrar publish a summary of the decision including the information set out in subsection 30(4) and other information that the tribunal may specify; and</p> <p>(g) order that the respondent comply with one or more of the following:</p> <p>(i) make restitution to the complainant or other person affected by the conduct of the respondent,</p> <p>(ii) obtain medical treatment,</p> <p>(iii) obtain counselling,</p> <p>(iv) obtain substance abuse counselling or treatment, until the respondent can demonstrate to the board or other body or person designated by the adjudication tribunal that a condition related to substance abuse rendering the respondent incapable or unfit to practise has been overcome,</p> <p>(v) engage in continuing education programs,</p> <p>(vi) complete a course of studies satisfactory to the board or another body or person designated by the adjudication tribunal,</p> <p>(vii) report on his or her compliance with an order made under this section and authorize others involved with his or her treatment or supervision to report on it,</p> <p>(viii) restrict his or her practice or continue his or her practice under specified conditions,</p> <p>(ix) permit periodic inspection of records relating to his or her practice, or</p> <p>(x) impose other requirements that are just and reasonable in the circumstances.</p> <p>Powers of adjudication tribunal</p> <p>29. (1) Upon the hearing of a complaint, an adjudication tribunal shall decide whether or not a respondent is guilty of conduct deserving of sanction.</p> <p>(3) Where an adjudication tribunal decides that a respondent is</p>

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	<p>(ii) requiring the member, licensee, or engineer-in-training to not alone engage in the practice of engineering,</p> <p>(iii) requiring the member, licensee, engineer-in-training or the holder of the certificate of authorization to submit to periodic inspections by the Committee, or its designate, of documents, records and work of the member, licensee, engineer-in-training or the holder of a certificate of authorization in connection with his practice of engineering,</p> <p>(iv) requiring the member, licensee, engineer-in-training or the holder of the certificate of authorization to report to the Discipline Committee or its designate on such matters with respect to the member's, licensee's, engineer-in-training or holder's practice of engineering for such period and times, and in such form, as the Committee may specify;</p> <p>(f) reprimand, admonish or counsel the member, licensee, engineer-in-training or the holder of certificate of authorization, and if considered warranted, direct that the fact of the reprimand, admonishment or counselling be recorded on the register for a stated or unlimited period of time;</p> <p>(8) Subject to subsections 21(4) and (5), where a certificate of registration, license to practise, certificate of enrollment as engineer-in-training, or certificate of authorization is revoked or suspended, the former holder thereof shall forthwith deliver the certificate of registration, license to practise, certificate of enrollment, or certificate of authorization and any related seal to the Registrar.</p> <p>PENALTIES</p> <p>23. (2) Any partnership, association of persons, or corporation which does not hold a valid certificate of authorization under section 6, which</p> <p>(a) engages in the practice of professional engineering;</p> <p>(b) uses verbally or otherwise any name, title, description or designation that may lead any person to believe that such partnership, association of persons, or corporation is qualified or entitled to undertake or carry out the application of</p>	<p>guilty, it may</p> <p>(a) reprimand the respondent;</p> <p>(b) order that the respondent be suspended for a fixed period that it considers appropriate, until conditions which it may impose are fulfilled, or until further order of the adjudication tribunal;</p> <p>(c) allow or direct the respondent to surrender his or her registration or permit to the board upon those conditions that may be considered appropriate and strike the respondent's name from the register;</p> <p>(d) impose a fine not to exceed \$25,000 to be paid to the association;</p> <p>(e) order that the respondent pay the costs or a part of the costs incurred by the association in the investigation and hearing of the complaint;</p> <p>(f) order that the registrar publish a summary of the decision including the information set out in subsection 30(4) and other information that the tribunal may specify; and</p> <p>(g) order that the respondent comply with one or more of the following:</p> <p>(i) make restitution to the complainant or other person affected by the conduct of the respondent,</p> <p>(ii) obtain medical treatment,</p> <p>(iii) obtain counselling,</p> <p>(iv) obtain substance abuse counselling or treatment, until the respondent can demonstrate to the board or other body or person designated by the adjudication tribunal that a condition related to substance abuse rendering the respondent incapable or unfit to practise has been overcome,</p> <p>(v) engage in continuing education programs,</p> <p>(vi) complete a course of studies to the satisfaction of the board or other body or person designated by the adjudication tribunal,</p> <p>(vii) report on his or her compliance with an order made under this section and authorize others involved with his or her treatment or supervision to report on it,</p> <p>(viii) restrict his or her practice or continue his or her practice</p>

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	<p>engineering; or (c) advertises, holds out or conducts itself in any way implying or intending to lead any person to believe that such partnership, association of persons or corporation is qualified or entitled to undertake or carry out the application of engineering, commits an offence punishable on summary conviction.</p> <p>RECOVERY OF CHARGES FOR PROFESSIONAL ENGINEERING SERVICES 27. No person, partnership, association of persons, or corporation shall be entitled to the payment or recovery of any fees or charges in any court, or otherwise, for any service performed within the practice of professional engineering unless, at the time the services were performed, the person was registered or licensed under this Act or the partnership, association of persons, or corporation was the holder of a valid certificate of authorization.</p> <p>BYLAWS 28. (1) The Association may make bylaws relating to the administrative and domestic affairs of the Association consistent with the provisions of this Act for (a) the discipline and honor of the profession, and the discipline and control of its members, licensees, engineers-in-training, and holders of certificates of authorization; (c) the examination and admission of candidates for membership, license to practise, engineer-in-training and certificate of authorization.</p> <p>Bylaws of Engineers PEI</p> <p>4. PRACTICE BY FIRMS 4.1 Application for a Certificate of Authorization shall be in the form prescribed by Council and shall include fees and dues as prescribed by the By-laws. 4.2 Prior to issuing a certificate of authorization, Council shall</p>	<p>under specified conditions, (ix) permit periodic inspection of records relating to his or her practice, or (x) impose other requirements that are just and reasonable in the circumstances.</p> <p>De-registration and suspension 31. (1) Where a professional member or permit holder is allowed or directed to surrender his or her registration or permit, his or her rights and privileges as a professional member or permit holder cease. (2) Where a professional member or permit holder is suspended, his or her rights and privileges as a professional member or permit holder cease for the period of suspension. (3) Where conditions or restrictions have been imposed upon a respondent's ability to carry on his or her practice, his or her rights and privileges as a professional member or permit holder shall be limited to the extent specified by the conditions or restrictions.</p> <p>Failure to comply 32. (1) On application by the board to the disciplinary panel, an adjudication tribunal may make an order suspending the rights and privileges of a respondent where it determines that the respondent has failed to comply with a decision or an order under subsection 28(2) or 29 (3). (2) The parties to the application are the board and the respondent. (3) An order of an adjudication tribunal under this section may suspend the rights and privileges of the respondent for a fixed period that the adjudication tribunal may consider appropriate, or until conditions which it may impose are fulfilled, or until further order of the adjudication tribunal.</p> <p>Regulations 38. (1) The board may, with the approval of the minister, make</p>

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	<p>be satisfied that the applicant has a Member or Licensee who is in charge of the practice of engineering on its behalf.</p> <p>4.3 Prior to undertaking the practice of engineering in any calendar year any holder of a certificate of authorization shall submit to the Registrar, in the form prescribed by Council, current information updating that contained in its original application. Annual dues shall accompany the submission. Upon approval of the submission by Council, the Association shall issue evidence of validation which shall be attached to the certificate of authorization.</p> <p>5. FEES AND DUES</p> <p>5.2 Classes of Fees</p> <p>The classes of fees charged by the Association shall be as follows:</p> <ul style="list-style-type: none"> - Registration fee for a Member - Registration fee for a Provisional Member - Registration fee for a Licensee - Registration fee for a Provisional Licensee - Registration fee for an Engineer-in-Training - Transfer fee for membership where the applicant is a member of another Association of Professional Engineers in Canada - Stamp or Seal - Assessment of Qualifications (Non Canadian) - Writing the National Professional Practice Examination - Certificate of Authorization. <p>5.12 A licence to practise or a certificate of authorization which is not renewed for the year by the last day of January shall be deemed to have lapsed and application for a new licence or certificate as the case may be, together with fees and dues in accordance with Sections 5.2 and 5.3, shall be required for reinstatement.</p> <p>6. MANAGEMENT</p> <p>6.2 Duties of Officers</p> <p>6.2.4 The duties of the Secretary shall include:</p> <p>(c) receiving all applications for registration, enrolment,</p>	<p>regulations</p> <p>(g) governing the names which members and permit holders may use in the practice of the professions;</p> <p>(i) establishing categories of professional engineers or geoscientists or permit holders and prescribing the restrictions of practice and the privileges and obligations of the categories;</p> <p>(k) governing the eligibility for registration of persons, firms, partnerships and other associations of persons as permit holders.</p> <p>Use of stamp</p> <p>39. (1) A professional member shall sign and stamp or seal and a permit holder shall stamp or seal all documents or records in accordance with the regulations.</p> <p>(2) A person other than a professional member or permit holder shall not use a stamp or seal issued by the registrar under this Act.</p> <p>Practice prohibitions</p> <p>42. (1) A person whose registration as an engineer, geoscientist or permit holder is cancelled or suspended under this Act shall not, without the consent of the board, engage in the practice of engineering or of geoscience or directly or indirectly associate in the practice of engineering or of geoscience with another member or permit holder.</p> <p>(2) A professional engineer, geoscientist or permit holder shall not, except with the consent of the board, associate in the practice of engineering or of geoscience directly or indirectly with or employ a person whose registration has been cancelled or suspended under this Act.</p> <p>(3) The board may permit a member or permit holder to employ in connection with the practice of engineering or of geoscience a person whose registration has been cancelled or suspended under this Act, in the capacity and subject to the terms and conditions that are prescribed by the board.</p>

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	<p>certificate of authorization, or licensing together with all supporting documents.</p> <p>6.2.9 The duties of the Registrar shall include (a) receiving and presenting to the Engineering Qualifications Committee all applications for membership, licence to practise, enrolment as an engineer-in-training or certificate of authorization, and keeping a full and correct record of such applications and the Council's resolutions on each application; (c) issuing all certificates of registration, licence to practise, enrollment as an engineer-in-training and certificates of authorization; (d) recording in the Register the names of Members, Licensees, Engineers-in-Training and holders of Certificates of Authorization removed, with the date and reason for removal.</p> <p>7. MEETINGS 7.1 Meetings of Council 7.1.6 Council shall determine its meeting agenda. Agenda items shall include but not necessarily be limited to the following: (e) deal with Engineering Qualifications Committee recommendations regarding applications for membership, licence to practise, engineer-in-training and certificate of authorization.</p> <p>9.3 Act Enforcement Committee 9.3.3 The Act Enforcement Committee shall consider and investigate (a) complaints regarding the conduct of any Member, Licensee, Engineer-in-Training or holder of a certificate of authorization; and (b) suspected violations of the Engineering Profession Act or By-laws.</p> <p>9.5 Engineering Qualifications Committee 9.5.2 The Committee shall: (a) consider all applications for membership, licence to practise,</p>	<p>REGULATIONS Definitions 2. In these regulations (i) "professional member in responsible charge" means a professional member who in the normal day to day work routine of that professional member directly supervises and is responsible for all work performed by a permit holder in the engineering or geoscience discipline of the permit.</p> <p>Applications for registration and renewal of registration 3. (1) Applications for registration and renewal of registration as a professional member, permit holder, member-in-training or examination candidate shall be made to the registrar in the required form and accompanied by the required fees. (2) An application for registration made in accordance with subsection (1) shall be referred by the registrar to the registration committee.</p> <p>PART II REGISTRATION OF PERMIT HOLDERS Requirements for registration of permit holders 9. (1) To be eligible for registration as a permit holder, a sole proprietor shall, in addition to other applicable requirements of the Act, the regulations and the by-laws, (a) make application for registration in accordance with section 3 including payment of required fees; (b) be a currently registered professional member in professional good standing; (c) satisfy the registration committee that all aspects of the practice of the applicant in each discipline of professional engineering or professional geoscience are performed by the sole proprietor; and (d) provide proof to the registrar of professional liability insurance coverage in the form and amount prescribed and published by the board. (2) To be eligible for registration as a permit holder, a partnership, limited partnership or other association of persons or corporation shall, in addition to other applicable requirements</p>

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	<p>enrolment as an engineer-in-training and certificate of authorization submitted to it by the Registrar and not previously disposed of by Council.</p>	<p>of the Act, the regulations and the by-laws, (a) make application for registration in accordance with section 3 including payment of required fees; (b) satisfy the registration committee that all aspects of the practice in each discipline of professional engineering or professional geoscience of the applicant are directly supervised by a professional member who is (i) a professional member in responsible charge, (ii) an employee of the partnership, limited partnership or other association of persons or corporation, and (iii) currently registered and in professional good standing; and (c) provide proof to the registrar of professional liability insurance coverage in the form and amount prescribed and published by the board. (3) The practice of professional engineering or geoscience of a permit holder shall be restricted to the discipline or disciplines specified in the permit.</p> <p>Association to be kept informed 10. (1) A permit holder shall keep the registrar advised at all times of the names of professional members who are in responsible charge and shall immediately notify the registrar of changes, whether temporary, indefinite or permanent, in the status of a professional member in responsible charge for the permit holder. (2) The professional member in responsible charge shall, on relinquishing that responsibility whether temporarily, indefinitely or permanently, immediately notify the registrar to that effect.</p> <p>Conditions for continuing registration of permit holders 11. (1) The registration of a permit holder shall expire annually on December 31. (2) The registrar shall annually renew the registration of a permit holder which (a) makes application for renewal of registration in accordance</p>

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		<p>with section 3 including payment of required fees; (b) continues to meet the requirements of subsection 9 (1) or (2); and (c) continues to satisfy the applicable requirements of the Act, the regulations and the by-laws for eligibility for registration as a permit holder. (3) A permit holder which has not met the requirements for registration renewal set out in subsection (2) before the expiry date provided in subsection (1) shall be considered to not be registered under the Act, starting from that expiry date and continuing until the permit holder meets the requirements for registration renewal.</p> <p>Control and use of stamps and seals 12. (1) When a permit is issued under the Act and the regulations, the registrar shall provide the permit holder with a stamp or seal. (2) A permit holder shall inscribe the stamp or seal issued to the permit holder with the year for which the permit is valid. (3) The stamp or seal issued to the permit holder shall be under the control of and only used by the professional member in responsible charge of the professional practice in which the permit holder is engaged. (4) When the practice of professional engineering or geoscience is carried on by a permit holder, all plans, specifications, reports and documents shall (a) in the case of a sole proprietorship, be signed by and sealed with the stamp or seal of the professional member who is the sole proprietor and who is responsible for and has supervised their preparation; (b) in the case of a partnership, limited partnership or other association of persons or a corporation, be signed by and sealed with the stamp or seal of the professional member who is responsible for and has supervised their preparation; and (c) in all cases, carry the permit holder stamp or seal issued to the permit holder. (5) The stamp or seal referred to in subsection (1) shall remain</p>

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		<p>the property of the association and shall be surrendered to the association when demanded by the registrar.</p> <p>Action by registration committee 25. (1) The executive committee of the registration committee and, where considered appropriate by the executive committee, the registration committee shall appraise an application for registration as a professional member, permit holder, member-in-training or examination candidate which is received through the registrar.</p> <p>PART VII GENERAL Expiry and cancellation of registration 33. (1) The registration of a professional member, permit holder or member-in-training who is in default of payment of required fees for renewal of registration, or who has not met another requirement for annual renewal of registration, shall expire on the date of the annual expiry of the registration. (2) The registration of a professional member, permit holder or member-in-training who is in default of payment of required fees, dues or levies, other than required fees for renewal of registration, may be cancelled after the expiration of 30 days following personal service or service by certified mail on the professional member, limited licensee, permit holder or member-in-training of a written notice by the Registrar under this section unless the person on whom the notice is served complies with the notice. (3) A notice under subsection (2) shall state that the registrar may cancel the registration or revoke the permit, without further notice, unless the fees, dues or levies are paid as indicated in the notice. (4) The board or the registration committee may direct the registrar to cancel a registration or revoke a permit which was entered or issued in error. (5) The registration of a professional member, permit holder, member-in-training or examination candidate under the Act and</p>

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		<p>the regulations may, on notice, be suspended, cancelled or its renewal withheld by the board or the registration committee for failure of the professional member, the permit holder, the professional member in responsible charge of a permit holder, member-in-training or examination candidate to meet the requirements set out in the Act or the regulations for continuing registration.</p> <p>(6) The registrar, upon direction from the board, may give notice to the profession and to the public of an action taken under this section.</p> <p>By-law No. 1 (Administrative Bylaw)</p> <p>7. Communication with Members and Permit Holders. 7.1 Current Addresses All members and permit holders of PEGNL shall provide the registrar with their current address and advise the registrar of any change of address within 30 days.</p> <p>9. Seals 9.1 Use of Seals Use of seals by professional members and permit holders shall be in accordance with the Regulations and the latest edition of PEGNL's "Guidelines for Use of the Seal."</p> <p>10. Certificates 10.2 Permit Holders The registrar shall issue to each permit holder annually a registration number and correspondence confirming the professional category in which the permit holder is entitled to practice.</p> <p>By-law No. 2 (Professional Liability Insurance By-Law)</p>

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		<p>2. Mandatory Professional Liability Insurance</p> <p>2.1 Every permit holder shall maintain in full force and effect at all times a policy of insurance to protect against claims resulting from errors or omissions of the permit holder and of professional members providing professional services to the public as an employee of or otherwise in association with the permit holder. Such insurance shall be in an amount appropriate to the risk of the practice, and not less than \$250,000 per claim and \$500,000 aggregate. The board may amend the minimum amounts above at a regular meeting of the board held prior to June 30 of any year, with the amendment to take effect on January 1 in the following year.</p> <p>2.2 A permit applicant must submit with its application, and a permit holder must submit upon expiration of its insurance policy, a certificate of insurance issued by the insurer stating the amount of coverage provided and the term of the policy. The Registrar may require that the insurance certificate state that the registrar shall be notified should the insurance policy be cancelled.</p> <p>2.3 Notwithstanding section 2.1, professional liability insurance coverage is not required to be maintained by a permit holder if all of the following circumstances exist:</p> <ul style="list-style-type: none"> (a) the permit holder provides professional services exclusively to one or more firms, partnerships, corporations, or other entities which are identified by the permit holder to the registrar, hereinafter referred to as the “identified client or clients”; (b) the professional services provided to the identified client or clients are covered by a policy of insurance maintained by the identified client or clients; and (c) the permit holder provides evidence satisfactory to the registrar that the coverage provided pursuant to subsection 2.3 (b) is equivalent to the coverage contemplated by section 2.1. <p>2.4 Notwithstanding section 2.1, professional liability insurance coverage is not required to be maintained by a permit holder if all of the following circumstances exist:</p> <ul style="list-style-type: none"> (a) if an ancillary, but not primary, function of the permit holder is to provide professional services directly to the public;

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		<p>(b) the professional services provided to the public are covered by a policy of insurance maintained by the permit holder; and (c) the permit holder provides evidence satisfactory to the registrar that the coverage provided pursuant to subsection 2.4 (b) is equivalent to the coverage contemplated by section 2.1.</p> <p>2.5 A permit holder who is unable to obtain professional liability (errors or omissions) insurance because of the nature of the professional services provided, where the board is satisfied that such inability is of general application to those professional services and is not due to the past claims record or any other issue particular to the permit holder, may be exempted in whole or in part from the requirements of section 2.1. A permit holder who is exempted by the board under this section shall notify all clients or customers in writing of the particulars of the exemption and shall maintain a record that the clients or customers have acknowledged such notice in writing, which record is to be made available to the registrar upon request. The board may also, as a condition for such exemption, require that particulars of the exemption be published in such manner as the board deems fit, including by posting on the PEGNL website.</p> <p>2.6 A permit holder claiming to be covered under a policy of insurance as contemplated by section 2.3 or 2.4, or who has been partially or wholly exempted from the requirements of section 2.1 as contemplated by section 2.5, may be required to provide such evidence of such coverage or to support the exemption as may be required by the registrar or the board from time to time. Without limiting the foregoing, a permit holder who is granted an exemption under section 2.5 may be required to apply annually for renewal of that exemption, and provide on such application for renewal such further or updated evidence and declarations to support the exemption as may be required by the registrar or the board.</p> <p>2.7 The failure to comply with provisions of this by-law may be the subject of an allegation of professional misconduct and the subject of the disciplinary procedures of the Act.</p>

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Provisions related to permits or certificates of authorization	<p>Act Definitions 1 In this Act, "permit holder" means a partnership or other association of persons or a corporation or other entity that holds a permit under this Act.</p> <p>PART 1 SCOPE OF PRACTICE Exclusive scope of the practice of engineering 2(1) Except as otherwise provided in this Act, no individual, corporation, partnership, or other entity, except a professional engineer, a holder of a limited licence so authorized in their limited licence, or a permit holder so authorized in its permit shall engage in the practice of engineering.</p> <p>Exclusive use of the name Engineer 3(1) No individual, corporation, partnership or other entity, except a professional engineer, or the holder of a limited licence or a permit holder entitled to engage in the practice of engineering, shall</p> <p>(a) use</p> <p>(i) the title "professional engineer", the abbreviation "P. Eng.", or any other abbreviation of that title, or</p> <p>(ii) the word "engineer" or any derivative thereof in combination with any other name, title, description, letter, symbol, or abbreviation that represents expressly or by implication that they are a professional engineer, the holder of a limited licence, or a permit holder;</p> <p>(b) represent or hold out, expressly or by implication, that they are</p> <p>(i) entitled to engage in the practice of engineering, or</p> <p>(ii) a professional engineer, holder of a limited licence or permit holder; or</p> <p>(c) affix the stamp or seal of a professional engineer, holder of a limited licence, or permit holder, or permit that stamp or seal to be affixed, to a plan, drawing, detail drawing, specification, or other document or a reproduction of any of them unless</p>	<p>Act INTERPRETATION Definitions 1. (1) In this Act "permit holder" means a firm registered as a permit holder and holding a permit issued under subsection 23(3); "registrant" means a member, licensee or member-in-training; "registration" means registration under section 16 as a member, licensee or member-in-training or under section 23 as a permit holder.</p> <p>(2) For the purposes of this Act, a person is deemed to be working under the direct supervision of a professional engineer or professional geoscientist if the circumstances under which the work is done are such that the professional engineer or professional geoscientist</p> <p>(a) has made the decisions on technical matters of policy and design; and</p> <p>(b) has exercised his or her professional judgment in all engineering or geoscientific matters that are embodied in the plans, designs, specifications, reports or other documents in respect of which the supervision is exercised.</p> <p>PART 1 NORTHWEST TERRITORIES ASSOCIATION OF PROFESSIONAL ENGINEERS AND GEOSCIENTISTS Bylaws 5. (1) The Association may make bylaws not inconsistent with this Act respecting</p> <p>(g) the Association's financial affairs, including the fixing, payment and collection of application, registration and annual fees payable by registrants and permit holders;</p> <p>(l) the issuance of stamps to members, licensees and permit holders, and their use of the stamp.</p> <p>10. (2) The Executive Director shall</p> <p>(a) maintain, in respect of each designated profession, registers</p>

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	<p>(i) that plan, drawing, detail drawing, specification, other document or reproduction was prepared by or under the supervision and control of, and</p> <p>(ii) the stamp or seal is affixed with the knowledge and consent or in accordance with the direction of the professional engineer or holder of a limited licence, or the permit holder that the stamp or seal was issued to.</p> <p>PART 3 REGULATIONS AND BYLAWS</p> <p>Regulations</p> <p>12(1) The Council may make regulations</p> <p>(e) respecting the eligibility of applicants for registration as a professional engineer, holder of a limited licence, or permit holder to engage in the practice of engineering;</p> <p>(l) governing the names under which professional engineers, holders of limited licences, and permit holders may engage in the practice of the profession;</p> <p>(n) establishing classes or categories of professional engineers, holders of limited licences, or permit holders, and prescribing the restrictions of practice and the privileges and obligations of the classes or categories so established;</p> <p>(o) respecting the control and use of stamps and seals by professional engineers, holders of limited licences, and permit holders;</p> <p>(p) governing the eligibility for registration of persons, firms, partnerships, and other entities as permit holders;</p> <p>(q) governing the operation of permit holders;</p> <p>(y) respecting application for registration of professional engineers, holders of limited licences, permit holders, or engineers-in-training; the issuing and revoking of certificates, permits, licenses, stamps, and seals; disciplinary matters and the practice of engineering generally.</p> <p>Bylaws</p> <p>13(1) The Council may make bylaws</p> <p>(p) respecting the establishment, content, and maintenance of</p>	<p>of members, licensees, permit holders and members-in-training.</p> <p>PART 2 PRACTICE</p> <p>Prohibitions</p> <p>11. (1) Subject to this Act, no person other than a member, licensee or permit holder shall</p> <p>(a) engage in the practice of professional engineering or professional geoscience;</p> <p>(b) use, orally or otherwise, the title "professional engineer", "ingénieur", "professional geoscientist", "géoscientifique" or any variation or abbreviation of those titles;</p> <p>(c) use, orally or otherwise, any name, title, occupational designation or position description in which the term "engineer", "ingénieur", "geoscientist" or "géoscientifique" appears, or use any variation or abbreviation of those names, titles, designations or descriptions in a manner that implies that he or she</p> <p>(i) is a professional engineer or professional geoscientist,</p> <p>(ii) is a person qualified to practice professional engineering or professional geoscience; or</p> <p>(d) advertise, hold himself or herself out as, or act in such a manner as to imply that he or she is a professional engineer or professional geoscientist or a person so qualified.</p> <p>PART 3 REGISTRANTS AND PERMIT HOLDERS</p> <p>Board of Examiners</p> <p>12. (1) Council shall, in accordance with the bylaws, designate a Board of Examiners in Engineering and Geoscience responsible for appraising academic and experience qualifications of applicants for registration under this Act, and for setting and conducting examinations.</p> <p>Permits</p> <p>23. (1) In this section, "firm" includes a partnership, corporation or association of persons.</p> <p>(2) A permit holder may practice professional engineering or professional geoscience in the name of the firm.</p>

	Engineers Yukon	Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG)
	<p>registers of members, holders of limited licences, and permit holders to be kept by the registrar;</p> <p>(r) requiring professional engineers, holders of limited licences, and permit holders to inform the registrar in writing of their current mailing addresses and of any change of address immediately after the change occurs;</p> <p>(s) prescribing the form of a certificate of registration, a limited license to practice, a permit, an annual certificate, and any other form in relation to the business of the Association.</p> <p>PART 4 REGISTRATION Registers and membership records 14(1) The registrar shall maintain, in accordance with the bylaws and subject to the direction of the Council, a register for each of the following: (b) permit holders;</p> <p>(2) The registrar shall enter in the appropriate register the name of a person who has paid the fee prescribed under the bylaws, and (c) whose registration to engage in the practice of the profession as a permit holder has been approved by the Council.</p> <p>Evidence of Registration 15(3) On entering the name of a permit holder in the register, the registrar shall issue to that person (a) a permit to engage in the practice of engineering as a permit holder as authorized in the permit; and (b) a stamp or seal engraved as prescribed in the regulations. (4) A certificate of registration, or a license of limited right to practice, or a permit issued under this section, entitles the holder to engage in the practice of engineering subject to this Act, the regulations, and bylaws and any conditions imposed on the granting of this right.</p> <p>Annual certificate</p>	<p>(3) Council shall register as a permit holder and issue a permit to a firm that (a) files an application in the form provided by Council; (b) pays all the required fees; and (c) appoints at least one member or licensee who is a full-time employee, partner or officer of the firm to serve as its professional representative and to assume responsibility for the professional conduct of the firm.</p> <p>(4) Where a firm maintains an office in the Northwest Territories or Nunavut, at least one professional representative must be resident in that territory unless Council, in its discretion, dispenses with that requirement.</p> <p>(5) The registration of a permit holder under this section may be terminated or renewal of the registration may be withheld by Council, if the permit holder fails to observe any of the conditions set out or referred to in this Act governing registration of a permit holder and the issue of a permit.</p> <p>(6) Nothing in this section prevents a firm from practising professional engineering or professional geoscience without a permit if the work (a) is performed by an employee who is a member or licensee; (b) is used exclusively by the firm and is not used by or delivered to another party; and (c) does not affect the safety of any person.</p> <p>24. A permit holder may not be registered as a member or licensee.</p> <p>Stamp 25. (1) Council shall, in accordance with the bylaws, issue a stamp to a person registered as a member, licensee or permit holder. (2) A member, licensee or permit holder shall stamp plans, designs, specifications, reports and similar documents in accordance with the bylaws. (3) A member, licensee or permit holder shall cease any further use of the stamp on termination or non-renewal of registration.</p>

	Engineers Yukon	Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG)
	<p>16(1) A professional engineer, holder of a limited licence, or permit holder engaged in the practice of engineering, shall pay to the Association the annual fee prescribed under the bylaws.</p> <p>(2) The registrar shall issue an annual certificate in accordance with the bylaws to a professional engineer, holder of a limited licence, or permit holder</p> <p>(a) whose registration is not under suspension; and</p> <p>(b) who has paid the annual fee.</p> <p>(3) Subject to this Act and the conditions imposed on a holder of a limited licence of limited right to practice, an annual certificate entitles the professional engineer, holder of a limited licence, or permit holder to engage in the practice of engineering during the year for which the annual certificate is issued.</p> <p>(4) An annual certificate expires on December 31 of the year for which it is issued.</p> <p>Entries to registers</p> <p>17(1) The registration of a professional engineer, holder of a limited licence to practice, or permit holder is suspended when the decision to suspend the registration is made in accordance with this Act.</p> <p>(2) The registrar shall enter a memorandum of suspension of a registration in the appropriate register indicating</p> <p>(a) the duration of the suspension; and</p> <p>(b) the reason for the suspension.</p> <p>(3) The registration of a professional engineer, holder of a limited licence or permit holder is cancelled when the decision to cancel the registration is made in accordance with this Act.</p> <p>(4) The registrar shall enter a memorandum of cancellation of registration in the appropriate register.</p> <p>Cancellation on request</p> <p>19(1) The registrar shall not cancel the registration of a professional engineer, holder of a limited licence, or permit holder at their request unless the request for the cancellation has been approved by the Council.</p>	<p>Fees</p> <p>27. (1) A registrant or permit holder shall pay in advance to the Association the annual fee fixed under the bylaws.</p> <p>(2) If a registrant or permit holder does not pay the annual fee within 90 days after the day on which it becomes due, Council may direct the Executive Director to terminate registration</p> <p>(3) A registrant or permit holder whose registration has been terminated under subsection (2) may be readmitted to the Association</p> <p>(a) on application to Council;</p> <p>(b) on payment of the registration fee applicable to new applications; and</p> <p>(c) on payment of the annual fees.</p> <p>PART 4 DISCIPLINE</p> <p>28. (1) In this Part, "practitioner" means a registrant and a permit holder and a person who was formerly a registrant or a permit holder.</p> <p>35. (1) On completion of the preliminary investigation, the Investigative Committee shall</p> <p>(a) issue a direction that no further action be taken if it finds that the complaint does not provide a basis for a finding of unprofessional conduct;</p> <p>(b) issue a reprimand to the practitioner, if it finds that the investigated conduct constitutes unprofessional conduct, and if it further finds that the conduct is not of such gravity or importance as to warrant suspension or termination of the practitioner's registration; or</p> <p>(c) issue a direction that a hearing be held in respect of the complaint.</p> <p>Decision</p> <p>42. (2) If, on completion of a hearing, the Board of Inquiry</p> <p>(a) finds that the conduct under inquiry is unprofessional conduct, and</p>

	Engineers Yukon	Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG)
	<p>(2) When a request for cancellation of a registration is approved by the Council</p> <p>(a) the registrar shall cancel that registration; and</p> <p>(b) the professional engineer, holder of a limited licence, or permit holder requesting the cancellation shall, on being notified of the approval, surrender to the registrar the certificate of registration, permit, annual certificate and the stamp or seal issued by the registrar.</p> <p>Approval of permit by the Council</p> <p>23(1) The Council shall approve the registration as a permit holder of a corporation, partnership, or other entity that has applied to the Council and is eligible under this section and the regulations to become registered engage in the practice of engineering as a permit holder.</p> <p>(2) A corporation, partnership, or other entity that applies to the Council is eligible to become registered as a permit holder entitled to engage in the practice of engineering if it satisfies the Council that it complies with the Act and the regulations.</p> <p>Cancellation</p> <p>24(1) The Council may direct the registrar to cancel the registration of</p> <p>(a) a professional engineer, holder of a limited licence, or permit holder who is in default of payment of annual fees or any other fees, dues or levies payable under this Act;</p> <p>(b) a holder of a limited licence who does not comply with the conditions under which the licence was granted; or</p> <p>(c) a permit holder if it no longer has employees in compliance with this Act</p> <p>after the expiration of 30 days following the service on the professional engineer, holder of a limited licence, or permit holder of a written notice by the Council pursuant to subsection (2), unless the professional engineer, holder of a limited licence, or permit holder on whom the notice is served complies with the notice.</p> <p>(2) The notice under subsection (1) shall state that the registrar</p>	<p>(b) further finds that the conduct is not of such gravity or importance as to warrant suspension or termination of the practitioner's registration, the Board may reprimand the practitioner.</p> <p>(3) If, on completion of a hearing, the Board of Inquiry</p> <p>(a) finds that the conduct under inquiry is unprofessional conduct, and</p> <p>(b) further finds that the conduct is of sufficient gravity or importance as to warrant suspension or termination of the practitioner's registration, the Board may order that</p> <p>(c) the practitioner's registration in the relevant register of the Association be suspended for the period the Board considers appropriate, or</p> <p>(d) the practitioner's registration in the relevant register of the Association be terminated.</p> <p>(4) The Board of Inquiry may order that a practitioner whose registration has been terminated under this section must, as a condition for reinstatement by Council,</p> <p>(a) pass examinations set by the Board of Examiners; and</p> <p>(b) pass a particular course of study or obtain experience generally or in a field of practice satisfactory to the Board of Examiners.</p> <p>(5) Notwithstanding anything in this Act, Council may not register any practitioner whose registration has been terminated under this section, unless Council is satisfied that the practitioner has complied with any order made under subsection (4).</p> <p>43. The Board of Inquiry may, in addition to a reprimand, or in addition to or in the place of an order under subsection 42(3), order</p> <p>(a) the practitioner to pay a fine not exceeding \$10,000 to the Association within the time fixed by the order;</p> <p>(b) the practitioner to pay to the Association the costs of the hearing in an amount and within a time fixed by the Board; and</p> <p>(c) that the practitioner be suspended in default of payment of a fine or costs until the fine or costs are paid.</p>

	Engineers Yukon	Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG)
	<p>will cancel the registration unless</p> <p>(a) the fees, dues, or levies are paid as indicated in that notice; or</p> <p>(b) evidence satisfactory to the Council is supplied to the Council within the time prescribed in the notice, indicating that the holder of a limited licence complies with the conditions under which the license of limited right to practice was granted; or</p> <p>(c) evidence satisfactory to the Council is supplied to the Council, within the time prescribed in the notice, indicating that the permit holder has employees in compliance with this Act.</p> <p>(3) On application by the holder of a limited licence or a permit holder whose registration has been cancelled under this section, the Supreme Court may</p> <p>(a) declare whether or not there exist grounds for the Council's direction under paragraph 1(a) or 1(b) and order that the holder's registration not be cancelled, or that it be reinstated, if grounds for the Council's direction do not exist; and</p> <p>(b) stay the cancellation of the holder's registration until the Court's decision on whether or not there exist grounds for the Council's direction under paragraph 1(a) or (b), if the Court is satisfied that no public interest and no private interest of a client of the holder will be prejudiced by granting the stay.</p> <p>(4) The Council may direct the registrar to cancel the registration of a professional engineer, holder of a limited licence, or permit holder that was entered in error in the register.</p> <p>(5) If the registration of a professional engineer, holder of a limited licence, or permit holder has been cancelled under this section, they shall immediately surrender to the registrar every certificate of registration, license, permit, stamp or seal issued to them.</p> <p>(6) If a registration has been cancelled pursuant to subsection (1), the Council may direct the registrar, subject to any conditions that the Council may prescribe, to reinstate that registration in the applicable register and reissue the certificate of registration or permit and the stamp or seal.</p>	<p>45. (1) Subject to subsection (2), a practitioner whose registration is suspended or terminated shall not practice professional engineering or professional geoscience from the date of the suspension or termination until the suspension ends or the registration is reinstated.</p> <p>(2) The practitioner may continue to practice with the written approval of Council for the purpose of completing or transferring work started before the suspension or termination of registration.</p> <p>NAPEG Bylaws</p> <p>Executive Director</p> <p>15. The Executive Director shall be responsible for:</p> <p>a) maintaining, in respect of each designated profession, a register of Members, Licensees, Permit Holders and Members-in-Training;</p> <p>Application for Registration.</p> <p>Application for Registration</p> <p>17(a) Application for registration as members, licensees, permit holders, and members-in-training shall be made to the Executive Director on the application forms approved by Council. The appropriate registration fee shall accompany the application.</p> <p>(e) Applications that have been approved by the Board of Examiners shall be reviewed by the membership committee and forwarded to the Council together with a recommendation for disposition. The list of mobility applicants and permit holders, approved by the Executive Director, shall be forwarded to Council at each Council meeting.</p> <p>(g) Application for registration as a permit holder shall be made to the Executive Director. The Executive Director shall register applicants immediately, who qualify under Section 23. (3) of the Act, provided all requirements for registration have been met.</p>

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	<p>(7) Despite subsection (5), if a person applies to the Council to be reinstated more than one year after the date on which their registration was cancelled, the Council shall not direct the registrar to reinstate them.</p> <p>PART 5 DISCIPLINE</p> <p>Definitions</p> <p>25 In this Part, “investigated person” means a professional engineer, holder of a limited licence, permit holder or engineer-in-training with respect to whose conduct an investigation is held under this Part.</p> <p>Suspension until investigation and hearing</p> <p>36(1) Despite anything in this Act, the Discipline Committee may suspend the registration of a professional engineer, holder of a limited licence, permit holder, or engineer-in-training until a preliminary investigation or a decision of the Discipline Committee.</p> <p>Powers of the Discipline Committee</p> <p>44 If the Discipline Committee finds that the conduct of the investigated person is unprofessional conduct or unskilled practice of the profession or both, the Discipline Committee may make any one or more of the following orders</p> <p>(a) reprimand the investigated person;</p> <p>(b) suspend the registration of the investigated person for a specified period;</p> <p>(c) suspend the registration of the investigated person either generally or from any field of practice until</p> <p>(i) they have completed a specified course of studies or obtained supervised practical experience, or</p> <p>(ii) the Discipline Committee is satisfied as to the competence of the investigated person generally or in a specified field of practice;</p> <p>(d) accept in place of a suspension the investigated person’s undertaking to limit their practice;</p>	<p>Fees</p> <p>19 (b) The annual fee for a permit holder shall be fixed by Council from time to time and shall not be less than the annual fee for a member.</p> <p>(c) The registration fee for a licensee and permit holder shall consist of an administrative charge established by Council from time to time.</p> <p>Use of the Stamp</p> <p>28.(d) Upon registration, each Permit Holder shall be issued a permit stamp. The custodian of the permit stamp shall be an officer or employee of the Permit Holder authorized to control its use.</p> <p>(e) The permit stamp shall be signed only after the professional or professionals taking responsibility have affixed their personal stamps. The officer or employee, so authorized by the Permit Holder, shall sign across the imprint of the stamp and indicate the date of the signature.</p> <p>Code of Ethics</p> <p>30. Members, Licensees, Permit Holders, and Members-in-Training shall conform to the Code of Ethics appended hereto. A breach of the Code of Ethics shall constitute conduct unbecoming which is subject to disciplinary action.</p>

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	<p>(e) impose conditions on the investigated person's entitlement to engage in the practice of the profession generally or in any field of the practice, including the conditions that they</p> <ul style="list-style-type: none"> (i) practice under supervision, (ii) not engage in sole practice, (iii) permit periodic inspections by a person authorized by the Discipline Committee, or (iv) report to the Discipline Committee on specific matters; <p>(f) direct the investigated person to pass a particular course of study or satisfy the Discipline Committee as to their practical competence generally or in a field of practice;</p> <p>(g) direct the investigated person to satisfy the Discipline Committee that a disability or addiction can be overcome, and suspend the person until the Discipline Committee is so satisfied;</p> <p>(h) require the investigated person to take counselling or to obtain any assistance that in the opinion of the Discipline Committee is appropriate; or</p> <p>(i) direct the investigated person to waive, reduce or repay a fee for services rendered by the investigated person that, in the opinion of the Discipline Committee, were not rendered or were improperly rendered;</p> <p>(j) cancel the registration of the investigated person.</p> <p>Fraudulent registration 55(1) If the Council is satisfied, after a hearing on the matter, that a person or permit holder whose registration is entered in a register obtained registration by any false or fraudulent representation or declaration, either oral or written, the Council shall order that the registration be cancelled.</p> <p>Surrender of certificates 56(1) If the registration of a professional engineer, holder of a limited licence, or permit holder has been cancelled or suspended under this Part, any certificate, permit, stamp or seal issued shall immediately be surrendered to the registrar.</p>	

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	<p>PART 6 GENERAL Use of stamp or seal 59(1) A professional engineer, holder of a limited licence, or permit holder shall sign and stamp or seal documents or records in accordance with the regulations. (2) No person other than a professional engineer, holder of a limited licence, or permit holder shall use a stamp or seal issued by the registrar under this Act.</p> <p>PART 7 PROHIBITIONS AND PENALTIES Practice prohibitions 63(1) A person whose registration as a professional engineer, holder of a limited licence, or permit holder is cancelled or suspended under this Act shall not engage in the practice of engineering with any other professional engineer, holder of a limited licence, or permit holder without the consent of the Council.</p> <p>Regulation</p> <p>Classes of membership 4. Classes of membership in the Association are: (a) professional member; (b) permit holder; (c) licensee; (d) engineer in training; (e) retired member; (f) life member.</p> <p>Application for registration 5. An application for membership in the Association in any of the classes of membership shall be made to the Registrar and shall be referred by the Registrar to the Board of Examiners for evaluation if: (a) made on a form approved by the Board of Examiners, and (b) fully completed with all necessary documentation, and</p>	

	Engineers Yukon	Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG)
	<p>(c) is accompanied by all necessary fees</p> <p>Qualifications for registration 7. An applicant for registration as a permit holder shall satisfy Council that all engineering work carried out by the partnership, corporation, firm or association of persons applying for the permit will be carried on under the direct personal supervision of a permanent employee or member of the partnership, corporation, firm or association of persons who is: (a) a professional member or licensee of the Association, and (b) qualified by education and experience in fields of engineering in which the partnership, corporation, firm or association of persons intends or offers to engage.</p> <p>Permit holders 14. Any partnership, corporation, firm or association of persons that wishes to practise in its own name may apply to be a permit holder.</p> <p>15. Any partnership, corporation, firm or association of persons who is accepted as a permit holder of the Association may: (a) practise engineering in its own name in the Yukon Territory; (b) use any of the terms “engineer”, “engineering” or a derivative thereof in its corporate name.</p> <p>16. When the practice of engineering is carried on by a permit holder all final plans, specifications, reports or documents produced shall: (a) be signed by, dated and sealed by the professional member or licensee of the Association who is responsible for them and who supervised their preparation; and (b) be dated and stamped with the seal issued to the permit holder pursuant to these Regulations.</p> <p>17. A permit holder shall keep the Association advised of the name of the professional member or licensee of the Association</p>	

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	<p>who is a permanent employee or member of the firm, partnership, corporation or association of persons and is directly and personally supervising the practice and assuming responsibility therefore.</p> <p>18. The professional member or licensee accepting responsibility for the practice of a permit holder shall, on relinquishing that responsibility for any reason, forthwith advise the Registrar to that effect.</p> <p>19. A seal issued to a permit holder shall at all times be under the control of and only used by the professional members or licensees assuming direct supervision and responsibility for the professional practice in which the permit holder engages.</p> <p>Revocation of membership 28. Any membership in the Association may be revoked or its renewal withheld by the Council for failure of the member to observe any of the conditions set forth in the Act or the Regulations governing the issuance of membership or where the member has been guilty of unprofessional conduct or unskilled practice of the profession.</p> <p>Discipline 34.(1) Any member whose registration has been cancelled as a result of disciplinary proceedings may apply to the Council to be reinstated. (2) An application for reinstatement shall not be made until at least one year after the date on which the registration was cancelled, or from the date on which the Court made its order confirming or varying the decisions of Council, as the case may be. (3) In the case of a member whose registration has been cancelled the Council may require the former member to demonstrate by means prescribed by Council that they are competent to re-engage in the practice of engineering</p>	

	Engineers Yukon	Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG)
	<p>Code of ethics 37. All members of the Association shall conduct themselves in accordance with the Code of Ethics in Schedule A of these Regulations. The Code of Ethics shall on request be made available to the general public.</p>	

Appendix 3 – Permit to Practice

Alberta Self-Regulating Professional Associations Summary and Analysis

This table summarizes the research on criteria for permits and certificates of authorization in the legislation of other self-regulating professional associations in Alberta. Appendix 3A contains the relevant legislative provisions that form the basis of this summary. This research shows that:

- a permit or registration is required for corporations or other entities. In some cases, it is specifically stated that a permit or registration is available to individuals though it may not be mandatory.
- the rights typically associated with holding a permit include practising the profession and/or using reserved titles
- the criteria associated with being a responsible member vary from one association to the other but generally include being a member of the association and supervising the practice
- the entity that issues or cancels such authorizations is typically the registrar or executive director or council or the discipline committee, based on specified criteria
- application requirements and fees are typically set by council; authentication requirements are specified when applicable

Professional Association	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Chartered Professional Accountants of Alberta (CPAA)	Law Society of Alberta	Alberta Association of Architects
What is this authorization called?	Permit to practice	Registration as a professional corporation Registration as a professional accounting firm	Permit	Permit Council may grant preliminary letter of approval for an architectural corporation pending incorporation under the <i>Business Corporations Act</i> .
Who has to get it?	Partnerships or other associations of persons or corporations to engage in the practice of engineering or geoscience Corporations, partnerships, or other entities	Professional accounting firms to perform an audit engagement, review engagement, or any aspect of a professional accounting practice Professional corporations to	Corporations to practise as barristers or solicitors	Architectural corporations to engage in the practice of architecture

Professional Association	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Chartered Professional Accountants of Alberta (CPAA)	Law Society of Alberta	Alberta Association of Architects
		engage in the practice of professional or public accounting using names containing the words “professional corporation” or “PC”		
Is it mandatory or voluntary?	Mandatory	Mandatory subject to some exceptions	Mandatory	Mandatory
Which types of entities can get it?	Partnerships or other associations of persons, corporations, or other entities	Members of CPAA, professional corporations, and partnerships must register as professional accounting firms unless the practice is conducted in a registered professional accounting firm. A person can be registered as a professional corporation.	Corporations (A firm means a sole practitioner – a professional corporation that is not part of a partnership, a limited liability partnership (LLP))	Architectural corporations
Can individual practitioners get it?	Not specified (see notes below)	Yes	Yes (one-person professional corporations)	Not specified Registrar maintains information as to whether a registered architect is a sole practitioner, in partnership, a director of an architectural corporation, or an employee
What rights go along with the authorization?	Can engage in the practice of engineering or geoscience subject to the act, regulations, and bylaws Can use prescribed titles and words	See “Who has to get it?” above. Can use name of CPAA and titles	Can carry on the practice of a barrister or solicitor in its own name Name can contain “Professional Corporation” or “PC.”	Can engage in the practice of architecture in its corporate name or another name approved by Council pursuant to regulations Can use prescribed names

Professional Association	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Chartered Professional Accountants of Alberta (CPAA)	Law Society of Alberta	Alberta Association of Architects
			Right to sue to recover fees for services Can use prescribed words in corporate name	
What criteria must be met to be a responsible member?	Full-time, permanent employee or member of the partnership who is also a Professional Member or Licensee and who is qualified in the field in which the corporation intends to engage	All directors of the professional corporation must be members of the CPAA. Designates of a professional accounting firm must be a member of the CPAA.	Law firms must designate a responsible lawyer. Must: <ul style="list-style-type: none"> • be an active member of the Society • if employed by or contracting with a law firm, be covered by professional liability insurance (PLI) and be covered by trust safety insurance program • reside in Canada • apply for approval to Executive Director • fulfill any conditions in relation to approval 	Full-time, permanent employees who are registered architects The majority of the directors and officers must be registered architects.
What obligations do responsible members have?	Direct supervision and responsibility for the practice Must certify that the corporation has in place and will follow a professional practice management plan that is appropriate to its professional practice Must attend a practice	Designated member of a professional accounting firm receives correspondence and answers questions from CPAA and is the firm's representative for the purposes of Part 4 (Practice Review), Part 5 (Complaints Inquiry Process), and Part 7 (Appeals and Court Enforcement of Decisions)	Accountable for: (a) the controls in relation to and the operation of all law firm trust accounts and general accounts (b) the accuracy of all reporting requirements of the law firm (c) the accuracy of all filing requirements of the law firm (d) any of subrule (1)(a), (b),	Assume direct personal supervision, direction, and control of the practice

Professional Association	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Chartered Professional Accountants of Alberta (CPAA)	Law Society of Alberta	Alberta Association of Architects
	<p>seminar acceptable to Council every 5 years</p> <p>Must advise Association if there is a change in the person responsible</p>	<p>Must ensure that the professional accounting firm carries required insurance for six years following cessation</p> <p>Must immediately advise the CPAA of any changes to the PLI policy, including any changes to the type of coverage or named insureds</p>	<p>or (c) that have been delegated to another person</p>	
Who issues the authorization?	Approved by Council	<p>Registrar or registration committee</p> <p>Articles of proposed professional corporation must also be approved by resolution.</p>	<p>Executive Director</p> <p>Articles of incorporation must also be approved.</p>	Council
Who cancels the authorization?	<p>Registrar with approval by or at direction of Council</p> <p>Council can revoke.</p> <p>Discipline committee</p>	<p>The Registrar can cancel the registration of PC in prescribed circumstances</p> <p>Registrar can only delete information regarding PCs only in accordance with directives</p> <p>If PC's registration is suspended or cancelled, Registrar must notify Registrar of Corporations and the shareholders of the PC.</p> <p>Discipline tribunal</p>	Executive Director	<p>Registrar and Council</p> <p>Complaint review committee or panel or, on appeal, Council</p>
On what basis can an	At request of permit holder	If provisions related to use of name, voting of shares	Conditions specified for issuing permit no longer	Default in payment of fees, dues, costs, or levies.

Professional Association	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Chartered Professional Accountants of Alberta (CPAA)	Law Society of Alberta	Alberta Association of Architects
authorization be cancelled (other than by discipline committee or equivalent body)?	<p>Default of payment of fees, dues, or levies</p> <p>No longer has employees in compliance with the act</p> <p>Entered in error</p> <p>Contravenes act, regulation, or a term or condition of the permit</p>	<p>restrictions, or updating information after change in organization are not complied with, or if PC ceases to be in good standing under the <i>Business Corporations Act</i></p> <p>Failure to meet continuing registration requirements</p> <p>Discipline tribunal roster chair can cancel for conviction for indictable offence</p> <p>Falsely obtained registration</p>	<p>continue to exist</p> <p>Permit is revoked if the sole voting shareholder is disbarred.</p>	<p>No longer has shareholders, directors, or officers in compliance with the regulations</p> <p>Entered in the register in error</p> <p>Upon request of architectural corporation, Registrar can cancel only with approval by Council.</p> <p>Council can cancel registration obtained by fraud.</p>
Other ongoing regulatory authority	<p>Subject to practice review and discipline provisions</p> <p>Must comply with Code of Ethics</p> <p>Permit Holder must keep Association advised of the name of the Responsible Member.</p>	<p>PC must inform registrar within 15 days of any change in the articles, ownership, or directors of the PC or the name of the PC.</p> <p>All registrants must meet requirements for continuing registration and are subject to complaints inquiry process.</p> <p>Professional accounting firm is subject to practice review provisions.</p>	<p>Must inform the Executive Director of any change in particular within 15 days of change (Form 8-2)</p>	<p>Must advise the Registrar of any change in the shareholders, directors, or officers immediately after the change occurs</p> <p>Continued compliance with requirements</p> <p>Must provide required information to Council each year</p> <p>Subject to practice review and discipline provisions.</p>
Application	<p>Made to Registrar in the form and containing the information required by Council with application fee.</p>	<p>Application for registration as a PC is complete if it is in the required form and provided to the CPAA with required information or evidence and</p>	<p>Application must be filed in the form prescribed by the Benchers (Form 8-1).</p> <p>Must submit copy of</p>	<p>Certificate of incorporation issued by the Registrar of Corporations</p> <p>Other prescribed evidence</p>

Professional Association	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Chartered Professional Accountants of Alberta (CPAA)	Law Society of Alberta	Alberta Association of Architects
		<p>fees provided for by resolution</p> <p>Application for approval of articles of incorporation is provided for by resolution</p> <p>Application for registration as a professional accounting firm is complete if it is in the form provided for by resolution and provided to the CPAA with required information or evidence and fees, and name of designate</p>	<p>certificate of incorporation under <i>Business Corporations Act</i> and articles of incorporation approved by Executive Director</p>	<p>and information</p>
Fees	<p>The annual fee for a Permit Holder shall be fixed by Council from time to time and shall be not less than the annual fee for a Professional Member or Licensee, assuming direct personal supervision of and responsibility for the practice of the Permit Holder</p> <p>Annual fee may be waived or reduced by Council.</p>	<p>Approval of application fees are provided for by resolution.</p>	<p>Fees are prescribed by the rules.</p>	<p>Registration fee and annual fees are prescribed by resolution of Council.</p>
Professional liability insurance	<p>Not currently required for any category or type of membership</p>	<p>Alberta LLPs must be insured in accordance with the regulations.</p> <p>Professional accounting firms must be insured in accordance with the bylaws.</p>	<p>Compulsory insurance for members, visiting lawyers, foreign legal consultants, and responsible lawyers</p>	<p>Not required</p>

Professional Association	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Chartered Professional Accountants of Alberta (CPAA)	Law Society of Alberta	Alberta Association of Architects
		Amount of insurance required varies with number of accountants practising.		
Authentication	<p>Must affix permit number on documents or records in accordance with regulations</p> <p>All final plans, specifications, reports, or documents of a professional nature must be signed and stamped or sealed by a 1) Professional Member or Licensee who prepared them or under whose supervision and control they were prepared or 2) if prepared by others, the Professional Member or Licensee who thoroughly reviewed and accepted professional responsibility for them.</p> <p>Must show permit number</p>	N/A	N/A	<p>If an architectural corporation causes plans, drawings, detail drawings, and specifications to be prepared and to be imprinted with the stamp issued to the corporation, it shall also cause them to be signed by and imprinted with the stamp or seal of the registered architect who had personal supervision, direction, and control over their preparation.</p> <p>The stamp of an architectural corporation may only be used when a registered architect also impresses his or her seal in association with the stamp of the architectural corporation.</p>
Notes	<p>Corporations must be incorporated or registered under the <i>Companies Act</i> or the <i>Business Corporations Act</i>.</p> <p>APEGA website indicates that a Member practising as a sole proprietor does not need a Permit to Practice.</p>	For professional corporations, practice must be conducted within a professional accounting firm, issued voting shares must be vested in one or more members of the CPAA, and non-voting shares must be vested according to prescribed conditions.	<p>Corporations must be incorporated or continued under the <i>Business Corporations Act</i> and be in good standing with the Registrar of Corporations.</p> <p>The corporate name must be in accordance with the rules and contain the words</p>	<p>Corporations must be registered, incorporated, or continued under the <i>Business Corporations Act</i>.</p> <p>“Architect-held corporation” means a corporation in which one or more registered architects hold the beneficial ownership of more than 50%</p>

Professional Association	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Chartered Professional Accountants of Alberta (CPAA)	Law Society of Alberta	Alberta Association of Architects
			<p>“Professional Corporation.”</p> <p>Legal and beneficial ownership of voting shares must be vested in one or more members of the Society.</p> <p>Non-voting shares must be vested according to prescribed conditions.</p>	<p>of the voting shares of the corporation.</p> <p>There are requirements around beneficial ownership of voting shares.</p> <p>Letterhead is regulated.</p>

Professional Association	Alberta Dental Association and College	College of Physicians and Surgeons of Alberta	Alberta Veterinary Medical Association
What is this authorization called?	Annual permit	Annual permit	Permit
Who has to get it?	A corporation in order for a regulated member to provide professional services on behalf of a corporation		A corporation to engage in the practice of veterinary medicine
Is it mandatory or voluntary?	Mandatory	Mandatory	Mandatory
Which types of entities can get it?	Professional corporations	Professional corporations	Corporations
Can individual practitioners get it?	Yes (one-person professional corporation)	Yes (one-person professional corporation)	Not specified
What rights go along with the authorization?	<p>Can provide professional services on behalf of a corporation</p> <p>Can engage in every phase and aspect of rendering the same dental services to the public that a member-dentist is authorized to render</p>	Can provide professional services on behalf of a corporation	<p>Can engage in the practice of veterinary medicine for the period of and subject to the terms and conditions of the permit</p> <p>Can use prescribed words and titles</p>

Professional Association	Alberta Dental Association and College	College of Physicians and Surgeons of Alberta	Alberta Veterinary Medical Association
	Other prescribed rights with respect to business and powers		
What criteria must be met to be a responsible member?	Individuals who will provide professional services or who will supervise the provision of professional services on behalf of the professional corporation must be regulated members. All directors must be regulated members.		Permit holder must employ one or more unrestricted veterinarians. Permit holder must ensure that all veterinarians employed by it are registered veterinarians.
What obligations do responsible members have?	Supervise provision of professional services		Responsible for directly supervising the practice of veterinary medicine by the permit holder
Who issues the authorization?	Articles of incorporation must be endorsed by the Executive Director and Registrar.	Registrar	Council approves
Who cancels the authorization?	Registrar Executive Director and registrar enter memorandum regarding expiry.	Registrar Registrar enters memorandum regarding expiry.	Registrar, upon approval or at direction of Council
On what basis can an authorization be cancelled (other than by discipline committee or equivalent body)?	Prescribed requirements are not complied with regarding use of name, application, registration, restrictions on voting shares, and informing registrar about changes in the organization Expires if not renewed.	Prescribed requirements are not complied with regarding use of name, application, registration, restrictions on voting shares, and informing registrar about changes in the organization	At request of permit holder Default of payment of fees, dues, or levies No longer complies with the regulations Entered in error
Other ongoing regulatory authority	Must continue to meet registration requirements Must inform registrar within 15 days of any change in the ownership, directors, or to the name	Must continue to meet registration requirements Must inform registrar within 15 days of any change in the ownership, directors, or to the name	Subject to practice review and discipline provisions Subject to practice inspections and Practice Standards Committee inspections Must apply for inspection within one year

Professional Association	Alberta Dental Association and College	College of Physicians and Surgeons of Alberta	Alberta Veterinary Medical Association
	<p>There are requirements around names of professional corporations.</p> <p>Inform the Executive Director and Registrar of any change in particulars set forth in the application within 15 days of change (Form B).</p> <p>Must submit proposed amendments to articles of incorporation.</p>	<p>There are requirements around names of professional corporations.</p>	<p>after establishing a veterinary practice and within one year of change in ownership, major renovations, or change in category of practice</p> <p>Must respond to any stated deficiencies</p>
Application	Application must use Form A and include a copy of the Certificate of Incorporation and the application fee	Application must be in form determined by the Registrar and include a copy of articles of incorporation and the application fee	Must provide evidence that the corporation is registered under or established by an act of Alberta and meets requirements about ownership of voting shares
Fees	Application fees are determined by Council.		Fees are prescribed under bylaws and determined by Council.
Professional liability insurance	Required for regulated members		Veterinary practice entities must have in place business liability and professional liability and malpractice insurance.
Authentication	N/A	N/A	N/A
Notes	<p>A corporation must be incorporated or continued under the <i>Business Corporations Act</i> and be in good standing with the Registrar of Corporations. The name must be in accordance with the rules and contain the words "Professional Corporation."</p> <p>Legal and beneficial ownership of voting shares must be vested in one or more members of the Society. Non-voting shares must be vested according to prescribed conditions.</p>		<p>A corporation that does not meet requirements related to ownership of voting shares can be still registered as a permit holder if the corporation does not offer veterinary services to the public or engage in the practice of veterinary medicine for the benefit of individual members of the public.</p>

**Appendix 3A – Permit to Practice
Alberta Self-Regulating Professional Associations Summary and Analysis**

The tables below reference legislation of engineering and geoscience constituent associations in Canada regarding permits to practice and certificates of authentication. The following text is quoted from the legislation and has not been modified to match APEGA’s style.

	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)
Provisions related to permits or certificates of authorization	<p>Act</p> <p>Definitions</p> <p>1 In this Act,</p> <p>(p) “permit holder” means a partnership or other association of persons or a corporation that holds a permit under this Act but does not include an ASET permit holder as defined in section 86.4.</p> <p>Part 1</p> <p>Scope of Practice</p> <p>Exclusive scope of the practice of engineering</p> <p>2(1) Except as otherwise provided in this Act, no individual, corporation, partnership or other entity, except a professional engineer, a licensee so authorized in the licensee’s licence, a permit holder so authorized in its permit or a certificate holder so authorized in the certificate holder’s certificate, shall engage in the practice of engineering.</p> <p>(2) No individual, corporation, partnership or other entity, shall engage in both the practice of engineering and the practice of architecture as defined in the <i>Architects Act</i>, or hold out that it is entitled to engage in both the practice of engineering and the practice of architecture unless it holds a certificate of authorization under this Act or the <i>Architects Act</i> permitting it to do so.</p> <p>Exclusive use of name engineer</p> <p>3(1) No individual, corporation, partnership or other entity, except a professional engineer, licensee or permit holder entitled to engage in the practice of engineering, shall</p> <p>(a) use</p> <p>(i) the title “professional engineer”, the abbreviation “P. Eng.” or any other abbreviation of that title,</p> <p>(ii) the word “engineer” in combination with any other name, title, description, letter, symbol or abbreviation that represents expressly or by implication that the individual, corporation, partnership or other entity is a professional engineer, licensee or permit holder,</p> <p>or</p>

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	<p>(b) represent or hold out, expressly or by implication, that the individual, corporation, partnership or other entity</p> <p>(i) is entitled to engage in the practice of engineering, or</p> <p>(ii) is a professional engineer, licensee or permit holder.</p> <p>(2) No individual, corporation, partnership or other entity, except a professional engineer, licensee or permit holder entitled to engage in the practice of engineering, shall affix the stamp or seal of a professional engineer or licensee or the permit number of a permit holder or allow that stamp, seal or permit number to be affixed to a plan, drawing, detail drawing, specification or other document or a reproduction of any of them unless</p> <p>(a) that plan, drawing, detail drawing, specification, other document or reproduction was prepared by or under the supervision and control of, and</p> <p>(b) the stamp, seal or permit number is affixed with the knowledge and consent or in accordance with the direction of the professional engineer or licensee to whom or the permit holder to which the stamp, seal or permit number was issued.</p> <p>Exclusive scope of the practice of geoscience</p> <p>5(1) Subject to subsection (2), no individual, corporation, partnership or other entity, except a professional geoscientist, a licensee so authorized in the licensee’s licence or a permit holder so authorized in the permit, shall engage in the practice of geoscience.</p> <p>Exclusive use of name geoscientist</p> <p>6(1) No individual, corporation, partnership or other entity, except a professional geoscientist or a licensee or permit holder entitled to engage in the practice of geoscience, shall</p> <p>(a) use</p> <p>(i) the title “professional geoscientist”, the abbreviation “P. Geo.” or any other abbreviation of that title,</p> <p>(ii) the word “geoscientist” in combination with any other name, title, description, letter, symbol or abbreviation that represents expressly or by implication that the individual, corporation, partnership or other entity is a professional geoscientist, licensee or permit holder,</p> <p>or</p> <p>(b) represent or hold out, expressly or by implication, that the individual, corporation, partnership or other entity</p> <p>(i) is entitled to engage in the practice of geoscience, or</p> <p>(ii) is a professional geoscientist, licensee or permit holder.</p> <p>(2) No individual, corporation, partnership or other entity, except a professional geoscientist or a licensee or permit holder entitled to engage in the practice of geoscience, shall affix the stamp or seal of a professional geoscientist or licensee or the permit number of a permit holder or allow that stamp, seal or permit number to be affixed to a map, geoscientific cross section, specification, report or other document or a reproduction of any of them unless</p> <p>(a) that map, geoscientific cross section, specification, report, other document or reproduction was prepared by or under the</p>

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	<p>supervision and control of, and</p> <p>(b) the stamp, seal or permit number is affixed with the knowledge and consent or in accordance with the direction of the professional geoscientist or licensee to whom or the permit holder to which the stamp, seal or permit number was issued.</p> <p>Part 2 Association</p> <p>Powers of the Practice Review Board</p> <p>16(1) The Practice Review Board</p> <p>(a) shall, on its own initiative or at the request of the Council, inquire into</p> <p>(i) the assessment of existing and the development of new educational standards and experience requirements that are conditions precedent to obtaining and continuing registration under this Act,</p> <p>(ii) the evaluation of desirable standards of competence of professional members, licensees, permit holders and certificate holders generally,</p> <p>(iii) the practice of the profession by professional members, licensees, permit holders or certificate holders generally, and</p> <p>(iv) any other matter that the Council from time to time considers necessary or appropriate in connection with the exercise of its powers and the performance of its duties in relation to competence in the practice of the profession under this Act and the regulations, and</p> <p>(b) may conduct a review of the practice of a professional member, licensee, permit holder or certificate holder in accordance with this Act and the regulations.</p> <p>Part 3 Regulations and Bylaws</p> <p>Regulations</p> <p>19(1) The Council may make regulations</p> <p>(k) governing the names under which professional members, licensees, permit holders and certificate holders may engage in the practice of the profession;</p> <p>(m) respecting the procedures of the Discipline Committee, of the Practice Review Board, of the Investigative Committee and of the Appeal Board in matters relating to the conduct or practice of professional members, licensees, permit holders or certificate holders, whether or not a complaint has been made;</p> <p>(o) governing the publication of a notice of the suspension or cancellation of the registration of a professional member, licensee, permit holder or certificate holder in a form and manner prescribed by the Council;</p> <p>(x) establishing classes or categories of professional engineers or geoscientists and licensees or permit holders and prescribing the restrictions of practice and the privileges and obligations of the classes or categories so established;</p> <p>(y) respecting the academic and other qualifications and the experience required of the classes or categories established under clause (x);</p>

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	<p>(aa) governing the eligibility for registration of persons, firms, partnerships and other entities as permit holders or certificate holders;</p> <p>(bb) governing the operation of permit holders or certificate holders;</p> <p>(dd) respecting registration, licensing, the issuing of permits and certificates, disciplinary matters and the practice of engineering and geoscience generally;</p> <p>Bylaws</p> <p>20(1) The Council may make bylaws</p> <p>(q) respecting permit numbers issued to permit holders;</p> <p>(t) respecting the establishment, content and maintenance of registers of professional members, licensees, permit holders and certificate holders and of records of other classes or categories of membership to be kept by the Registrar;</p> <p>(v) requiring professional members, licensees, permit holders and certificate holders to inform the Registrar in writing of their current mailing addresses and of any change of address forthwith after the change occurs;</p> <p>(w) prescribing the form of a certificate of registration, a licence, a permit, a certificate of authorization and an annual certificate;</p> <p>(x) respecting the expiry of annual certificates, annual licences, permits and other authorizations.</p> <p>Part 4</p> <p>Registration</p> <p>Registers and membership records</p> <p>21(1) The Registrar shall maintain, in accordance with the bylaws and subject to the direction of the Council, a register for each of the following:</p> <p>(e) permit holders to engage in the practice of</p> <p style="padding-left: 20px;">(i) professional engineering, or</p> <p style="padding-left: 20px;">(ii) professional geoscience;</p> <p>(2) The Registrar shall enter in the appropriate register the name of a person who has paid the fee prescribed under the bylaws, and</p> <p>(b) whose registration to engage in the practice of the profession as a permit holder has been approved by the Council.</p> <p>Registration of permit holders</p> <p>24(1) The Council shall approve the registration as a permit holder of a partnership or other association of persons, or of a corporation incorporated or registered under the <i>Companies Act</i> or continued, incorporated or registered under the <i>Business Corporations Act</i>, that has applied to the Council and is eligible under this section and the regulations to become registered to engage in the practice of engineering or geoscience as a permit holder.</p>

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	<p>(2) A partnership or other association of persons or a corporation that applies to the Council is eligible to become registered as a permit holder entitled to engage in the practice of engineering or geoscience if it satisfies the Council that it complies with the Act and the regulations.</p> <p>Evidence of registration</p> <p>25(3) On entering the name of a permit holder in the register, the Registrar shall issue to the permit holder</p> <ul style="list-style-type: none"> (a) a permit to engage in the practice of engineering or geoscience as a permit holder as authorized in the permit, and (b) a permit number as prescribed in the bylaws. <p>(6) A certificate of registration, a licence, a permit or a certificate of authorization issued under this section entitles the holder to engage in the practice of engineering or geoscience, as the case may be, subject to this Act, the regulations and the bylaws.</p> <p>Annual certificate</p> <p>26(1) A professional member, licensee, permit holder or certificate holder engaged in the practice of engineering or geoscience shall pay to the Association the annual fee prescribed under the bylaws.</p> <p>(2) The Registrar shall issue an annual certificate in accordance with the bylaws to a professional member, licensee, permit holder or certificate holder</p> <ul style="list-style-type: none"> (a) whose registration is not under suspension, and (b) who has paid the annual fee. <p>(3) Subject to this Act, an annual certificate entitles the professional member, licensee, permit holder or certificate holder to engage in the practice of engineering or geoscience, as the case may be, during the year for which the annual certificate is issued.</p> <p>Entries in registers</p> <p>27(1) The registration of a professional member, licensee, permit holder or certificate holder is suspended when the decision to suspend the registration is made in accordance with this Act.</p> <p>(3) The registration of a professional member, licensee, permit holder or certificate holder is cancelled when the decision to cancel the registration is made in accordance with this Act.</p> <p>Cancellation on request</p> <p>29(1) The Registrar shall not cancel the registration of a professional member, licensee, permit holder or certificate holder at that person's request unless the request for the cancellation has been approved by the Council.</p> <ul style="list-style-type: none"> (2) When a request for cancellation of a registration is approved by the Council <ul style="list-style-type: none"> (a) the Registrar shall cancel that registration, and (b) the professional member, licensee, permit holder or restricted practitioner requesting the cancellation shall, on being notified

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of the approval,

- (i) immediately surrender to the Registrar
 - (A) the certificate of registration, licence and the stamp or seal, in the case of a professional member, licensee or restricted practitioner, or
 - (B) the permit and annual certificate, in the case of a permit holder,

and

- (ii) cease using the permit number, in the case of a permit holder.
- (3) The Council may direct the Registrar to reinstate in the applicable register a registration that was cancelled under this section, subject to any conditions that the Council may prescribe, and to reissue the certificate of registration, licence or permit and the stamp, seal or permit number.
- (4) Notwithstanding subsection (3), if a person whose registration is cancelled applies to be reinstated more than 7 years after the date of the cancellation, the application for reinstatement must be referred to the Board of Examiners.

Cancellation

39(1) The Council may direct the Registrar to cancel the registration of

- (a) a professional member, licensee or permit holder who is in default of payment of annual fees or any other fees, dues or levies payable under this Act, or
 - (b) a permit holder if it no longer has employees in compliance with this Act,
- after the expiration of 30 days following the service on the professional member, licensee or permit holder of a written notice by the Council pursuant to subsection (2), unless the professional member, licensee or permit holder on whom the notice is served complies with the notice.

(2) The notice under subsection (1) shall state that the Registrar may cancel the registration unless

- (a) the fees, dues or levies are paid as indicated in that notice, or
- (b) evidence satisfactory to the Council has been received by it within the time prescribed in the notice indicating that the permit holder has employees in compliance with this Act.

(3) The Council may direct the Registrar to cancel the registration of a professional member, licensee or permit holder that was entered in error in the register.

(4) If the registration of a professional member or licensee has been cancelled under this section, the professional member or licensee shall forthwith surrender to the Registrar any certificate of registration, licence, stamp or seal issued to the professional member or licensee.

(5) If the registration of a permit holder has been cancelled under this section, the permit holder shall immediately surrender the permit to the Registrar and cease to use the permit number issued to that permit holder.

(6) If a registration has been cancelled pursuant to subsection (1), the Council may direct the Registrar, subject to any conditions

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that the Council may prescribe, to reinstate that registration in the applicable register and to reissue the certificate of registration, licence or permit and the stamp, seal or permit number.

(7) Notwithstanding subsection (6), if a person whose registration is cancelled applies to be reinstated more than 7 years after the date of the cancellation, the application for reinstatement must be referred to the Board of Examiners.

Part 5 Discipline

Definitions

42 In this Part,

(b) “investigated person” means a professional member, licensee, permit holder, certificate holder or member-in-training with respect to whose conduct an investigation is held under this Part.

Suspension pending investigation and hearing

55(1) Notwithstanding anything in this Act, the Investigative Committee may suspend the registration of a professional member, licensee, permit holder, certificate holder or member-in-training pending a preliminary investigation or a decision of the Discipline Committee.

(2) A person whose registration is suspended under subsection (1) may apply to the Court for an order staying the suspension.

(3) A copy of an application under subsection (2) must be served on the Registrar.

Powers of the Discipline Committee

63 If the Discipline Committee finds that the conduct of the investigated person is unprofessional conduct or unskilled practice of the profession, or both, the Discipline Committee may make any one or more of the following orders:

(a) reprimand the investigated person;

(b) suspend the registration of the investigated person for a specified period;

(c) suspend the registration of the investigated person either generally or from any field of practice until

(i) the investigated person has completed a specified course of studies or obtained supervised practical experience, or

(ii) the Discipline Committee is satisfied as to the competence of the investigated person generally or in a specified field of practice;

(d) accept in place of a suspension the investigated person’s undertaking to limit the investigated person’s practice;

(e) impose conditions on the investigated person’s entitlement to engage in the practice of the profession generally or in any field of the practice, including the conditions that the investigated person

(i) practise under supervision,

(ii) not engage in sole practice,

(iii) permit periodic inspections by a person authorized by the Discipline Committee, or

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- (iv) report to the Discipline Committee on specific matters;
- (f) direct the investigated person to pass a particular course of study or satisfy the Discipline Committee as to the investigated person's practical competence generally or in a field of practice;
- (g) direct the investigated person to satisfy the Discipline Committee that a disability or addiction can be or has been overcome, and suspend the person until the Discipline Committee is so satisfied;
- (h) require the investigated person to take counselling or to obtain any assistance that in the opinion of the Discipline Committee is appropriate;
- (i) direct the investigated person to waive, reduce or repay a fee for services rendered by the investigated person that, in the opinion of the Discipline Committee, were not rendered or were improperly rendered;
- (j) cancel the registration of the investigated person;
- (k) any other order that it considers appropriate in the circumstances.

Order to pay costs or a fine

64(1) The Discipline Committee may, in addition to or instead of dealing with the investigated person in accordance with section 63, order that the investigated person pay

- (a) all or part of the costs of the hearing in accordance with the bylaws,
 - (b) a fine not exceeding \$10 000 to the Association, or
 - (c) both the costs under clause (a) and a fine under clause (b),
- within the time fixed by the order.

(2) If the investigated person ordered to pay a fine, costs, or both, under subsection (1) fails to pay the fine, costs, or both, within the time ordered, the Discipline Committee may suspend the registration of that person until the person has paid the fine, costs or both.

(3) A fine or costs ordered to be paid to the Association under this section is a debt due to the Association and may be recovered by the Association by civil action for debt.

Surrender of certificates

75(2) If the registration of a permit holder or joint firm has been cancelled or suspended under this Part, the permit holder or joint firm shall immediately

- (a) surrender the permit or certificate of authorization to the Registrar, and
- (b) cease using the permit number issued by the Registrar.

(3) If the registration of a professional member, licensee, permit holder or certificate holder has been cancelled under this Part, the registration shall not be reinstated in the register except by order of the Council, the Court or the Court of Appeal.

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	<p>Misrepresentation of status 76 The conduct of a person who is or was registered as a professional member, licensee, permit holder or certificate holder who represents or holds out that the person is registered and in good standing while the person’s registration is suspended or cancelled may be dealt with as being unprofessional conduct in accordance with this Part.</p> <p>Part 6 General Use of stamps, seal, permit number 78(2) A permit holder shall affix its permit number on documents or records in accordance with the regulations.</p> <p>Part 7 Professional Licensees Exclusive use of name 83.01(1) No individual, corporation, partnership or other entity, except a professional licensee (engineering) or a permit holder entitled to engage in the practice of engineering, shall use the title “professional licensee (engineering)”. (2) No individual, corporation, partnership or other entity, except a professional licensee (geoscience) or a permit holder entitled to engage in the practice of geoscience, shall use the title “professional licensee (geoscience)”.</p> <p>Part 9 Prohibitions and Penalties Practice prohibitions 97(1) A person whose registration as a professional engineer, professional geoscientist, licensee, permit holder or certificate holder is cancelled or suspended under this Act shall not, without the consent of the Council, engage in the practice of engineering or geoscience, as the case may be, or directly or indirectly associate the person or itself in the practice of engineering or geoscience with any other professional member, licensee, permit holder or certificate holder. (2) No professional engineer, professional geoscientist, licensee, permit holder or certificate holder shall, except with the consent of the Council, associate in the practice of engineering or geoscience, as the case may be, directly or indirectly with or employ in connection with that practice a person whose registration has been cancelled or suspended under this Act. (3) The Council may permit a professional member, licensee, permit holder or certificate holder to employ in connection with the person’s practice a person whose registration has been cancelled or suspended under this Act, but the employment shall be in the capacity and subject to the terms and conditions that are prescribed by the Council.</p> <p>General Regulation</p>

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	<p>Part 3 Practice Review Board Investigation by Practice Review Board 23(1) If the Practice Review Board undertakes a review of the practice of a professional member, licensee, permit holder or certificate holder, it shall proceed with the review in accordance with this section. (4) If, on receipt of the report, the Board decides that investigation of a specific practice is necessary, it shall (a) issue notice of investigation to the professional member, licensee, permit holder or certificate holder if it is of the opinion that the matter to be investigated relates to matters other than to unskilled practice of the profession or unprofessional conduct, and proceed with its investigation in the same manner as provided for in a discipline investigation, or (b) lodge an appropriate complaint with the Investigative Committee if it is of the opinion that further investigation may lead to a finding of unskilled practice of the profession or unprofessional conduct.</p> <p>Part 5 Code of Ethics Application and availability 31(1) Professional members, licensees, permit holders, members-in-training, examination candidates and students shall comply with the Code of Ethics in the Schedule to this Regulation.</p> <p>Part 6 Discipline Reinstatement of disciplined individuals 47(1) A professional member or licensee whose registration has been cancelled or a permit holder whose permit has been revoked under Part 5 of the Act as a result of the disciplinary proceedings may apply to the Council to be reinstated. (2) An application under subsection (1) may not be made until at least one year after the date on which the registration was cancelled or the permit was revoked, or from the date on which the Court made its order confirming or varying the decision of the Council. (3) The Council may establish a Committee of Inquiry to consider the application for reinstatement and make recommendations to the Council. (4) The Council may require the former professional member, licensee or permit holder to demonstrate by means prescribed by the Council that that person is competent to re-engage in the practice of engineering or geoscience. (5) Where an application for reinstatement is not approved by the Council, no further application may be made by the former professional member, licensee or permit holder until at least one year after the date the Council ruled on the previous application.</p> <p>Part 7 Registration of Permit Holders Requirements for issue of permit</p>

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	<p>48(1) The Council may issue to a partnership, corporation or other entity a permit to practice engineering or geoscience in its own name if</p> <ul style="list-style-type: none"> (a) an application is made to the Registrar in the form and containing the information required by the Council, (b) the application is accompanied with the fees prescribed by the Council, (c) the Council is satisfied that the practice will be carried on under the direct personal supervision and responsibility of a full time permanent employee or member of the partnership, corporation or other entity who is also a professional member or licensee and who is qualified by education and experience in the field of engineering or geoscience in which the partnership, corporation or other entity intends to engage, and (d) the professional member or licensee certifies to the satisfaction of the Council that the partnership, corporation or other entity has in place and will follow a professional management plan that is appropriate to its professional practice. <p>(2) A permit expires one year after the date on which it is issued.</p> <p>(3) When the Council issues a permit, it shall provide the permit holder with a permit number.</p> <p>(4) No person shall use a permit number where the permit to which the number is assigned has been cancelled or suspended.</p> <p>Seminars</p> <p>48.1 A professional member or licensee who accepts responsibility under section 48(1)(c) shall every 5 years attend a permit to practice seminar acceptable to the Council.</p> <p>Signing and sealing of documents</p> <p>49 When the practice of engineering or geoscience is carried on by a partnership, corporation or other entity pursuant to a permit under section 48, all final plans, specifications, reports or documents of a professional nature must</p> <ul style="list-style-type: none"> (a) be signed by and be stamped or sealed with the stamp or seal of <ul style="list-style-type: none"> (i) the professional member or licensee who prepared them or under whose supervision and control they were prepared, or (ii) in the case of plans, specifications, reports or documents that were prepared by other persons, the professional member or licensee who thoroughly reviewed and accepted professional responsibility for them, and (b) show the permit number issued to the partnership, corporation or other entity under section 48. <p>Notification to Association</p> <p>50(1) A partnership, corporation or other entity practising pursuant to a permit under section 48 shall keep the Association advised</p>

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	<p>of the name of the professional member or licensee referred to in that section.</p> <p>(2) The professional member or licensee referred to in section 48 shall forthwith advise the Registrar if the professional member or licensee</p> <p>(a) ceases to be the person accepting responsibility under that section, or</p> <p>(b) is no longer able to provide the certification referred to in section 48(1)(d).</p> <p>Revocation of permit</p> <p>51 The Council may revoke a permit issued under section 50 if the permit holder contravenes the Act, this Regulation or a term or condition of the permit.</p> <p>Name of firm</p> <p>52 No partnership, corporation or other entity may be incorporated or registered in the Province of Alberta under a name including the words “Engineering”, “Geology”, “Geophysics” or “Geoscience”, or variations of those words, unless it holds and continues to hold a valid permit issued under section 48.</p> <p>Control and use of stamps and seals</p> <p>53 The permit number issued to a permit holder may only be used by the professional members or licensees referred to in section 48(1)(c).</p> <p>APEGA Bylaws</p> <p>Part 7 Finances of the Association</p> <p>Fees</p> <p>24(5)(a) The annual fee for a permit holder shall be fixed by Council from time to time and shall be not less than the annual fee for the professional member or licensee assuming direct personal supervision of and responsibility for the practice of the permit holder.</p> <p>(b) Council may, in its discretion, on application of a permit holder waive or reduce the annual fee.</p> <p>Part 11 Register of Members</p> <p>Mailing addresses</p> <p>32 Professional members, licensees, permit holders, professional licensees, provisional licensees, Life Members, Honorary Life Members, Honorary Members, members-in-training, examination candidates, students, joint firms and certificate holders shall provide the Registrar with their current mailing addresses and advise the Registrar forthwith in writing of any change in address.</p> <p>Onus to respond</p> <p>32.1 Professional members, licensees, permit holders, life members, professional licensees, provisional licensees, members in</p>

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	<p>training, joint firms, or certificate holders, shall respond promptly and appropriately to any duly served communication of a regulatory nature received from the Association that contemplates a reply.</p> <p>Part 12 Seals, Stamps and Certificates Seals and stamps 33(3) Stamps issued to permit holders shall be in a form prescribed by the Council and shall show the designation "Permit Holder".</p> <p>Certificates 34(3) The Registrar shall issue to each permit holder a certificate in a form prescribed by the Council signed by the president and Registrar showing the permit number assigned to the permit holder and professional category in which the permit holder is entitled to practice; and upon renewal of the permit an annual certificate in the form of a permit renewal card.</p> <p>Surrender of seals, stamps and certificates 35 Professional members, licensees, permit holders, certificate holders, and professional licensees shall surrender to the Registrar, forthwith upon development of any of the following eventualities, any seals, stamps and certificates that have been issued to them: (a) temporary withdrawal of the professional member, licensee, permit holder, certificate holder, or professional licensee from practice of the profession for a period estimated to exceed 1 year; (b) resignation of the professional member, licensee, permit holder, certificate holder, or professional licensee from the Association; (c) the suspension or cancellation of the professional membership, license, permit or certificate</p>
Notes	The APEGA website indicates that a Member practising as a sole proprietor does not need a Permit to Practice because the Member's APEGA licence grants a sole proprietor the right to independently practise engineering or geoscience.

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Provisions related to permits or certificates of authorization	<p>Act Definitions 1 In this Act, (ii) "investigated party" means (i) a registrant, or (ii) a former registrant in respect of conduct occurring when the person was registered under this Act or a former Act, whose conduct is the subject of proceedings under Part 5 or 7; (oo) "practice review" means a review of the practice areas</p>	<p>Act Definitions 1 In this Act, (i) "professional corporation" means a corporation that is the holder of a permit issued under Part 8;</p> <p>Rules of Society 7(1) The Benchers may make rules for the government of the Society, for the management and conduct of its business and</p>

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	<p>specified in the bylaws of the practice of a professional accounting firm or a professional service provider;</p> <p>(rr) “professional accounting firm” means a person who is registered as a professional accounting firm in accordance with Part 3;</p> <p>(zz) “registrant” means</p> <ul style="list-style-type: none"> (i) a chartered professional accountant, (ii) a professional service provider, (iii) a candidate, (iv) a professional accounting firm, (v) a professional corporation, or (vi) any other person registered in accordance with Part 3. <p>Part 1 Regulating Restricted Activities and Practice Division 1 Restricted Activities and Practice Restricted activities</p> <p>3(1) No person shall perform or purport to perform an audit engagement or review engagement, or represent or imply an ability to do so, unless the person is a professional accounting firm.</p> <p>(2) Subsection (1) does not apply to a person who performs an audit engagement or review engagement</p> <ul style="list-style-type: none"> (a) in a professional accounting firm, on its behalf, in accordance with an arrangement permitted under section 9, (b) in a professional accounting firm under the direct supervision of a member of the CPAA, (c) without remuneration for a corporation registered under Part 9 of the <i>Companies Act</i> or under the <i>Societies Act</i>, or (d) that is intended to be relied on only by the management of the organization that is the subject of the engagement. <p>Protected words, abbreviations</p> <p>7(1) No person or group of persons shall represent or imply</p>	<p>affairs and for the exercise or carrying out of the powers and duties conferred or imposed on the Society or the Benchers under this or any other Act.</p> <p>(2) Without restricting the generality of subsection (1), the Benchers may make rules</p> <ul style="list-style-type: none"> (n) respecting the duties of members, professional corporations or law firms in relation to property, other than money, entrusted to or received by them in their capacity as barristers and solicitors; (p) respecting the maintenance and regulation of records of members, professional corporations or law firms in respect of money entrusted to them or received, held or paid by them for or on account of their clients or others, in their capacity as barristers and solicitors. <p>Regulations and bylaws re LLPs</p> <p>8(1) The Benchers</p> <ul style="list-style-type: none"> (a) shall make rules respecting the type and amount of liability insurance or other protection against professional liability that a partnership must have for the purposes of registration as a limited liability partnership under Part 3 of the <i>Partnership Act</i>, and (b) may make rules governing eligibility requirements that a partnership must meet in order to be registered as a limited liability partnership under Part 3 of the <i>Partnership Act</i>. <p>Part 6 General Practice of law</p> <p>106(1) No person shall, unless the person is an active member of the Society,</p> <ul style="list-style-type: none"> (a) practise as a barrister or as a solicitor, (b) act as a barrister or as a solicitor in any court of civil or criminal jurisdiction, (c) commence, carry on or defend any action or proceeding before a court or judge on behalf of any other person, or (d) settle or negotiate in any way for the settlement of any claim for loss or damage founded in tort. <p>(2) Subsection (1) does not apply to the following:</p>

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	<p>that the person is a registrant or that the group of persons consists of registrants unless the person is a registrant or the group of persons consists of registrants.</p> <p>(2) No person or group of persons other than the CPAA shall use the full or abbreviated name of the CPAA or a former accounting organization, alone or in combination with other words, in a manner that represents or implies that the person or group of persons is the CPAA or a former accounting organization.</p> <p>(3) No person other than a registrant authorized by the regulations or an individual authorized by the bylaws shall use any of the following titles or abbreviations or initials, alone or in combination with other words, in a manner that states or implies that the person is authorized to use the title, abbreviation or initials:</p> <p>(a) “chartered professional accountant” or “CPA.”</p> <p>Division 2 Practice Arrangements Practice arrangements</p> <p>9(1) A registrant is responsible, for the purposes of this Act and the regulations, bylaws, directives, resolutions, rules of professional conduct and practice standards, for how the registrant engages in a professional accounting practice or a public accounting practice and complies with section 5, and this responsibility, and the responsibility to register in accordance with this Act, are not affected, modified or diminished by the practice arrangement of the registrant.</p> <p>(2) Subject to this Part and to the rules of professional conduct, a registrant may engage in a professional accounting practice or a public accounting practice as, in relationship to or on behalf of</p> <p>(a) a self-employed individual, (b) an employee,</p>	<p>(c) a professional corporation in respect of services performed while it holds a permit under Part 8 that is not under suspension.</p> <p>Misrepresentation as to professional status</p> <p>107(1) No person shall, unless the person is an active member of the Society, hold out or represent that the person is an active member of the Society, or a person lawfully entitled to practise law or to carry on the practice or profession of a barrister or solicitor.</p> <p>(2) No person shall, unless the person is a member of the Society, hold out or represent that the person is a member of the Society or a barrister and solicitor.</p> <p>(3) Subsections (1) and (2) do not apply to a professional corporation.</p> <p>Part 8 Professional Corporations Definitions</p> <p>129 In this Part,</p> <p>(a) “permit” means a permit issued pursuant to section 131(3); (b) “voting shareholder” means a person holding one or more voting shares of a professional corporation.</p> <p>Rules by Benchers</p> <p>130 The Benchers may make rules</p> <p>(a) prescribing the manner of proof as to matters required to be proven by applicants for permits; (b) fixing the fees payable to the Society for the issuance of permits and the fees payable annually by professional corporations; (c) respecting</p> <p>(i) the imposition of a pecuniary penalty on a professional corporation, (ii) the suspension of the permit of a professional corporation, without notice or investigation, or (iii) the suspension of membership of a member who is the sole voting shareholder of a professional corporation, without notice or investigation,</p>

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	<p>(c) a partner, (d) a partnership, (e) a corporation, (f) a professional corporation, or (g) an employer. (3) Nothing in this Act affects, modifies or limits any law or practice applicable to the fiduciary, confidential or ethical relationship between a registrant and a person receiving the professional services of the registrant.</p> <p>Part 2 Governance and Accountability Division 2 Governance Board regulations 15(1) The board may make regulations (b) respecting education and experience requirements to be met to register as a professional accounting firm or professional service provider.</p> <p>Bylaws 17(1) The board may make bylaws (f) respecting and establishing categories of registrants and conditions or restrictions on categories of registrants; (n) respecting requirements for registrants to carry professional liability insurance and the minimum amount of that insurance; (p) respecting the evaluation of the education, training, experience, practice and competence required of applicants for registration as a registrant.</p> <p>Regulations and bylaws re LLPs 18(1) The board (a) must make regulations respecting the type and amount of liability insurance or other protection against professional</p>	<p>if a professional corporation has contravened a rule requiring the corporation to pay a fee or assessment, file a document or do any other act by a specified or ascertainable time; (d) respecting the reinstatement or reissuance of a permit that has been revoked, and respecting the conditions on which the reinstatement or reissuance may be granted; (e) respecting the termination of the suspension of a permit or of the suspension of the membership of a member pursuant to rules under clause (c), and respecting the conditions on which any termination may be granted; (f) providing for the creation and maintenance of a register of professional corporations and requiring the filing of periodic returns by those corporations; (g) providing for the annual renewal of permits and prescribing the terms and conditions on which renewals may be granted; (h) prescribing the types of name by which (i) a professional corporation, (ii) a partnership of 2 or more professional corporations, or (iii) a partnership of one or more professional corporations and one or more individual barristers and solicitors, may be known.</p> <p>Permit 131(1) Subject to this Act, a professional corporation may carry on the practice of a barrister and solicitor in its own name. (2) Notwithstanding subsection (1), no corporation shall be enrolled as a member of the Society. (3) The Executive Director shall issue a permit to any corporation that fulfils the following conditions: (a) files an application in the form prescribed by the Benchers; (b) pays the fees prescribed by the rules; (c) satisfies the Executive Director that it is a corporation incorporated or continued under the <i>Business Corporations Act</i> and in good standing with the Registrar of Corporations under that Act;</p>

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	<p>liability that a partnership to which this Act applies must have for the purposes of registration as a limited liability partnership under Part 3 of the <i>Partnership Act</i>, and</p> <p>(b) may make bylaws governing eligibility requirements that a partnership to which this Act applies must meet in order to be registered as a limited liability partnership under Part 3 of the <i>Partnership Act</i>.</p> <p>Division 4 Access to Information Registrant information 30(1) The CPAA must keep and maintain the following information about a registrant:</p> <p>(a) the registrant's name, business address, business telephone number and business e-mail address;</p> <p>(b) the registration status of the registrant, including the terms of any suspension, restriction, condition or undertaking;</p> <p>(c) in the case of a registrant that is a professional accounting firm, the name of the member of the professional accounting firm designated under section 50(e);</p> <p>(d) in the case of a registrant that is a professional corporation, the address of its registered head office;</p> <p>(e) information respecting hearings or appeals and the status of those hearings or appeals;</p> <p>(f) any other information required by the directives.</p> <p>Part 3 Registration Division 1 Applying for Registration Registration decisions 34 The registrar or the registration committee must consider and decide on applications for registration under this Part, including the imposition of conditions or restrictions on a registration, and must undertake any other functions and duties prescribed by the board in accordance with the regulations,</p>	<p>(d) satisfies the Executive Director that the name of the corporation is in accordance with the rules of the Society and contains the words "Professional Corporation";</p> <p>(e) satisfies the Executive Director that the legal and beneficial ownership of all issued voting shares of the corporation is vested in one or more active members of the Society and that all of the directors of the corporation are active members of the Society;</p> <p>(f) satisfies the Executive Director that the legal and beneficial ownership of all the issued non-voting shares of the corporation is vested in one or more of the following persons:</p> <p>(i) one or more active members who are also voting shareholders;</p> <p>(ii) in respect of any active member who is also a voting shareholder, one or more of the following persons:</p> <p>(A) the spouse of the active member;</p> <p>(B) the common-law partner of the active member;</p> <p>(C) a child of the active member;</p> <p>(D) a trust, all of the beneficiaries of which are minor children of the active member;</p> <p>(g) satisfies the Executive Director that the persons who will carry on the practice of a barrister and solicitor on behalf of the corporation are active members of the Society.</p> <p>(4) A permit issued under subsection (3) expires on December 31 of the year for which it is issued.</p> <p>(5) A permit issued under subsection (3) may be revoked or its renewal may be withheld by the Executive Director if any of the conditions specified in subsection (3) no longer continue to exist.</p> <p>(6) For the purpose of subsection (3)(g), the practice of a barrister and solicitor is not deemed to be carried on by clerks, secretaries, bookkeepers and other assistants employed by the corporation to perform services that are not usually and ordinarily considered by law, custom and practice to be services that may be performed only by an active member of the Society, nor is the practice of a barrister and solicitor deemed to be carried on by students-at-law employed by the corporation to do anything in the course of their duties as students-at-law if it</p>

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	<p>bylaws, directives and resolutions.</p> <p>Division 3 Professional Corporations</p> <p>Definitions</p> <p>39 In sections 40 to 47,</p> <p>(a) “articles” means articles as defined in the <i>Business Corporations Act</i>;</p> <p>(b) “Registrar of Corporations” means the Registrar under the <i>Business Corporations Act</i>.</p> <p>Use of name</p> <p>40(1) No person may engage in a professional accounting practice or a public accounting practice under any name containing the words “Professional Corporation” or the abbreviation or initials “P.C.” unless that person is incorporated or continued as a corporation under the <i>Business Corporations Act</i> and</p> <p>(a) the professional accounting practice or the public accounting practice is conducted within a professional accounting firm,</p> <p>(b) the corporation is currently registered as a professional corporation by the CPAA,</p> <p>(c) all of the directors of the corporation are members of the CPAA,</p> <p>(d) all of the issued voting shares of the corporation are legally and beneficially vested in one or more members of the CPAA,</p> <p>(e) all of the issued non-voting shares of the corporation are legally and beneficially vested in the following persons:</p> <p>(i) one or more members of the CPAA who are also voting shareholders;</p> <p>(ii) in respect of any member of the CPAA who is also a voting shareholder, one or more of the following persons:</p>	<p>is done under the direction or supervision of an active member of the Society.</p> <p>(7) For the purposes of subsection (3)(f)(ii) and section 132(1),</p> <p>(a) “child”, with respect to an active member, includes</p> <p>(i) a person of whom the active member is the legal parent,</p> <p>(ii) a person who is wholly dependent on the active member for support and of whom the active member has, or immediately before the person attained the age of 19 years had, in law or in fact, the custody and control, and</p> <p>(iii) a child of the active member’s spouse or common-law partner;</p> <p>(b) “common-law partner”, with respect to an active member at any time, means a person who cohabits in a conjugal relationship with the active member at that time and</p> <p>(i) has so cohabited with the active member for a continuous period of at least one year, or</p> <p>(ii) would be the parent of a child of whom the active member is a parent if this clause were read without reference to clause (a)(iii),</p> <p>and, for the purposes of this clause, where at any time the active member and the person cohabit in a conjugal relationship, they are, at any particular time after that time, deemed to be cohabiting in a conjugal relationship unless they were not cohabiting at the particular time for a period of at least 90 days that includes the particular time because of a breakdown of their conjugal relationship.</p> <p>Termination of permit</p> <p>132(1) If a professional corporation ceases to fulfil any condition specified in section 131(3)</p> <p>(a) only because of the death or loss of active membership in the Society of a voting shareholder of the corporation,</p> <p>(b) only because</p> <p>(i) of the death of a non-voting shareholder of the corporation or the death of a minor child who is a beneficiary of a trust referred to in section 131(3)(f)(ii)(D), or</p> <p>(ii) a former spouse or former common-law partner of an</p>

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	<p>(A) the spouse of the member; (B) the common-law partner of the member; (C) a child of the member; (D) a trust, all of the beneficiaries of which are minor children of the member, and (f) the corporation meets the requirements of this Act and the regulations.</p> <p>(2) Notwithstanding subsection (1), a professional corporation registered with an organization recognized by the board in accordance with the directives may engage in a professional accounting practice or a public accounting practice under any name containing the words “Professional Corporation” or the abbreviation or initials “P.C.” if the professional accounting practice or public accounting practice is conducted within a professional accounting firm.</p> <p>(3) A person who contravenes subsection (1) is guilty of an offence and liable to a fine of not more than \$1000 for every day on which the prohibited name, abbreviation or initials are used.</p> <p>(4) For the purposes of subsection (1)(e)(ii) and section 46(2), (a) “child”, with respect to a member of the CPAA, includes (i) an individual of whom the member is the legal parent, (ii) an individual who is wholly dependent on the member for support and of whom the member has, or immediately before the individual attained the age of 19 years had, in law or in fact, the custody and control, and (iii) a child of the member’s spouse or common-law partner; (b) “common-law partner”, with respect to a member of the CPAA at any time, means an individual who cohabits in a conjugal relationship with the member at that time and (i) has so cohabited with the member for a continuous</p>	<p>active member who is a voting shareholder continues to own non-voting shares after their divorce or the breakdown of their common-law relationship, or (c) only because a child who is a beneficiary of a trust referred to in section 131(3)(f)(ii)(D) attains the age of 18 years, the professional corporation has a period of 90 days from the date of the death, loss of active membership, divorce, breakdown of the common-law relationship or a beneficiary of a trust attaining the age of 18 years, as the case may be, in which to fulfil the condition, failing which the permit is automatically terminated effective on the expiration of the 90-day period without the necessity of an order of the Benchers.</p> <p>(2) In the event of the death of a voting shareholder of the corporation or the occurrence of an event or circumstance described in subsection (1)(b), the Benchers may in writing order that the 90-day period provided for in subsection (1) be extended for a further period that it considers reasonable.</p> <p>Voting agreements with non-members prohibited 134 No voting shareholder of a professional corporation shall enter into a voting trust agreement, proxy or any other type of agreement vesting in another person who is not an active member of the Society the authority to exercise the voting rights attached to any or all of the shareholder’s shares.</p> <p>Use of title 137(1) No person shall engage in practice as a barrister and solicitor under any name containing “Professional Corporation” or the abbreviation “P.C.” unless that person is incorporated or continued as a corporation under the <i>Business Corporations Act</i> and the corporation is the holder of a permit not under suspension. (2) A person who contravenes subsection (1) is guilty of an offence and liable to a fine not exceeding \$1000 for every day on which the prohibited name or abbreviation is used.</p>

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	<p>period of at least one year, or (ii) would be the parent of a child of whom the member is a parent if this clause were read without reference to clause (a)(iii), and, for the purposes of this clause, where at any time the member and the individual cohabit in a conjugal relationship, they are, at any particular time after that time, deemed to be cohabiting in a conjugal relationship unless they were not cohabiting at the particular time for a period of at least 90 days that includes the particular time because of a breakdown of their conjugal relationship.</p> <p>Approval for professional corporation 42 The registrar may issue an approval of the articles of a proposed professional corporation for the purposes of section 7(2) of the <i>Business Corporations Act</i> to a registrant who</p> <ul style="list-style-type: none"> (a) files an application in the form provided for by resolution, (b) submits a copy of the proposed articles, (c) pays all the approval application fees provided for by resolution, and (d) provides satisfactory evidence to the registrar that the professional corporation is not restricted from providing professional services regulated by the CPAA or from carrying out its powers, duties and functions under this Act. <p>Professional corporation registration requirements 43 An application for registration as a professional corporation is complete for the purpose of consideration under Division 1 if it is in the required form and provided to the CPAA by the applicant together with</p> <ul style="list-style-type: none"> (a) evidence of compliance with sections 40(1) and 42(d), (b) the fees provided for by resolution, and (c) any information required under section 30(1). 	<p>Effect of discipline 138(1) If a member is disbarred and the member is the sole voting shareholder of a professional corporation, the permit of the professional corporation is revoked by that disbarment. (2) If the membership of a member is suspended and the member is the sole voting shareholder of a professional corporation, the permit of the professional corporation is suspended for the same period for which the membership is suspended.</p> <p>Right to sue 141 A corporation may sue to recover fees for the provision of any services provided by it in the course of carrying on the practice of a barrister and solicitor if those services were performed during a period when the corporation was the holder of a permit that was not under suspension.</p> <p>Interpretation 143 In any provision of an Act of the Legislature or any regulation, rule, order or bylaw made under an Act of the Legislature enacted or made before, at or after the commencement of this section, a reference to a person authorized to carry on the practice of law, whether referred to as a member of The Law Society of Alberta, a barrister and solicitor or otherwise, is to be read as including a professional corporation unless otherwise expressly provided.</p> <p>Rules of the Law Society of Alberta</p> <p>PART 1 ORGANIZATION AND ADMINISTRATION OF THE SOCIETY Law Firms 2 (1) For the purposes of these Rules and section 126 of the Act, "law firm" or "firm" means</p> <ul style="list-style-type: none"> (a) a sole practitioner, (b) a professional corporation that is not part of a partnership, or

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	<p>Voting of shares restrictions 44 No voting shareholder of a professional corporation shall enter into a voting trust agreement, proxy or any other type of agreement vesting in another person who is not a member of the CPAA the authority to exercise the voting rights attached to any or all of the shareholder's shares.</p> <p>Change in organization 45 A professional corporation must inform the registrar within 15 days in the form provided for by resolution of any change in the articles, ownership or directors of the professional corporation or to the name of the professional corporation.</p> <p>Cancellation of professional corporation registration 46(1) The registrar may cancel the registration of a professional corporation if section 40, 44 or 45 is not complied with or if the professional corporation ceases to be in good standing under the <i>Business Corporations Act</i>. (2) Notwithstanding subsection (1), if a professional corporation ceases to comply with section 40 or 45 (a) only because of (i) the death of a member of the CPAA, or (ii) the suspension or cancellation of the registration of a registrant, who is a voting shareholder of the professional corporation, (b) only because (i) of the death of a non-voting shareholder of the professional corporation or the death of a minor child who is a beneficiary of a trust referred to in section 40(1)(e)(ii)(D), or (ii) a former spouse or former common-law partner of a member of the CPAA who is a voting shareholder continues to own non-voting shares after their divorce or the breakdown of their common-law relationship,</p>	<p>(c) a partnership consisting wholly or partly of active members or professional corporations or a combination of both that owns and carries on a law practice in Alberta, and includes an LLP. (2) For the purposes of these Rules, a member is an owner of a law firm if (a) the firm consists of a sole practitioner and the member is the sole practitioner, (b) the law firm is a professional corporation that is not part of a partnership and the member is the sole voting shareholder of the corporation or one of the voting shareholders of the corporation, or (c) the law firm is a partnership and the member is one of the partners or is a voting shareholder of a professional corporation that is one of the partners. (3) For the purposes of these Rules, a member "practises with" a law firm if the member is the owner or one of the owners of the law firm or is an associate of the firm. (4) Where a provision of these Rules imposes a duty on a law firm, (a) the owner of the law firm is responsible for performing the duty, if the firm has only one owner, and (b) the owners of the law firm are jointly and severally responsible for performing the duty, if the firm has 2 or more owners.</p> <p>PART 5 DUTIES OF LAW FIRMS DIVISION 2 INTERPRETATION AND AUTHORITY Required Approvals for Lawyers and Law Firms 119.1 A law firm shall, before commencing the carrying on of its law practice in Alberta, obtain and at all times thereafter maintain, the following approvals: (a) designation of a responsible lawyer; and (b) authorization to maintain a trust account unless specifically exempted from these requirements by the Executive Director.</p> <p>DIVISION 3 APPROVAL OF RESPONSIBLE LAWYER AND TRUST ACCOUNT QUALIFYING AS A RESPONSIBLE LAWYER</p>

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	<p>or</p> <p>(c) only because a child who is a beneficiary of a trust referred to in section 40(1)(e)(ii)(D) attains the age of 18 years, the professional corporation has 90 days from the date of the death, suspension, cancellation, divorce, breakdown of the common-law relationship or a beneficiary of a trust attaining the age of 18 years, as the case may be, in which to comply with section 40 or 45, as the case may be, failing which the professional corporation's registration is cancelled on the expiration of the 90-day period.</p> <p>(3) Notwithstanding section 40(1)(d), if the registration of a chartered professional accountant who is a shareholder of a professional corporation is suspended, that individual may remain as a shareholder of the professional corporation, but the individual may not engage in a professional accounting practice or a public accounting practice on behalf of the professional corporation while suspended.</p> <p>(4) In the event of the death of a member of the CPAA or the occurrence of an event or circumstance described in subsection (2)(b), the registrar or registration committee may in writing order that the 90-day period provided for in subsection (2) be extended for a further period that it considers reasonable.</p> <p>(5) A registrar may not delete any information regarding professional corporations except in accordance with the directives.</p> <p>Notification of change of status</p> <p>47(1) If a professional corporation's registration is suspended or cancelled, the registrar must, within 30 days, notify the Registrar of Corporations and the shareholders of the professional corporation recorded with the registrar.</p>	<p>Accountability as Responsible Lawyer</p> <p>119.3 (1) The responsible lawyer is accountable for</p> <p>(a) the controls in relation to and the operation of all law firm trust accounts and general accounts,</p> <p>(b) the accuracy of all reporting requirements of the law firm,</p> <p>(c) the accuracy of all filing requirements of the law firm, and</p> <p>(d) any of subrule (1)(a), (b), or (c) that have been delegated to another person.</p> <p>(2) A lawyer shall not serve as responsible lawyer with more than one law firm unless authorized to do so by the Executive Director.</p> <p>(3) A lawyer may apply to the Executive Director to be designated as an alternate responsible lawyer.</p> <p>(4) There must be only one person acting as responsible lawyer for a law firm at any one time unless specifically exempted from this requirement by the Executive Director.</p> <p>Responsible Lawyer</p> <p>119.4 To be or continue to be designated as a responsible lawyer a lawyer must</p> <p>(a) be an active member of the Society,</p> <p>(b) if employed by or contracting with a law firm, be covered by the professional liability insurance program, and the trust safety insurance program administered by the Alberta Lawyers Insurance Association or equivalent insurance in another province,</p> <p>(b.1) if employed by or contracting with a person other than a law firm and practices solely within the scope of that employment or contract, be covered by the trust safety insurance program,</p> <p>(c) reside in Canada,</p> <p>(d) make an application for approval as responsible lawyer to the Executive Director, and</p> <p>(e) fulfill any conditions in relation to the approval of responsible lawyer.</p> <p>PART 7 INDEMNITY PROGRAM</p> <p>DIVISION 1 PROFESSIONAL LIABILITY INSURANCE</p>

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	<p>(2) In addition to the information provided under subsection (1), the registrar may provide information concerning the suspended or cancelled registration to the Registrar of Corporations and the shareholders in accordance with the directives.</p> <p>Division 4 Professional Accounting Firms Professional accounting firms 49(1) In addition to any other registration held under this Act, a member of the CPAA, a professional corporation or a partnership that conducts any aspect of a professional accounting practice must register as a professional accounting firm unless the professional accounting practice is conducted in a registered professional accounting firm.</p> <p>(2) In addition to any other registration held under this Act, a member of the CPAA, a professional corporation or a partnership that conducts any aspect of a public accounting practice must, subject to subsection (3), register as a professional accounting firm unless the public accounting practice is conducted in a registered professional accounting firm.</p> <p>(3) A member of the CPAA who is described in section 51(1), (2) or (3) is not required to register as a professional accounting firm.</p> <p>Professional accounting firm registration requirements 50 An application for registration as a professional accounting firm is complete for the purpose of consideration under Division 1 if it is in the form provided for by resolution and provided to the CPAA by the applicant together with</p> <p>(a) evidence to the satisfaction of the registrar or the registration committee about the nature and scope of the firm's professional accounting practice or public accounting practice, or both,</p>	<p>ASSESSMENTS Levy of Professional Liability Insurance Assessments 146 (1) For the purposes of the professional liability insurance program, insurance assessments shall be determined by the Advisory Board and</p> <p>(a) shall be levied prior to the commencement of a policy period and shall be applicable to that period, or for such other periods determined by the Advisory Board; and</p> <p>(b) shall be levied on those members who are not exempt under this Division or suspended members on the first day of the policy period to which the assessment applies.</p> <p>PART 8 PROFESSIONAL CORPORATIONS Interpretation 153.1 In this Part, "Executive Director" includes the employees holding the positions of Credentials and Education Counsel, Membership Manager, Membership Officer, Counsel and Policy and Programs Counsel.</p> <p>Register of Professional Corporations 154 (1) The Executive Director shall maintain a register of professional corporations containing the following information with respect to each professional corporation:</p> <p>(a) The name and registered office of the professional corporation and the number on the register attributed to the professional corporation;</p> <p>(b) The date of issuance of the initial permit to the professional corporation;</p> <p>(c) The respective dates of the renewal of the permit of the corporation and the number on the register attributed to the professional corporation; and</p> <p>(d) Any other particulars specified by the Benchers.</p> <p>(2) The Executive Director shall prepare any other records with respect to professional corporations specified by the Benchers.</p> <p>Approval re. Incorporation 155 (1) Where a person proposes to incorporate a corporation under the <i>Business Corporations Act</i> with the intention of</p>

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	<p>(b) the fees provided for by resolution, (c) evidence of having professional liability insurance as required by the bylaws, (d) evidence of meeting any education or experience requirements set out in the regulations, (e) the name of the member of the CPAA at the professional accounting firm who is designated by the firm</p> <p style="padding-left: 40px;">(i) to receive correspondence and answer questions from the CPAA on any matter, including registration, practice reviews and disciplinary proceedings, and</p> <p style="padding-left: 40px;">(ii) to be the firm's representative for the purposes of Parts 4, 5 and 7, and</p> <p>(f) any other information required by the directives.</p> <p>Division 6 Other Persons Registration requirements of other persons 53(1) A person providing any restricted activities as set out in section 3 who is registered with</p> <p>(a) an organization outside Alberta but in Canada that regulates accounting, or</p> <p>(b) an organization outside Canada that regulates accounting, and that is recognized by the board in accordance with the regulations as having substantially equivalent competence and practice requirements, must register as a professional accounting firm.</p> <p>(2) An application for registration as a professional accounting firm under subsection (1) is complete for the purpose of consideration under Division 1 if it is in the form provided for by resolution and provided to the CPAA by the applicant together with all information required of a professional accounting firm under section 50 and</p> <p>(a) satisfactory evidence that</p>	<p>obtaining a permit for the corporation under Part 8 of the Act:</p> <p>(a) the person shall forward to the Executive Director the proposed articles of incorporation of the corporation and any other information required by the Executive Director for the purposes of this subrule; and</p> <p>(b) the Executive Director shall endorse the articles with the Executive Director's approval on behalf of the Society pursuant to section 7(2) of the <i>Business Corporations Act</i> if the Executive Director is satisfied that;</p> <p style="padding-left: 40px;">(i) the name of the proposed corporation complies with the Rules, (ii) the person or persons who will be voting shareholders of the proposed corporation are active members of the Society, (iii) the persons, if any, who will be non-voting shareholders of the corporation are within the classes described in section 131(3)(f) of the Act, and (iv) the articles are otherwise in accordance with the Act.</p> <p>(2) Subrule (1) of this Rule and Rule 156(1) apply, with the necessary modifications, to cases where a person proposes to file:</p> <p>(a) articles of continuance to continue a body corporate as a Professional Corporation under the <i>Business Corporations Act</i>, (b) articles of amendment under the <i>Business Corporations Act</i> to change the name of a corporation to a name denoting a Professional Corporation under the <i>Business Corporations Act</i>, or (c) articles of amalgamation under the <i>Business Corporations Act</i> under which the amalgamated corporation will be a Professional Corporation under the <i>Business Corporations Act</i>, with the intention of obtaining a permit for the corporation under Part 8 of the <i>Legal Profession Act</i>.</p> <p>(3) For the purposes of applying subrule (2):</p> <p>(a) references in subrule (1) of this Rule and Rule 156(1) to a certificate of incorporation shall, where appropriate, be read as a reference to a certificate of amalgamation; and (b) references in those subrules to articles of incorporation shall be read as references to articles of continuance, articles of amendment or articles of amalgamation, as the case may be.</p>

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	<p>(i) any individual who is engaged in the applicant's professional accounting practice in Alberta meets the requirements set out in the regulations, and</p> <p>(ii) demonstrates to the registrar or the registration committee that each such individual has maintained competence,</p> <p>(b) satisfactory evidence that the applicant</p> <p>(i) is registered in good standing with the accounting organization referred to in subsection (1),</p> <p>(ii) has successfully completed a recent review of client files that is substantially equivalent to a practice review required under Part 4,</p> <p>(iii) would be permitted by the accounting organization referred to in subsection (1) to carry out the scope of practice that the applicant intends to carry out while registered under this section, and</p> <p>(iv) meets any other requirements set out in the regulations or bylaws,</p> <p>(c) the fees provided for by resolution, and</p> <p>(d) any other information required by the regulations or directives.</p> <p>Division 7 Continuing Registration Requirements for continuing registration</p> <p>54(1) A registrant's registration continues in effect if the registrant</p> <p>(a) completes any applicable continuing competence or education requirements in accordance with the regulations or bylaws,</p> <p>(b) provides satisfactory evidence to the registrar that the registrant is maintaining professional liability insurance as required by the bylaws or, in the case of limited liability partnerships, as required by the regulations,</p>	<p>Application for Permit</p> <p>156 (1) A corporation may apply to the Executive Director for a permit for the corporation under Part 8 of the Act by submitting:</p> <p>(a) an application for a permit in Form 8-1;</p> <p>(b) a reproduced copy of the corporation's certificate of incorporation under the <i>Business Corporations Act</i> and a reproduced copy of its articles of incorporation as approved by the Executive Director under Rule 155 and filed under that Act; and</p> <p>(c) the prescribed application fee.</p> <p>(2) A professional corporation shall inform the Executive Director of any change in the particulars set forth in the application furnished pursuant to subrule (1), by providing to the Executive Director a Statement of Particulars in Form 8-2 within 15 days of the change.</p> <p>Form of Permit</p> <p>157 A permit issued pursuant to section 131(3) of the Act shall be in Form 8-3.</p> <p>Renewal of Permit</p> <p>158 (1) The Executive Director shall in each year mail to each professional corporation then holding a subsisting permit, a written notice in Form 8-4 respecting the renewal of its permit.</p> <p>(2) A professional corporation wishing to have its permit renewed for the following calendar year shall furnish to the Executive Director on or before December 31 in each year:</p> <p>(a) a statement of particulars in Form 8-2; and</p> <p>(b) payment of the prescribed renewal fee.</p> <p>(3) The Executive Director shall issue an annual renewal certificate to a professional corporation in Form 8-5 when the corporation complies with subrule (2) and the Executive Director is satisfied as to the matters enumerated in section 131(3) of the Act.</p> <p>(4) Where a professional corporation fails to comply with the requirements of this Rule, the Executive Director shall notify the professional corporation that its permit has expired, shall enter</p>

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	<p>(c) provides information to the CPAA in accordance with this Act or the regulations,</p> <p>(d) pays registration fees in the amounts and at the times provided for by resolution,</p> <p>(e) provides satisfactory evidence to the registrar of having complied with any conditions or restrictions on the registrant's registration or practice,</p> <p>(f) provides to the registrar in a timely manner any changes to the information required to be provided to the registrar under this Act and the regulations, bylaws and directives, and</p> <p>(g) provides any further information required by the directives.</p> <p>(2) If a registrant fails to meet the requirements set out in subsection (1),</p> <p>(a) the registrant's registration may be suspended, cancelled or made subject to practice restrictions in accordance with the bylaws,</p> <p>(b) the registrant is liable for any financial penalty for the contravention imposed in accordance with the bylaws, and</p> <p>(c) the registrar may make a complaint under section 66 about the conduct of the registrant.</p> <p>(3) The registrar must notify the registrant in writing of a suspension or cancellation of registration or the imposition of practice restrictions under this section.</p> <p>(4) A registrant whose registration is suspended, cancelled or made subject to practice restrictions pursuant to this section may, within 30 days after being notified by the registrar under subsection (3), appeal to an appeal tribunal in accordance with Part 7.</p> <p>(5) The appellant and the registrar or registration committee are parties to an appeal under this section.</p> <p>Division 8 Reinstatement of Registration Reinstatement of registration</p>	<p>the expiration of the permit into the register of professional corporations, and shall notify the Registrar of Corporations accordingly.</p> <p>(5) Where the permit of a professional corporation expires under this Rule and the professional corporation wants to renew its permit with the Law Society, the information required, the fee required, and all other aspects of the application will be the same as if the professional corporation had never obtained a permit from the Law Society.</p> <p>(6) Where the permit of a professional corporation expires under this Rule and the professional corporation wants to renew its permit with the Law Society retrospectively:</p> <p>(a) The professional corporation:</p> <p>(i) shall provide all of the information required for application for a permit;</p> <p>(ii) shall pay the fee required for application for a permit, plus the fee for all past years for which the professional corporation is applying for retrospective renewal; and</p> <p>(iii) shall advise why the permit was not kept current, whether any trust funds have been held in the name of the professional corporation during the period for retrospective renewal, and whether the requisite trust records were kept up to date; and</p> <p>(b) The Executive Director shall determine whether to grant the application for retrospective renewal, taking into account whether the requirements set out in the Act and the Rules are met for each year involved and whether a retrospective renewal could reasonably be prejudicial to the public, the Law Society or the profession.</p> <p>Corporate Name</p> <p>159 (1) Apart from the words "Professional Corporation" and the year of incorporation, the name of a professional corporation having one voting shareholder shall consist of one or more of the given names or initials of the voting shareholder and the surname of the voting shareholder.</p> <p>(2) Apart from the words "Professional Corporation" and the year of incorporation, the name of a professional corporation</p>

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	<p>57(1) Unless otherwise provided in this Act or the regulations or bylaws, an investigated party whose registration is suspended under Part 5 or 7 must be reinstated when the investigated party has satisfied the discipline tribunal secretary that the investigated party has complied with the order governing the suspension made pursuant to Part 5 or 7, and any certificate must be reissued or returned.</p> <p>(2) An applicant whose resignation was accepted or whose registration was cancelled under a former Act or under Part 5 or 7 must comply with all orders or any conditions specified by the complaints inquiry committee, discipline tribunal, appeal tribunal or Court of Appeal, as the case may be, before becoming entitled to apply to the registrar or the registration committee for reinstatement of registration.</p> <p>Part 4 Practice Review Practice review 60(1) The purpose of practice review is to promote high standards of practice in professional accounting firms and professional service providers and, generally, to maintain and improve the competence of the profession.</p> <p>Practice review committee mandate 62(1) After each practice review, the practice review committee may determine whether the professional accounting practice or the public accounting practice that is the subject of the practice review complies in whole or in part with the rules of professional conduct and practice standards and may do one or more of the following:</p> <p>(a) recommend practice improvements, practical experience or the engagement of a mentor;</p> <p>(b) direct a follow-up practice review on the conditions, at the times and for the purpose specified by the practice review</p>	<p>having two or more voting shareholders shall consist of:</p> <p>(a) the surname of at least one active practising member of the Society who is a voting shareholder of the corporation, with or without given names or initials of that member, or</p> <p>(b) the surname of at least one member or former member whose name appeared in the name of any law firm whose practice was acquired by the professional corporation.</p> <p>(3) Notwithstanding subrule (2), the name of a professional corporation shall not, apart from the words "Professional Corporation", consist solely of the name of an inactive member or a deceased member.</p> <p>(4) Notwithstanding subrule (1), the name of a professional corporation having one voting shareholder may include the honorific "Q.C." properly attributable to the one voting shareholder of the corporation.</p> <p>(5) Notwithstanding subrule (2), the name of a professional corporation having two or more voting shareholders may include the words "and company"; "and partners"; or "and associates".</p> <p>(6) Notwithstanding subrules (1) and (2) the name of a professional corporation may include any words necessary in order to facilitate extra-provincial registration of a professional corporation.</p> <p>(7) Notwithstanding subrule (1), the name of a professional corporation may add the professional descriptor "Legal" or "Law" to its name between the words "Professional" and "Corporation".</p> <p>PART 8.1 LIMITED LIABILITY PARTNERSHIPS Interpretation 159.01 In this Part, "Executive Director" includes the employees holding the positions of Credentials and Education Counsel, Membership Manager, Membership Officer, Counsel and Policy and Programs Counsel.</p> <p>Register of LLPs 159.1 (1) The Executive Director shall maintain a register of LLPs containing the following information with respect to each</p>

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	<p>committee;</p> <p>(c) direct the establishment and implementation of a professional development plan or a plan to maintain and improve professional standards;</p> <p>(d) direct that courses, examinations, tutorials or other forms of professional development or skills training be taken;</p> <p>(e) make a complaint under section 66.</p> <p>Part 5 Complaints Inquiry Process Division 2 Complaints, Reviews and Mediation Complaints against professional accounting firms 67 If a complaint relates to a professional accounting firm, the complaint may be made in respect of the firm itself or any one or more of the registrants in or associated with the professional accounting firm, or both the firm and any one or more of the registrants.</p> <p>Division 4 Discipline Tribunal Proceedings Discipline tribunal orders 95(1) If a discipline tribunal determines that the conduct of an investigated party constitutes unprofessional conduct, the discipline tribunal may make one or more of the following orders:</p> <p>(a) reprimand the investigated party;</p> <p>(b) suspend registration for a stated period or pending compliance with specified conditions;</p> <p>(c) impose restrictions on any or all aspects of the investigated party's professional accounting practice, public accounting practice or other areas of practice for a stated period of time, pending compliance with specified conditions, or until otherwise ordered by the discipline tribunal or another discipline tribunal or other body or individual specified by the discipline tribunal;</p>	<p>LLP:</p> <p>(a) the name and registered office of the LLP and the number on the register attributed to the LLP;</p> <p>(b) the names and roll numbers of the members of the Society who are partners in the LLP, or who hold shares in a professional corporation that is a partner in the LLP;</p> <p>(c) the date of initial approval by the Society of the application of the LLP for registration under Part 3 of the Partnership Act; and</p> <p>(d) any other particulars specified by the Benchers.</p> <p>(2) The Executive Director shall maintain any other records with respect to LLPs specified by the Benchers.</p> <p>(3) A registered LLP shall notify the Executive Director in writing of any change in the particulars specified in subrule (1) before or immediately after the change is made and shall submit with such notification the prescribed fee for registration of the change.</p> <p>Registration of Alberta LLP 159.2 Where a law firm proposes to register as an Alberta LLP under Part 3 of the Partnership Act:</p> <p>(a) the firm shall forward to the Executive Director the proposed application, the prescribed fee, and any other information required by the Executive Director for the purposes of this Rule; and</p> <p>(b) the Executive Director shall endorse on the application or shall issue a statement of the Society's approval and certification pursuant to section 82(4)(b) of the <i>Partnership Act</i> that</p> <p>(i) the partners of the firm are covered by liability insurance in the form and amount required for that purpose by these Rules, and</p> <p>(ii) the partnership and the partners meet all other eligibility requirements for practice as an LLP that are imposed by the Benchers from time to time pursuant to the Act,</p> <p>provided that the Executive Director is satisfied as to those</p>

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	<p>(d) impose conditions or restrictions on the investigated party for a stated period of time or until otherwise ordered by the discipline tribunal, including that the investigated party</p> <ul style="list-style-type: none"> (i) practise under supervision in accordance with specified terms, (ii) not engage in sole practice, (iii) undergo counselling in accordance with specified terms, (iv) permit periodic inspections of practice by an individual authorized by the practice review committee or complaints inquiry committee or the chair of either of those committees, or (v) report on specified matters to the CPAA, the CIC secretary or the discipline tribunal secretary; <p>(e) accept, for a stated period or pending compliance with specified conditions, a voluntary suspension of registration or an undertaking to restrict practice;</p> <p>(f) direct the investigated party to satisfy a committee, individual or facility specified by the discipline tribunal that a disability or addiction can be or has been overcome, and suspend the investigated party until the committee, individual or facility is so satisfied;</p> <p>(g) require the investigated party to take counselling that is appropriate in the opinion of a committee, individual or facility specified by the discipline tribunal;</p> <p>(h) direct the investigated party to successfully complete a particular course of studies or examinations, or both, or to satisfy a committee or individual specified by the discipline tribunal as to the investigated party's professional competence generally or in a specified area of practice;</p> <p>(i) direct a professional accounting firm to develop and implement quality control procedures or professional development policies, to undergo a specific practice review or to increase the amount or change the type of professional</p>	<p>matters.</p> <p>Insurance Requirements 159.4 A member of the Society who is a partner in an LLP, or who holds shares in a professional corporation that is a partner in an LLP, must have and maintain professional liability insurance providing coverage of at least \$1,000,000 per occurrence and \$2,000,000 in the aggregate.</p> <p>Other Eligibility Requirements 159.5 The Executive Director shall not issue the Society's approval of an application under Rule 159.2 or 159.3 if the applicant partnership has one or more partners, whether individuals or professional corporations, that are not entitled to carry on the practice of law.</p> <p>PART 9 SOCIETY FEES AND ASSESSMENTS DIVISION 1 FEES, ASSESSMENTS AND OTHER CHARGES</p> <p>Remission of Fees 162 (1) Subject to subrule (2), (a) the Budget and Financial Affairs Committee may order the remission of all or any part of any fee or assessment payable to the Society; and (b) the Advisory Board may order the remission of all or any part of the professional liability insurance assessment and/or the trust safety insurance assessment payable to ALIA or ALIEX; by a member, a student-at-law or a professional corporation, if, in the Committee's or Advisory Board's opinion, as the case may be, it is appropriate to do so because of an appointment to a judicial office, the death of the member or student-at-law, or circumstances that would impose undue hardship on the member or student-at law. (2) The Benchers may order the remission of any fee or assessment payable to the Society, and the Advisory Board may order the remission of the professional liability insurance assessment and/or the trust safety insurance assessment, imposed on a member in any year, where the membership of</p>

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	<p>liability insurance carried by the professional accounting firm;</p> <p>(j) direct the payment of all or part of the costs of complying with an order;</p> <p>(k) prohibit, impose restrictions on or place conditions on the ability of a member of the CPAA or a professional accounting firm to train candidates or to supervise how candidates are trained;</p> <p>(l) cancel registration under this Act;</p> <p>(m) specify a time limit within which an order or any part of it must be complied with and specify the consequences of failing to comply, including suspension or cancellation of registration;</p> <p>(n) direct the publication or posting of a decision in any manner the discipline tribunal considers appropriate to protect the public interest and to notify clients or former clients of the investigated party as the situation requires;</p> <p>(o) order the investigated party to pay to the CPAA a fine not exceeding \$100 000 for each finding of unprofessional conduct;</p> <p>(p) make any further or other order that the discipline tribunal considers appropriate in the circumstances.</p> <p>Division 6 Special Suspension and Cancellation Powers</p> <p>Temporary suspension</p> <p>107(1) Notwithstanding anything in this Act, the CIC chair, after giving a registrant an opportunity to provide information and make representations, may, by written direction to the registrar,</p> <p>(a) suspend the registrant's registration or impose restrictions on the registrant's practice pending the conclusion of an investigation or pending the decision of a discipline tribunal, and</p> <p>(b) revoke the suspension or restriction at any time.</p> <p>Conviction for indictable offence</p> <p>108(1) If a registrant is convicted of an indictable offence in any</p>	<p>the member was under suspension during all or part of that year, and, in the opinion of the Benchers or the Advisory Board, as the case may be, it is appropriate to order the remission.</p>

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	<p>court in Canada or convicted of an offence outside Canada that would be regarded as an indictable offence in Canada, the registrant must give notice of the conviction, within 21 days after its occurrence, to the CPAA.</p> <p>(2) The CPAA may act under this section whether it receives notice under subsection (1) or becomes aware of the conviction by other means.</p> <p>(3) The discipline tribunal roster chair must consider the nature and seriousness of the offence and may convene a discipline tribunal, which may, after providing the registrant with an opportunity to provide information and make representations,</p> <p>(a) cancel or suspend the registrant's registration or impose restrictions or place conditions on the registrant's practice pending the expiry of the appeal period or pending the determination of an appeal from the conviction or a proceeding to have the conviction quashed, or</p> <p>(b) after the appeal period has expired or an unsuccessful appeal from the conviction or an unsuccessful proceeding to quash the conviction is concluded, and whether or not a cancellation, suspension, restriction or condition has previously been ordered,</p> <p style="padding-left: 40px;">(i) suspend the registrant's registration or restrict the registrant's practice for a stated period or pending compliance with specified conditions, or</p> <p style="padding-left: 40px;">(ii) cancel the registrant's registration.</p> <p>(4) A cancellation, suspension, restriction or condition under subsection (3)(a) may be revoked by the same or another discipline tribunal at any time.</p> <p>Falsely obtained registration</p> <p>109(1) If a discipline tribunal is satisfied, after a hearing on the matter, that a registration under this Act was obtained by fraud, deceit or misrepresentation, the discipline tribunal may order</p>	

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	<p>the registration to be cancelled or suspended or the registrant's practice to be restricted.</p> <p>Part 9 Ombudsman and Other Matters Division 2 Custodial Orders Custodian of a practice 142(1) The CPAA may apply to the Court of Queen's Bench for an order appointing a person as custodian of the property or practice of a registrant or former registrant for the purpose of providing for the temporary management, winding-up or sale of that practice under the circumstances referred to in subsection (2). (2) The Court may appoint a person as custodian of the property or practice of a registrant or former registrant for the purpose of providing for the temporary management, winding-up or sale of that practice if (a) the registrant's registration is suspended or has been cancelled.</p> <p>Regulations</p> <p>Education and experience requirements for professional accounting firms 13 For the purposes of section 50 of the Act, an applicant for registration as a professional accounting firm must provide to the registrar, for each area of services of professional accounting practice and public accounting practice in which the firm plans to engage, satisfactory evidence that each chartered professional accountant or person within the firm who has the authority to issue any of those services on behalf of the firm meets the education and experience requirements prescribed</p>	

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	<p>by the board, including requirements respecting the currency of education and experience.</p> <p>Requirements for registration of other persons or firms 15 For the purposes of section 53(2) of the Act, an applicant for registration as a professional accounting firm must provide to the registrar, for any restricted activities as set out in section 3 of the Act in which the applicant plans to engage, satisfactory evidence that each person who will be performing any of those restricted activities in Alberta on behalf of the applicant meets the education and experience requirements prescribed by the board, including requirements respecting the currency of education and experience.</p> <p>Division 5 Limited Liability Partnerships Limited liability partnerships 18(1) For the purpose of registration as an Alberta limited liability partnership or an extra-provincial limited liability partnership under Part 3 of the <i>Partnership Act</i>, the applicant must provide satisfactory evidence to the registrar that the partnership carries professional liability insurance in an amount not less than (a) \$2 000 000 per incident for partnerships with fewer than 4 chartered professional accountants or professional corporations engaged in the partnership's practice, and (b) \$2 500 000 per incident for partnerships with 4 or more chartered professional accountants or professional corporations engaged in the partnership's practice. (2) Notwithstanding subsection (1), a letter of credit, bond or other protection against professional liability may be substituted for professional liability insurance if it is (a) in an amount not less than the professional liability insurance that would be required under subsection (1), and</p>	

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	<p>(b) in a form approved by, and otherwise acceptable to, the registration committee.</p> <p>(3) A partnership referred to in subsection (1) must provide annually to the registrar satisfactory evidence of continued compliance with subsection (1) or (2).</p> <p>Division 2 Use of Certified General Accountant, Chartered Accountant and Certified Management Accountant and Related Titles, Abbreviations and Initials</p> <p>Use by professional accounting firms of titles, abbreviations and initials associated with the designation of certified general accountant, chartered accountant or certified management accountant</p> <p>23(1) Subject to the bylaws and the rules of professional conduct and for a period of 5 years from the coming into force of this section, a professional accounting firm who was, on the coming into force of this section, registered as a public accounting firm with the Certified General Accountants' Association of Alberta may use the following titles:</p> <p>(a) "chartered professional accountant";</p> <p>(b) "chartered professional accountant, certified general accountant";</p> <p>(c) "certified general accountant".</p> <p>(2) Subject to the bylaws and the rules of professional conduct and for a period of 5 years from the coming into force of this section, a professional accounting firm who was, on the coming into force of this section, registered as a public accounting firm with the Institute of Chartered Accountants of Alberta may use the following titles:</p> <p>(a) "chartered professional accountant";</p> <p>(b) "chartered professional accountant, chartered accountant";</p> <p>(c) "chartered accountant".</p>	

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	<p>(3) Subject to the bylaws and the rules of professional conduct and for a period of 5 years from the coming into force of this section, a professional accounting firm who was, on the coming into force of this section, registered as a public accounting firm with the Society of Management Accountants of Alberta may use the following titles: (a) “chartered professional accountant”;</p> <p>(b) “chartered professional accountant, certified management accountant”; (c) “certified management accountant”.</p> <p>(4) After the time period referred to in subsections (1), (2) and (3), and subject to the bylaws and the rules of professional conduct professional accounting firms referred to in subsections (1), (2) and (3) may use the title “chartered professional accountant”.</p> <p>Bylaws</p> <p>PART 8: PROFESSIONAL LIABILITY INSURANCE</p> <p>801 For the purpose of registration as a professional accounting firm or professional service provider, with the exception of limited liability partnerships, an applicant must provide satisfactory evidence to the Registrar that the practice carries professional liability insurance for all services offered to the public by that professional accounting firm or professional service provider in an amount not less than:</p> <p>(a) \$1,000,000 per incident excluding defense costs where one registrant is engaged in the practice;</p> <p>(b) \$1,500,000 per incident excluding defense costs where two or three registrants are engaged in the practice; and</p> <p>(c) \$2,000,000 per incident excluding defense costs where four or more registrants are engaged in the practice.</p> <p>802 Where a professional accounting firm ceases a professional accounting practice or a public accounting</p>	

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	<p>practice, the designated member of that professional accounting firm under section 50(e) of the Act must ensure that that professional accounting firm or its successor carries for six (6) years following such cessation, professional liability insurance in an amount not less than \$1,000,000 per incident, covering professional services rendered prior to cessation of practice by that professional accounting firm and its employees.</p> <p>804 The designated member of a professional accounting firm under section 50(e) of the Act and each professional service provider must immediately advise the CPAA in writing of any changes to the professional liability insurance policy, including any changes to the type of coverage or named insureds.</p> <p>PART 11: ELIGIBILITY REQUIREMENTS FOR REGISTRATION AS A LIMITED LIABILITY PARTNERSHIP</p> <p>1101 A partnership that is in compliance with the Regulations or that is otherwise eligible to be registered as a professional accounting firm pursuant to Part 3 of the Act is eligible to be registered as an Alberta limited liability partnership, or an extra-provincial limited liability partnership, under Part 3 of the Partnership Act, upon complying with the requirements of that Act.</p> <p>PART 17: EVALUATION OF EDUCATION AND EXPERIENCE Professional Accounting Firms</p> <p>1701 For the purpose of considering an application to register as a professional accounting firm, the Registration Committee must evaluate education and experience requirements prescribed by the Board for the purpose of section 13 of the Regulations.</p> <p>Other persons</p>	

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	<p>1721 For the purpose of considering an application to register as a professional accounting firm in accordance with section 53 of the Act, the Registration Committee must evaluate education and experience requirements prescribed by the Board for the purpose of section 15 of the Regulations.</p> <p>PART 19: CATEGORIES OF REGISTRANTS</p> <p>1902 The following categories of professional accounting firms are established:</p> <ul style="list-style-type: none"> (a) limited liability partnerships; (b) part-time firms, being a firm where management is not normally accessible throughout the usual business hours of the community in which the office is located; (c) regional or national firms; (d) suspended firms; (e) firms that have conditions or restrictions placed on their registration or practice; (e) firms that are engaged in a professional accounting practice; (f) firms that are engaged in a public accounting practice; (g) firms engaged in a related business or practice; (h) firms that are part of a network firm as set out in the Rules of Professional Conduct; (i) firms with non-registrant partners; and (j) firms with non-registrant professional corporation partners. 	

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Provisions related to permits or certificates of	<p>Act</p> <p>Interpretation</p> <p>1(1) In this Act,</p> <p>(c) “annual permit” means a permit issued to a professional corporation under this Act;</p>	

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authorization	<p>(dd) “professional corporation” means professional corporation within the meaning of Part 5;</p> <p>Part 2 Registration Registration Corporations not members 37 A corporation, professional corporation or physical therapy corporation may not be registered as a regulated member nor as an other member.</p> <p>Part 5 Business Arrangements Practice arrangements 100(1) A regulated member is responsible, for the purposes of this Act, the code of ethics, the standards of practice and the bylaws, for how the member provides professional services and complies with this Act, the code of ethics, the standards of practice and the bylaws, and that responsibility is not affected, modified or diminished by the practice arrangements of the regulated member and, without restricting the generality of practice arrangements, practice arrangements include providing professional services as, in relationship to or on behalf of</p> <ul style="list-style-type: none"> (a) a self-employed individual, (b) an employee, (c) a partner, (d) a partnership, (e) a shareholder, (f) a director, (g) a corporation other than a professional corporation or a physical therapy corporation, (h) a professional corporation or a physical therapy corporation, (i) an employer, or (j) a practice in association. <p>(2) Subject to this Part, a regulated member may provide professional services as, in relationship to or on behalf of</p> <ul style="list-style-type: none"> (a) a self-employed individual, (b) an employee, (c) a partner, (d) a partnership, (e) a shareholder, (f) a director, (g) a corporation other than a professional corporation or a physical therapy corporation, (h) a professional corporation or a physical therapy corporation, (i) an employer, or (j) a practice in association. 	

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	<p>Limited liability partnerships</p> <p>102.1(1) In this section, “council” means the council of</p> <ul style="list-style-type: none"> (a) the Alberta Dental Association and College; (b) the Alberta College and Association of Chiropractors; (c) the Alberta College of Optometrists; (d) the College of Physicians and Surgeons of Alberta. <p>(2) Subject to subsection (3), a council</p> <ul style="list-style-type: none"> (a) shall make regulations respecting the type and amount of liability insurance or other protection against professional liability that a partnership must have for the purposes of registration as a limited liability partnership under Part 3 of the <i>Partnership Act</i>, and (b) may make regulations governing eligibility requirements that a partnership must meet in order to be registered as a limited liability partnership under Part 3 of the <i>Partnership Act</i>. <p>(3) A regulated member of the College of Physicians and Surgeons of Alberta who is not a physician, surgeon or osteopath is not eligible to be a partner in a limited liability partnership under Part 3 of the <i>Partnership Act</i>.</p> <p>(4) A regulation under subsection (2)(a) does not come into force unless it is approved by the Lieutenant Governor in Council.</p> <p>(5) If the Minister considers that regulations made under subsection (2)(a) do not provide sufficient protection against professional liability, the Minister may, by notice in writing to the council, request the council to amend the regulations in the manner specified in the notice within the time set out in the notice.</p> <p>(6) If the council fails to amend the regulations in accordance with the notice under subsection (5), the Lieutenant Governor in Council may amend the regulations, and in that case the amendments operate as if they had been made by the council.</p> <p>(7) Subsections (2) and (4) to (6) do not apply if there is a bylaw under subsection (8) in effect.</p> <p>(8) A council may make a by-law providing that, notwithstanding Part 3 of the <i>Partnership Act</i>, no regulated member may provide professional services of the regulated profession in a limited liability partnership under that Act.</p> <p>Professional Corporations</p> <p>Definitions</p> <p>103 In sections 104 to 115,</p> <ul style="list-style-type: none"> (a) “articles” means articles as defined in the <i>Business Corporations Act</i>, 	

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	<p>(b) “registrar” means the registrar of</p> <ul style="list-style-type: none"> (i) the College of Physicians and Surgeons of Alberta; (ii) the Alberta Dental Association and College; (iii) the Alberta College and Association of Chiropractors; (iv) the Alberta College of Optometrists; <p>(c) “Registrar of Corporations” means the Registrar under the <i>Business Corporations Act</i>.</p> <p>Professional corporation</p> <p>104 A regulated member</p> <ul style="list-style-type: none"> (a) of the College of Physicians and Surgeons of Alberta who is a physician, surgeon or osteopath, (b) of the Alberta Dental Association and College, (c) of the Alberta College and Association of Chiropractors, or (d) of the Alberta College of Optometrists <p>may provide professional services on behalf of a corporation only if it is a professional corporation that holds an annual permit under this Act, and that professional corporation may only provide the professional services of a regulated member</p> <ul style="list-style-type: none"> (e) of the College of Physicians and Surgeons of Alberta who is a physician, surgeon or osteopath, (f) of the Alberta Dental Association and College, (g) of the Alberta College and Association of Chiropractors, or (h) of the Alberta College of Optometrists. <p>Name</p> <p>105(1) The name of a professional corporation must meet the requirements of the bylaws.</p> <p>(2) A professional corporation may provide professional services only under a name that meets the requirements of the bylaws.</p> <p>Use of name</p> <p>106(1) No person shall provide the professional services of a regulated member</p> <ul style="list-style-type: none"> (a) of the College of Physicians and Surgeons of Alberta who is a physician, surgeon or osteopath, (b) of the Alberta Dental Association and College, (c) of the Alberta College and Association of Chiropractors, or (d) of the Alberta College of Optometrists, <p>within Alberta under any name containing the words “corporation”, “incorporated”, “company”, “limited” or “Professional Corporation” or the abbreviation “Inc.”, “Ltd.” or “P.C.” unless that person is incorporated or continued as a corporation under the <i>Business Corporations Act</i> and the corporation holds an annual permit under this Act, or unless otherwise expressly authorized by statute.</p>	

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	<p>(2) A person who contravenes subsection (1) is guilty of an offence and liable to a fine not exceeding \$2000.</p> <p>Approval for professional corporation 108 The registrar may issue an approval of the articles of a proposed professional corporation for the purposes of section 7(2) of the <i>Business Corporations Act</i> to a regulated member</p> <ul style="list-style-type: none"> (a) of the College of Physicians and Surgeons of Alberta who is a physician, surgeon or osteopath, (b) of the Alberta Dental Association and College, (c) of the Alberta College and Association of Chiropractors, or (d) of the Alberta College of Optometrists, <p>who files an application in the form provided for in the bylaws, submits a copy of the proposed articles and pays all the approval application fees provided for in the bylaws.</p> <p>Professional corporation registered 109(1) A regulated member who obtains an approval under section 108 and incorporates the proposed professional corporation under the <i>Business Corporations Act</i> may register the professional corporation under this Act if the regulated member</p> <ul style="list-style-type: none"> (a) satisfies the registrar that the individuals who will provide professional services or who will supervise the provision of professional services on behalf of the professional corporation are regulated members of the college, (b) satisfies the registrar that the professional corporation is a corporation in good standing with the Registrar of Corporations, (c) satisfies the registrar that the professional corporation is not restricted from providing professional services regulated by the college or from carrying out its powers, duties and functions under this Act, (d) satisfies the registrar that the name of the corporation meets the requirements of the bylaws, (e) satisfies the registrar that the legal and beneficial ownership of all the issued voting shares of the professional corporation is vested in one or more regulated members of the college and that all of the directors of the corporation are regulated members of the college, (e.1) satisfies the registrar that the legal and beneficial ownership of all the issued non-voting shares of the professional corporation is vested in one or more of the following persons: <ul style="list-style-type: none"> (i) one or more regulated members of the college who are also voting shareholders; (ii) in respect of any regulated member of the college who is also a voting shareholder, one or more of the following persons: <ul style="list-style-type: none"> (A) the spouse of the regulated member; (B) the common-law partner of the regulated member; (C) a child of the regulated member; (D) a trust, all of the beneficiaries of which are minor children of the regulated member; (f) satisfies the registrar that no voting shareholder of the professional corporation has entered into a voting trust agreement, proxy or any other type of agreement vesting in another person who is not a regulated member of the same college the authority to exercise the voting rights attached to any or all of the shareholder's shares, and 	

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	<p>(g) submits the permit application fees provided for in the bylaws.</p> <p>(2) If a registrar is satisfied that subsection (1) has been complied with, the registrar must register the professional corporation, issue an annual permit to the professional corporation, assign a unique registration number to the professional corporation and enter the name of the professional corporation in the record of professional corporations.</p> <p>(3) For the purposes of subsection (1)(e.1)(ii) and section 114(2),</p> <p>(a) “child”, with respect to a regulated member, includes</p> <ul style="list-style-type: none"> (i) a person of whom the regulated member is the legal parent, (ii) a person who is wholly dependent on the regulated member for support and of whom the regulated member has, or immediately before the person attained the age of 19 years had, in law or in fact, the custody and control, and (iii) a child of the regulated member’s spouse or common-law partner; <p>(b) “common-law partner”, with respect to a regulated member at any time, means a person who cohabits in a conjugal relationship with the regulated member at that time and</p> <ul style="list-style-type: none"> (i) has so cohabited with the regulated member for a continuous period of at least one year, or (ii) would be the parent of a child of whom the regulated member is a parent if this clause were read without reference to clause (a)(iii), and, for the purposes of this clause, where at any time the regulated member and the person cohabit in a conjugal relationship, they are, at any particular time after that time, deemed to be cohabiting in a conjugal relationship unless they were not cohabiting at the particular time for a period of at least 90 days that includes the particular time because of a breakdown of their conjugal relationship. <p>Annual permit</p> <p>110(1) An annual permit expires on the date provided for in the bylaws.</p> <p>(2) If a professional corporation to which a unique registration number has been assigned under section 109(2) submits</p> <ul style="list-style-type: none"> (a) an application for an annual permit in the form provided for in the bylaws, (b) evidence satisfactory to the registrar that the corporation complies with section 109(1)(a) to (f), (c) the information required by the bylaws, and (d) the annual permit application fee provided for in the bylaws, <p>the registrar must issue an annual permit to the professional corporation.</p> <p>Voting of shares restrictions</p> <p>111 No voting shareholder of a professional corporation shall enter into a voting trust agreement, proxy or any other type of agreement vesting in another person who is not a regulated member of the same college the authority to exercise the voting rights attached to any or all of the shareholder’s shares.</p>	

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	<p>Change in organization 112 A professional corporation must inform the registrar within 15 days in the form provided for in the bylaws of any change in the ownership or directors of the professional corporation or to the name of the professional corporation.</p> <p>Record of professional corporations 113(1) A registrar must keep and maintain a record of professional corporations containing the following information with respect to each professional corporation: (a) its name and registered head office address; (b) the unique registration number issued to the professional corporation; (c) the date the annual permit was issued; (d) other information required by the bylaws.</p> <p>(2) The public may, during regular office hours, inquire about the information on the record of professional corporations, and the college must on request provide the information described in subsection (1).</p> <p>Cancellation of P.C. permit 114(1) An annual permit may be cancelled by a registrar if sections 104 to 112 are not complied with. (2) Despite subsection (1), if a professional corporation ceases to comply with a condition specified in section 109(1)(a) and (d) to (f) (a) only because of (i) the death of a regulated member, or (ii) the suspension or cancellation of the registration or practice permit of a regulated member, who is a voting shareholder of the professional corporation, (b) only because (i) of the death of a non-voting shareholder of the professional corporation or the death of a minor child who is a beneficiary of a trust referred to in section 109(1)(e.1)(ii)(D), or (ii) a former spouse or former common-law partner of a regulated member who is a voting shareholder continues to own non-voting shares after their divorce or the breakdown of their common-law relationship, or (c) only because a child who is a beneficiary of a trust referred to in section 109(1)(e.1)(ii)(D) attains the age of 18 years, the professional corporation has 90 days from the date of death, suspension, cancellation, divorce, breakdown of the common-law relationship or a beneficiary of a trust attaining the age of 18 years, as the case may be, in which to fulfil the condition, failing which the annual permit is cancelled on the expiration of the 90-day period.</p> <p>(3) If the practice permit of a regulated member who is a shareholder of a professional corporation is suspended, that member may remain as a shareholder of the professional corporation, but the member may not provide any professional service on behalf</p>	

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	<p>of the professional corporation while the practice permit is suspended.</p> <p>(4) In the event of the death of a regulated member or the occurrence of an event or circumstance described in subsection (2)(b), the council may in writing order that the 90-day period provided for in subsection (1) be extended for a further period that it considers reasonable.</p> <p>(5) When an annual permit is not applied for, expires or is cancelled, the registrar must record in the record of professional corporations that an annual permit was not applied for or that the annual permit expired or was cancelled.</p> <p>(6) A registrar shall not remove any information from the record of professional corporations except in accordance with the bylaws.</p> <p>Notification of cancelled, expired P.C. permits 115(1) When an annual permit is cancelled, a registrar must notify the Registrar of Corporations and the shareholders of the professional corporation recorded with the registrar.</p> <p>(2) Thirty days after the date that an annual permit expires, the registrar must notify the Registrar of Corporations that the annual permit has expired.</p> <p>(3) In addition to the information provided under subsection (1), the registrar may provide information, in accordance with the bylaws, on expired and cancelled annual permits.</p> <p>Restrictions on Regulations and Bylaws Regulations, bylaws inoperative 116 A regulation and a bylaw made by a council, other than a bylaw under section 132(1)(i) to (m) and (p), are inoperative if they purport to regulate a matter that is regulated under sections 97 to 100 or 103 to 115.</p> <p>Part 7 Title Protection Protected words, abbreviations 128(6) No corporation shall use the word college, alone or in combination with other words, in a manner that states or implies that the corporation is a college under this Act unless the corporation is a college under this Act or authorized to use the word college under another enactment.</p> <p>Bylaws 132(1) A council may make bylaw (i) respecting the naming of a professional corporation or a physical therapy corporation and the name under which a professional corporation or a physical therapy corporation may provide professional services;</p>	

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	<p>(j) establishing a record of professional corporations and physical therapy corporations and respecting the entry of information in the records and the removal of that information from the records;</p> <p>(k) respecting the providing of information on expired and cancelled annual permits of professional corporations and permits of physical therapy corporations;</p> <p>(l) respecting registration and annual permits of professional corporations and permits of physical therapy corporations and the information to be submitted by professional corporations and physical therapy corporations;</p> <p>(m) establishing the date on which an annual permit of a professional corporation or a permit of a physical therapy corporation expires;</p> <p>(p) respecting costs, fees, levies and assessments to be paid by regulated members and applicants with respect to registration, practice permits, professional corporations, physical therapy corporations, annual permits, permits of physical therapy corporations and late payment fees under this Act or the bylaws and costs, fees, levies and assessments for any accreditation, review, appeal, thing or service provided by the college under this Act or the bylaws;</p>	
	<p>Alberta Dental Association and College Bylaws (May 2013)</p> <p>14. PROFESSIONAL CORPORATIONS</p> <p>Business and Powers</p> <p>(1) The business that may be carried on and the powers that may be exercised by a Professional Corporation shall include:</p> <p>(a) to engage in every phase and aspect of rendering the same dental services to the public that a dentist, being a member of The Alberta Dental Association and College, is authorized to render;</p> <p>(b) to purchase or otherwise acquire to own, mortgage, pledge, sell, assign, transfer or otherwise dispose of, and to invest in, deal in and with, real and personal property necessary for the rendering of dental services;</p> <p>(c) to contract debts and borrow money, issue and sell or pledge bonds, debentures, notes and other evidences of indebtedness and execute mortgages, transfers of corporate property or other instruments to secure the payment or corporate indebtedness as required;</p> <p>(d) to enter into partnership, consolidate or merge with or purchase the assets of another corporation or individual rendering the same professional services.</p>	<p>Bylaws of the College of Physicians & Surgeons of Alberta (Jan 2016)</p> <p>26 Limited Liability Partnership</p> <p>(1) Regulated members or professional corporations are not permitted to enter into a limited liability partnership for the practice of medicine or osteopathy.</p> <p>27 Professional Corporation Application</p> <p>(1) An applicant for approval under section 108 of the Act shall provide to the Registrar:</p> <p>(a) an application in the form determined by the Registrar,</p> <p>(b) a copy of the articles of incorporation; and</p> <p>(c) payment of the required fee.</p> <p>28 Professional Corporation Annual Permit</p> <p>(1) Subject to sections 108 and 109 of the Act, a professional corporation annual permit:</p> <p>(a) is effective on January 1 or on the actual date that it is issued, whichever is later, and</p> <p>(b) expires on December 31 following the date of issue of the annual permit.</p> <p>29 Renewal of Professional Corporation Annual Permit</p>

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	<p>Record Professional Corporations</p> <p>(2) (a) The Executive Director and Registrar shall keep and maintain a record of professional corporations containing the following information with respect to each professional corporation:</p> <ul style="list-style-type: none"> (i) the name and registered office of each professional corporation, copies of the Certificate and Articles of Incorporation (together with all amendments) and the number on the record attributed to the professional corporation, (ii) the date of issuance of the annual permit to the professional corporation, (iii) the respective dates of the renewal of the annual permit of the professional corporation, and (iv) such further particulars as may be directed by Council. <p>(b) The Executive Director and Registrar shall prepare such other records with respect to professional corporations as may be directed by Council.</p> <p>Expiry Date</p> <p>(3) An annual permit issued to a professional corporation expires on December 31 of each year.</p> <p>(4) A Regulated Member or Members proposing to incorporate a professional corporation shall submit to the Executive Director and Registrar an executed Articles of Incorporation containing the name approved by the Registrar of Corporations, and if the name is approved by the Registrar of Corporations, and if the Executive Director and Registrar is satisfied that each of the voting subscribers to the Articles of Incorporation is a Regulated Member of the Alberta Dental Association and College, that the name contained in the Articles of Incorporation is one by which a professional corporation may be known and that the business that may be carried on and the powers that may be exercised include those contained in Section 14(1) of these By-laws, he</p>	<p>(1) The Registrar shall, on or before November 1 in each year, mail to each professional corporation then holding an annual permit, a written notice respecting the renewal of its permit.</p> <p>(2) Every professional corporation that wishes to have its annual permit renewed for the following calendar year shall provide to the Registrar on or before November 30 in each year:</p> <ul style="list-style-type: none"> (a) a statement of particulars in the form determined by the Registrar; and (b) the required fee. <p>(3) When a professional corporation has provided the material under subsection (2) and has paid the required renewal fee, the Registrar shall, if he is satisfied with respect to the matters described in section 109 of the Act, issue a renewal of the annual permit to the professional corporation in the form determined by the Registrar.</p> <p>30 Records</p> <p>(1) In addition to the requirements of section 113 of the Act, the Registrar shall keep and maintain a register of professional corporations containing the following information:</p> <ul style="list-style-type: none"> (a) name of all shareholders, (b) the number and type of shares held by a shareholder, and (c) the name of the directors. <p>(2) The Registrar shall:</p> <ul style="list-style-type: none"> (a) enter on the appropriate register a memorandum with respect to the name of a professional corporation whose permit has expired; and (b) notify the professional corporation and regulated member concerned and all other parties considered necessary by the Registrar that the permit of the professional corporation has expired. <p>(3) The Registrar shall determine the notification form for the purpose of section 112 of the Act.</p>

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	<p>shall endorse upon the original Articles of Incorporation, the following:</p> <p style="padding-left: 40px;">Each of the voting subscribers to the within Articles of Incorporation is a Regulated Member of the Alberta Dental Association and College and within the Articles of Incorporation complies with the requirements of the Health Professions Act, respecting professional corporations and shall return the same to the Regulated Member or Members.</p> <p>Applications</p> <p>(5) (a) An applicant for a professional corporation permit under Section 109 of the Health Professions Act shall furnish to the Executive Director and Registrar:</p> <ul style="list-style-type: none"> (i) an application in Form A, (ii) a copy of the Corporation's Certificate of Incorporation, (iii) a Certificate of Status if the issuance of the Certificate of Incorporation took place more than 30 days prior to the date of the application, and (iv) payment of the fee determined by Council. <p>(b) Every professional corporation shall inform the Executive Director and Registrar of any change in the particulars set forth in the application furnished pursuant to clause (a), by providing to the Executive Director and Registrar a Statement of Particulars in Form B to these By-laws within fifteen days of any such change.</p> <p>(c) Every professional corporation proposing to amend its Articles of Incorporation shall submit to the Executive Director and Registrar executed Articles of Amendment (and Restatement) for approval prior to registration of the amendment.</p> <p>(6) When the Executive Director and Registrar has issued an</p>	<p>(4) The Registrar may provide to the registrar of corporations, pursuant to section 115(3) of the Act, any other information that the Registrar, in his sole discretion deems relevant.</p> <p>31 Names</p> <p>(1) Subject to section 10 of the Business Corporations Act and approval by the Registrar, the name of a professional corporation shall contain only the surname, or the surname and any combination of the given names or initials, of one or more regulated members of the College who are shareholders of the corporation followed by "Professional" and "Corporation" and an appropriate descriptive term such as "medical" or "surgical".</p> <p>(2) Except as provided in subsection (3), a professional corporation shall carry on the practice of medicine under its corporate name.</p> <p>(3) A professional corporation may carry on the practice of medicine in partnership under a firm name that does not contain its full corporate name, if the firm name is in accordance with the code of ethics and standards of practice established by the Council.</p> <p>(4) The full corporate name of each professional corporation that is a member of a partnership for the practice of medicine shall be shown on the letterhead and any advertisement used by that partnership.</p> <p>32 Reissue after Revocation</p> <p>(1) An annual permit of a professional corporation that has been cancelled by the Registrar may be reissued if the Registrar is satisfied that the applicant has complied with sections 108 and 109 of the Act.</p>

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	<p>annual permit pursuant to the Health Professions Act, he shall furnish an annual permit (Form C) to these By-Laws.</p> <p>(7) (a) The Executive Director and Registrar shall, on or before the fifteenth day of November in each year, send an invoice and a notice for the renewal to each professional corporation holding a subsisting annual permit.</p> <p>(b) Every professional corporation that wishes to have its annual permit renewed for the following calendar year shall furnish to the Executive Director and Registrar on or before the last day of December in each year:</p> <p style="padding-left: 20px;">(i) confirmation that the professional corporation complies with section 109(1)(a) to (f) of the Health Professions Act.</p> <p style="padding-left: 20px;">(ii) payment of the renewal fee in the amount determined by Council.</p> <p>(c) The Executive Director and Registrar shall issue a renewal of the annual permit to a professional corporation when the corporation has filed the material under subclause (b) and has paid the renewal fee, and if the Executive Director and Registrar is satisfied as to the matters described in section 109(1) of the Health Professions Act.</p> <p>(d) The Executive Director and Registrar shall promptly enter on the record kept pursuant to clause (1) a memorandum with respect to the name of each professional corporation whose annual permit has expired and shall thereupon notify each such professional corporation whose annual permit has expired and shall thereupon notify each such professional corporation and each Regulated Member of the fact that the annual permit of each such professional corporation has expired.</p> <p>(e) Retroactive permit fees will be charged by the Alberta Dental Association and College for any professional corporations that fail to renew their annual permits in previous years.</p> <p>Names of Professional Corporations</p>	

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	<p>(8) (a) The name of a professional corporation shall contain only surnames and any combination of the given name or initials, of one or more Regulated Members of the Alberta Dental Association and College, who are or were voting shareholders of the corporation, or whose names appeared in the name of any practice acquired by the corporation, followed by the words “Professional Corporation”</p> <p>(b) Except as provided in clause 9(c), a professional corporation shall carry on the practice of dentistry under its corporate name.</p> <p>(c) A professional corporation may carry on the practice of a dentist in partnership under a firm or group name which name does not contain its full corporate name, provided that name is approved by the Executive Director and Registrar and the full corporate name of each professional corporation that is a member of the partnership is shown on the letterhead of the firm or group.</p> <p>(9) (a) Every professional corporation shall be liable for payment of the annual fee specified by Council, in respect of each Regulated member of the Alberta Dental Association and College who is a voting shareholder in the corporation.</p> <p>(b) Except as provided in Clause 9(c), a Regulated member who is a voting shareholder in a professional corporation shall not be required to pay the practice permit fee provided by Council.</p> <p>(c) In the event that any professional corporation shall fail to pay within the time prescribed any required fees, then in such event every Regulated Member who is a voting shareholder in such professional corporation and in respect of whom the corporation is primarily liable to make any such payment, shall be liable for payment of the same as if clause 9(b) has not been enacted.</p> <p>(d) Payment of the fee for the annual permit is not required from any Regulated Member who ceases to be a shareholder in a professional corporation and in respect of whom payment has</p>	

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	<p>already been made by the corporation, nor from any professional corporation in respect of any Regulated Member who becomes a voting shareholder in such corporation and by whom payment has already been made.</p> <p>22. FEES (1) Council may establish fees, costs, levies or assessment for the following: (d) professional corporation fees, (e) annual permits for professional corporations, (f) annual permit renewal fees for professional corporations,</p> <p>(2) Council may establish such other fees, costs, levies and assessments as it deems advisable for anything it considers necessary for services provided by the Alberta Dental Association and College or by another organization to a Regulated Member or to any other person, professional corporation or dental facility.</p> <p>25. LIMITED LIABILITY PARTNERSHIPS No person may practice the profession of dentistry in a limited liability partnership under Part 2.1* of the Partnership Act.</p> <p><i>*It appears that the correct reference is now Part 3 of the Partnership Act.</i></p> <p>FORM A ALBERTA DENTAL ASSOCIATION AND COLLEGE APPLICATION FOR PROFESSIONAL CORPORATION ANNUAL PERMIT</p> <p>FORM B ALBERTA DENTAL ASSOCIATION AND COLLEGE PROFESSIONAL CORPORATION STATEMENT OF</p>	

	Alberta Dental Association and College	College of Physicians and Surgeons of Alberta
	<p>PARTICULARS</p> <p>FORM C ALBERTA DENTAL ASSOCIATION AND COLLEGE PROFESSIONAL CORPORATION ANNUAL PERMIT</p>	
Notes		A medical director of a medical facility may apply to the registrar for accreditation of that medical facility and for renewal of that accreditation.

	Alberta Association of Architects	Alberta Veterinary Medical Association
Provisions related to permits or certificates of authorization	<p>Act</p> <p>Definitions</p> <p>1 In this Act, “architects corporation” means a corporation that holds a permit under section 20(3); (c) “authorized entity” means a registered architect, architects corporation, architects and engineers firm, visiting project architect, restricted practitioner, licensed interior designer, interior design corporation and visiting project interior designer.</p> <p>Part 1 Scope of Practice</p> <p>Exclusive scope of practice and use of name</p> <p>2(1) Except as otherwise provided in this Act, no person except an authorized entity shall engage in the practice of architecture. (2) No person except a registered architect, visiting project architect, architects corporation or architects and engineers firm shall</p>	<p>Act</p> <p>Definitions</p> <p>1 In this Act, (g) “permit holder” means a corporation that holds a permit under this Act.</p> <p>Part 1 Scope of Practice</p> <p>Exclusive scope of practice</p> <p>2(1) Except as otherwise provided in this Act, no person except a registered veterinarian or permit holder shall engage in the practice of veterinary medicine.</p> <p>(4) No person except a registered veterinarian or a permit holder shall (a) use the word “veterinarian” or “veterinary” in combination with any other name, title, description, letter, symbol or abbreviation that represents expressly or by implication that the</p>

<p>(a) use any one or more of the names architect, registered architect, visiting project architect, architects corporation or architects and engineers firm, or any title, description, abbreviation, letter or symbol representing those names, alone or in combination with any other name, title, description, abbreviation, letter or symbol, that represents expressly or by implication that the person is a registered architect, visiting project architect or it is an architects corporation or architects and engineers firm,</p> <p>(b) represent or hold out, expressly or by implication, that</p> <p style="padding-left: 40px;">(i) the person or it is entitled to engage in the practice of architecture, or</p> <p style="padding-left: 40px;">(ii) the person is a registered architect, visiting project architect or it is an architects corporation or architects and engineers firm,</p> <p>or</p> <p>(c) affix the seal or stamp of a registered architect or the stamp of a visiting project architect, architects corporation or architects and engineers firm, or permit that seal or stamp to be affixed, to a plan, drawing, detail drawing, specification or other document or a reproduction of any of them unless</p> <p style="padding-left: 40px;">(i) that plan, drawing, detail drawing, specification, other document or reproduction was prepared by or under the personal supervision, direction and control of, and</p> <p style="padding-left: 40px;">(ii) the seal or stamp is affixed with the knowledge, consent or in accordance with the direction of the registered architect or visiting project architect to whom or the architects corporation or architects and engineers firm to which the seal or stamp was issued by the Registrar.</p> <p>Application of Act to professional engineers</p> <p>3(1) No individual, corporation, partnership or other entity may engage in both the practice of architecture and the practice of engineering or hold out that it is entitled to engage in both the practice of architecture and the practice of engineering as</p>	<p>person is a registered veterinarian or permit holder, or</p> <p>(b) represent or hold out, expressly or by implication, that</p> <p style="padding-left: 40px;">(i) the person is entitled to engage in the practice of veterinary medicine, or</p> <p style="padding-left: 40px;">(ii) the person is a registered veterinarian or permit holder.</p> <p>(5) A registered veterinarian or permit holder shall not hold out that the registered veterinarian or permit holder is a specialist or is specially qualified in any particular field or specialty of veterinary medicine unless the registered veterinarian or permit holder has complied with the regulations and has been approved as a specialist or as being specially qualified by the Council.</p> <p>Part 2 Association Powers of the Practice Review Board</p> <p>11(1) The Practice Review Board</p> <p>(a) shall, on its own initiative or at the request of the Council, inquire into</p> <p style="padding-left: 40px;">(i) the assessment of existing and the development of new educational standards and experience requirements that are conditions precedent to obtaining and continuing registration under this Act,</p> <p style="padding-left: 40px;">(ii) the evaluation of desirable standards of competence of registered veterinarians and permit holders generally,</p> <p style="padding-left: 40px;">(iii) the practice of veterinary medicine by registered veterinarians generally, and</p> <p style="padding-left: 40px;">(iv) any other matter that the Council from time to time considers necessary or appropriate in connection with the exercise of its powers and the performance of its duties in relation to competence in the practice of veterinary medicine under this Act and the regulations, and</p>
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	<p>defined in the <i>Engineering and Geoscience Professions Act</i>, unless it holds a certificate of authorization under this Act or the <i>Engineering and Geoscience Act</i> permitting it to do so.</p> <p>(2) Nothing in section 2(1) applies to an individual registered as a professional engineer under the <i>Engineering and Geoscience Professions Act</i> who has been granted authority by the Council to apply for a permit authorized by the regulations under the <i>Safety Codes Act</i>.</p> <p>Part 3 Regulations and Bylaws</p> <p>Regulations</p> <p>9(1) The Council may make regulations</p> <p>(e) prescribing the requirements of eligibility of applicants to engage in the practice of architecture as architects corporations, including</p> <p>(i) the number of full-time permanent employees or shareholders who must be registered architects and who will assume personal supervision, direction and control over the practice of architecture</p> <p>(ii) the required amount of beneficial ownership of voting shares of the applicant that must be vested in registered architects and the number of directors or officers of the applicant who must be registered architects, and</p> <p>(iii) the persons or qualifications of persons who may be beneficial owners of any of the issued shares of the applicant or who may be employees of the applicant but are not registered architects;</p> <p>(p) respecting registration, licensing, permits and certificates of authorization, the review of complaints, the practice arrangements of authorized entities, the practice of architecture and the review of the practice of authorized entities, generally.</p> <p>Bylaws</p> <p>10(1) The Council may make bylaws</p> <p>(n) governing the information to be engraved on and the use to be made of</p> <p>(i) seals and stamps by registered architects and seals by licensed interior designers, and</p>	<p>(b) may, with the approval of the Council, conduct a review of the practice of a registered veterinarian or permit holder in accordance with this Act and the regulations.</p> <p>(2) The Board shall report to and advise the Council with respect to any matter dealt with by it pursuant to subsection (1).</p> <p>(3) A person requested to appear at an inquiry by the Board under this section is entitled to be represented by counsel.</p> <p>(4) The Board may, after a review under this section with respect to an individual registered veterinarian or permit holder, make any order that the Hearing Tribunal may make under section 45 or 46.</p> <p>(5) The provisions of Part 5 with respect to an investigation and hearing by the Hearing Tribunal apply to a review of a registered veterinarian or permit holder by the Practice Review Board under subsection (1)(b).</p> <p>(6) The Board may at any time during an inquiry or review under this section recommend to the Hearing Tribunal that the inquiry or review be conducted by the Hearing Tribunal pursuant to Part 5.</p> <p>(7) On receiving a recommendation under subsection (6), the Hearing Tribunal may proceed with an investigation and hearing under Part 5 as if the recommendation were a written complaint.</p> <p>(8) After each inquiry or review under this section, the Board shall make a written report to the Council on the inquiry or review and may make any recommendations to the Council that the Board considers appropriate in connection with the matter,</p>
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<p>(ii) stamps by visiting project architects, restricted practitioners, visiting project interior designers, architects corporations, interior design corporations and joint firms;</p> <p>(o) respecting the fixing of fees, dues and levies payable to the Association by registered architects, architects corporations, joint firms, restricted practitioners, licensed interior designers, interior design corporations and persons who are members of other classes or categories of membership in the Association;</p> <p>(u) authorizing the Council to prescribe the form of a certificate of registration, a licence, a permit, a certificate of authorization, an annual certificate and any other form or document that may be required for the purposes of this Act, the regulations and the bylaws.</p> <p>Part 4 Registration of Members Registers</p> <p>11(1) The Registrar shall maintain, in accordance with the bylaws and subject to the direction of the Council, a register for each of the following:</p> <p>(c) architects corporations.</p> <p>Registration of architects corporation</p> <p>16(1) The Council may approve the registration of a corporation registered, incorporated or continued under the Business Corporations Act that has applied under this Part and is eligible in accordance with this Act and the regulations to be registered as an architects corporation.</p> <p>(2) A corporation becomes entitled to be registered as an architects corporation when the Council approves its registration.</p> <p>Certificates, Licences, Stamps and Seals Evidence of registration</p> <p>20(3) On entering the name of an architects corporation in the register, the Registrar shall issue to that corporation</p> <p>(a) a permit to engage in the practice of architecture as an architects corporation, and</p>	<p>with reasons for the recommendations.</p> <p>(9) The Council may, if it considers it to be in the public interest to do so, direct that the whole or any portion of an inquiry by the Board under this section shall be held in camera.</p> <p>Part 3 Regulations and Bylaws Regulations</p> <p>13(1) The Council may make regulations</p> <p>(v) establishing classes or categories of registered veterinarians and permit holders and prescribing the restrictions on practice and the rights, privileges, duties and obligations of the classes or categories so established;</p> <p>(w) governing the eligibility for registration of corporations as permit holders and the terms and conditions of and restrictions on the practice of veterinary medicine by a permit holder;</p> <p>(x) governing the operations of permit holders;</p> <p>(y) respecting advertising by registered veterinarians and permit holders;</p> <p>(z) respecting the inspection of and the acceptable standards of the physical facilities operated by a registered veterinarian or permit holder;</p> <p>(aa) respecting registration, the issuing of permits and certificates, unprofessional conduct matters and the practice of veterinary medicine generally.</p> <p>Bylaws</p> <p>14(1) The Council may make bylaws</p> <p>(r) respecting the establishment, content and maintenance of registers of registered veterinarians, specialists and permit holders and of records of other classes or categories of membership to be kept by the Registrar;</p> <p>(t) governing the names under which registered veterinarians and permit holders may engage in the practice of veterinary medicine;</p> <p>(u) requiring registered veterinarians and permit holders to inform the Registrar in writing of their current mailing addresses and of any change of address forthwith after the change occurs;</p> <p>(v) governing the publication of information with respect to the</p>
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<p>(b) a stamp engraved as prescribed in the bylaws.</p> <p>(4) On entering the name of an approved firm of architects and engineers in the register, the Registrar shall issue to that firm</p> <p>(a) a certificate of authorization to engage in the practice of both architecture and engineering, and</p> <p>(b) a stamp engraved as prescribed in the bylaws.</p> <p>(5) A certificate of registration, a licence, a permit and a certificate of authorization issued under this section are subject to this Act, the regulations and the bylaws.</p> <p>Term of licence, permit and certificate</p> <p>21 The term of a licence, a permit and a certificate of authorization is one year from the date of issue of the licence, permit or certificate, and the licence, permit or certificate may, with the approval of the Council, be renewed for additional periods, each not exceeding one year, on payment of the fees prescribed in the regulations or the bylaws, as the case may be.</p> <p>Voluntary cancellation of registration</p> <p>24(1) The Registrar shall not, at the request of an authorized entity, cancel the registration of the authorized entity unless the request for the cancellation has been approved by the Council.</p> <p>(2) When a request for cancellation of a registration is approved by the Council</p> <p>(a) the Registrar shall cancel that registration, and</p> <p>(b) the authorized entity requesting the cancellation shall, on being notified of the approval, surrender to the Registrar the seal or stamp issued by the Registrar and, when requested by the Registrar, the certificate of registration, annual certificate, licence, permit or certificate of authorization, as the case may be.</p> <p>Conditions of practice re architects corporations</p> <p>25(1) An architects corporation may engage in the practice of architecture only in its corporate name or another name that is approved by the Council pursuant to the regulations, and not otherwise.</p> <p>(2) An architects corporation shall advise the Registrar in writing of the names of the shareholders, directors and officers</p>	<p>profession including but not limited to the publication of surveys of fees and information described in section 65.2;</p> <p>(w) prescribing the form of a certificate of registration, a permit and an annual certificate.</p> <p>Part 4 Registration Register</p> <p>15 The Registrar shall maintain, in accordance with the bylaws and subject to the direction of the Council, a register of registered veterinarians and permit holders.</p> <p>Registration of permit holders</p> <p>19(1) The Council may approve the registration as a permit holder of a corporation that has applied to the Council and is eligible under this section and the regulations to be registered to engage in the practice of veterinary medicine as a permit holder in accordance with the restrictions or conditions set out in the permit.</p> <p>(2) A corporation that applies to the Council is eligible to be registered as a permit holder entitled to engage in the practice of veterinary medicine if it satisfies the Council that it complies with this Act and the regulations.</p> <p>(3) A permit entitles the permit holder to engage in the practice of veterinary medicine for the period and subject to the terms and conditions of the permit.</p> <p>(4) The Registrar shall enter in the register the name of a corporation</p> <p>(a) whose registration to engage in the practice of veterinary medicine as a permit holder has been approved by the Council, and</p> <p>(b) that has paid the fee prescribed under the bylaws.</p> <p>Permit</p> <p>21 On entering the name of a permit holder in the register, the Registrar shall issue to it a permit to engage in the practice of veterinary medicine as a permit holder as authorized by the permit.</p> <p>Entries in registers</p>
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	<p>of the corporation and of any change in the shareholders, directors or officers forthwith after the change occurs.</p> <p>(3) If an architects corporation causes plans, drawings, detail drawings and specifications to be prepared and to be imprinted with the stamp issued to the corporation, it shall also cause them to be signed by and imprinted with the stamp or seal of the registered architect who had personal supervision, direction and control over their preparation.</p> <p>Cancellation of registration</p> <p>27(1) The Registrar may cancel the registration of</p> <p>(a) an authorized entity in default of payment of any fees, dues, costs or levies payable by it under this Act, the regulations or the bylaws,</p> <p>(b) an architects corporation or interior design corporation that no longer has shareholders, directors or officers in compliance with the regulations, or</p> <p>(c) a joint firm that ceases to have at least one registered architect and at least one professional engineer to take the responsibility referred to in section 18(2)(b), after the expiration of one month following the service on the authorized entity of a written notice that the Registrar intends to cancel the registration, unless the authorized entity on whom the notice is served complies with the notice.</p> <p>(2) The notice under subsection (1) shall state that the Registrar may cancel the registration unless, as the case may be,</p> <p>(a) the fees, dues, costs or levies are paid as indicated in that notice, or</p> <p>(b) evidence satisfactory to the Registrar has been received by the Registrar within the time prescribed in the notice that</p> <p>(i) the architects corporation or interior design corporation has shareholders, directors or officers in compliance with the regulations, or</p> <p>(ii) the joint firm has at least one registered architect and at least one professional engineer to take the responsibility referred to in section 18(2)(b).</p>	<p>22(1) The registration of a registered veterinarian or permit holder is suspended when the decision to suspend the registration is made in accordance with this Act.</p> <p>(2) The Registrar shall enter a memorandum of suspension of a registration in the register indicating</p> <p>(a) the duration of the suspension, and</p> <p>(b) the reason for the suspension.</p> <p>(3) The registration of a registered veterinarian or permit holder is cancelled when the decision to cancel the registration is made in accordance with this Act.</p> <p>(4) The Registrar shall enter a memorandum of cancellation of registration in the register.</p> <p>(5) The Registrar shall not remove from the register any memorandum made by the Registrar under this section, except in accordance with the bylaws.</p> <p>Cancellation on request</p> <p>24(1) The Registrar shall not cancel the registration of a registered veterinarian or permit holder at the registered veterinarian's or permit holder's request unless the request for the cancellation has been approved by the Council.</p> <p>(2) When a request for cancellation of registration is approved by the Council</p> <p>(a) the Registrar shall cancel that registration, and</p> <p>(b) the registered veterinarian or permit holder requesting the cancellation, on being notified of the approval, shall surrender to the Registrar any certificate of registration, permit or annual certificate issued by the Registrar.</p> <p>Cancellation</p> <p>25(1) The Council may direct the Registrar to cancel the registration of</p> <p>(a) a registered veterinarian or permit holder who is in default of payment of annual fees or any other fees, dues or levies</p>
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<p>(6) The Registrar may cancel the registration of an authorized entity that was entered in the register in error.</p> <p>(7) If the registration of an authorized entity is cancelled under this section, the certificate of registration and annual certificate, licence, permit or certificate of authorization of that authorized entity is deemed to be cancelled, and that authorized entity shall surrender to the Registrar the stamp or seal and, when requested by the Registrar, the certificate of registration, annual certificate, licence, permit or certificate of authorization, as the case may be.</p> <p>Reinstatement of registration</p> <p>27.2(1) The Council may direct the Registrar</p> <p>(a) to reinstate in the applicable register a registration that was cancelled under section 27 or 27.1, and</p> <p>(b) to reissue</p> <p>(i) the stamp or seal formerly issued under section 20,</p> <p>(ii) in the case of a registered architect, a certificate of registration and annual certificate,</p> <p>(iii) in the case of a visiting project architect or architects corporation, a licence or permit,</p> <p>(iv) in the case of a restricted practitioner, a certificate of authorization and the stamp formerly issued to the restricted practitioner,</p> <p>(v) in the case of a joint firm, a certificate of authorization,</p> <p>(vi) in the case of a licensed interior designer, a certificate of registration and annual certificate, and</p> <p>(vii) in the case of a visiting project interior designer or interior design corporation, a licence or permit, to its former holder.</p> <p>(2) A direction to the Registrar under subsection (1) is subject to</p> <p>(a) the payment of all fees, dues, costs or levies that are due or payable under this Act, the regulations or the bylaws,</p>	<p>payable under this Act, or</p> <p>(b) a permit holder if it no longer complies with the regulations after the expiration of 30 days following the service on the registered veterinarian or permit holder of a written notice by the Council pursuant to subsection (2), unless the registered veterinarian or permit holder on whom the notice is served complies with the notice.</p> <p>(2) The notice under subsection (1) shall state that the Registrar may cancel the registration unless</p> <p>(a) the fees, dues or levies are paid as indicated in that notice, or</p> <p>(b) evidence satisfactory to the Council has been received by it within the time prescribed in the notice indicating that the permit holder has complied with the regulations.</p> <p>(3) The Council may direct the Registrar to cancel the registration of a registered veterinarian or permit holder that was entered in error in the register.</p> <p>(4) If the registration of a registered veterinarian or permit holder has been cancelled under this section, the registered veterinarian or permit holder shall forthwith surrender to the Registrar any certificate of registration or permit issued to the registered veterinarian or permit holder.</p> <p>(5) If a registration has been cancelled pursuant to subsection (1), the Council may direct the Registrar, subject to any conditions that the Council may prescribe, to reinstate that registration in the applicable register and reissue the certificate of registration or permit.</p> <p>(6) Notwithstanding subsection (5), if an individual applies to the Council to be reinstated more than 5 years after the date on which the individual's registration was cancelled, the Council shall not direct the Registrar to reinstate the individual.</p> <p>(7) Notwithstanding subsection (6), an individual whose registration has been cancelled under this section may make an</p>
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<p>(b) the payment of the reinstatement fee fixed in the bylaws, (c) any conditions imposed by the Council in a decision or order under section 27.1(5), and (d) any conditions imposed by the Council under the regulations.</p> <p>Part 5 Practice Review and Discipline Definitions 29 In this Part, (c) “investigated person” means a person, corporation or other entity with respect to whose conduct a hearing by a review panel is being held or may be held under this Part.</p> <p>Complaints 31(1) A person may complain to the Registrar about the conduct of an authorized entity, and the complaint shall be dealt with in accordance with this Part.</p> <p>Practice Review Board Inquiries by Board 39(1) The Board (a) shall, on its own initiative or at the request of the Council, inquire into and report to and advise the Council in respect of (i) the assessment of existing and the development of new educational standards and experience requirements that are conditions precedent to obtaining and continuing registration under this Act, (ii) the evaluation of desirable standards of competence of authorized entities generally, (iii) any other matter that the Council from time to time considers necessary or appropriate in connection with the exercise of its powers and the performance of its duties in relation to competence in the practice of architecture under this Act and the regulations, and (iv) the practice of architecture by authorized entities generally, and (b) may conduct a review of the practice of an authorized</p>	<p>application to the Registration Committee for registration as a registered veterinarian.</p> <p>Part 5 Professional Conduct Definitions 26 In this Part, (b) “investigated person” means a registered veterinarian, permit holder or student with respect to whose conduct an investigation or hearing is held under this Part.</p> <p>Division 1 Complaint Process Complaints 27(1) A person may complain to the Complaints Director in writing about the conduct of a registered veterinarian, permit holder or student, and the complaint shall be dealt with in accordance with this Part and the regulations.</p> <p>Conditions, suspension during proceedings 33(1) On the recommendation of the Complaint Review Committee, the Hearing Tribunal or the Complaints Director, a person designated by or a committee designated or established by the Council may (a) impose conditions on an investigated person’s annual certificate generally or with respect to any area of the practice of veterinary medicine, including the condition that the investigated person (i) practise under supervision, or (ii) practise with one or more registered veterinarians, or (b) suspend the annual certificate of an investigated person, until the completion of proceedings under this Part.</p> <p>Division 4 Hearings and Decisions Decisions and Records Orders of tribunal 41.1(1) If the Hearing Tribunal decides that the conduct of an investigated person constitutes unprofessional conduct, the Hearing Tribunal may make any one or more of the following orders:</p>
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	<p>entity in accordance with this Act and the regulations.</p> <p>(2) A person requested to appear at an inquiry under this section by the Board is entitled to be represented by counsel.</p> <p>(3) The Board shall after each inquiry under this section make a written report to the Council on the inquiry and may make any recommendations to the Council that the Board considers appropriate in connection with the matter inquired into, with reasons for the recommendations.</p> <p>Suspension pending Committee or Board Decision Suspension pending decision 40 Notwithstanding anything in this Act, the chair of a review panel may suspend the registration of an authorized entity pending the decision of the review panel with respect to the conduct of the authorized entity.</p> <p>Reviews and Procedures on Reviews before Committee, Board or Council Order re unskilled practice or unprofessional conduct 50(1) If the review panel [of the Complaint Review Committee] or, on appeal, the Council finds that the conduct of an investigated person constitutes unskilled practice of architecture or unprofessional conduct, or both, the review panel or the Council, as the case may be, may make any one or more of the following orders:</p> <p>(a) reprimand the investigated person; (b) suspend the registration of the investigated person either generally or from any field of the practice of architecture; (c) suspend the registration of the investigated person either generally or from any field of practice until</p> <p>(i) that person has completed a specified course of studies or obtained supervised practical experience, or (ii) the review panel or Council is satisfied as to the competence of the investigated person generally or in a</p>	<p>(a) cautioning the investigated person; (b) reprimanding the investigated person; (c) imposing conditions on the investigated person's annual certificate generally or in any area of the practice of veterinary medicine, including conditions that the investigated person</p> <p>(i) practise under supervision, (ii) practise with one or more other registered veterinarians, (iii) not practise in an area of the practice of veterinary medicine until the investigated person has completed a specific course of studies or obtained supervised practical experience of a type described in the order, (iv) not practise in an area of veterinary medicine, or (v) report on specific matters to the Hearing Tribunal, the Council or a committee or individual specified in the order;</p> <p>(d) directing the investigated person to satisfy the Hearing Tribunal, the Council or the committee or individual specified in the order that the investigated person is not incapacitated and suspend the investigated person's annual certificate until the Hearing Tribunal, committee or individual is so satisfied;</p> <p>(e) requiring the investigated person to undertake counselling or a treatment program that in its opinion is appropriate; (f) directing that within the time set by the order the investigated person must pass a specific course of study, obtain supervised practical experience of a type described in the order or satisfy the Hearing Tribunal or a committee or individual specified in the order as to the investigated person's competence generally or in an area of the practice of veterinary medicine; (g) suspending the investigated person's annual certificate for a stated period or until</p> <p>(i) the investigated person has successfully completed a specific course of studies or obtained supervised practical experience of a type described in the order, or (ii) the Hearing Tribunal or a committee or individual specified in the order is satisfied as to the competence of the investigated person generally or in a specified area of the practice of veterinary medicine;</p> <p>(h) cancelling the registration and annual certificate of the investigated person;</p>
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<p>specified field of practice;</p> <p>(d) accept in place of a suspension the investigated person's undertaking to limit that person's practice;</p> <p>(e) impose conditions on the investigated person's ability to engage in the practice of architecture generally or in any field of the practice, including the conditions that that person</p> <ul style="list-style-type: none"> (i) practise under supervision, (ii) not engage in sole practice, (iii) permit periodic inspections by a person authorized by the review panel or Council, or (iv) report to the review panel or Council on specific matters; <p>(f) direct the investigated person to pass a particular course of study or satisfy the review panel or Council as to that person's practical competence generally or in a field of practice;</p> <p>(g) direct the investigated person to satisfy the review panel or Council that a disability or addiction can be or has been overcome, and suspend the person until the review panel or Council is so satisfied;</p> <p>(h) require the investigated person to take counselling or to obtain any assistance that, in the opinion of the review panel or Council, is appropriate;</p> <p>(i) direct the investigated person to waive, reduce or repay a fee for services rendered by the investigated person that, in the opinion of the review panel or Council, were not rendered or were improperly rendered;</p> <p>(j) cancel the registration of the investigated person.</p> <p>(2) The review panel or, on appeal, the Council may make any ancillary order that is appropriate or required in connection with any order mentioned in subsection (1)(a) to (j) or may make any other order that it considers appropriate in the circumstances.</p> <p>Payment of costs and fines</p> <p>51(1) The review panel or, on appeal, the Council may, in addition to or instead of dealing with the conduct of an investigated person in accordance with section 50, order that the investigated person pay</p> <ul style="list-style-type: none"> (a) all or part of the costs of the hearing or appeal in accordance with the bylaws, 	<ul style="list-style-type: none"> (i) if in the opinion of the Hearing Tribunal the investigated person's fees for the practice of veterinary medicine were improper or inappropriate or the veterinary medicine services were improperly rendered or required the complainant's animal to undergo remedial treatment, directing the investigated person to waive or reduce the fees or repay the fees to the complainant; (j) directing, subject to the regulations, that the investigated person pay within the time set in the order all or part of the costs of the investigation and hearing in accordance with the regulations; (k) directing that the investigated person pay to the Association within the time set in the order a fine not exceeding \$10 000 for each finding of unprofessional conduct and not exceeding a maximum aggregate fine of \$50 000 for all findings of unprofessional conduct arising out of a hearing; (l) any order that the Hearing Tribunal considers appropriate for the protection of the public. <p>(2) The Hearing Tribunal may, in an order under subsection (1), stay the order or a portion of the order on conditions set out in the order.</p> <p>(3) If the Complaints Director is satisfied that a person has not complied with an order under this section or section 45(5)(b), the Complaints Director may</p> <ul style="list-style-type: none"> (a) in accordance with section 27.1, treat the failure to comply as a complaint, (b) refer the matter to the Hearings Director to schedule a hearing before the Hearing Tribunal, or (c) in the case of non-payment of a fine described in subsection (1)(k) or costs described in subsection (1)(j) or section 45(6), suspend the annual certificate of the investigated person until the fine or costs are paid in full or the Complaints Director is satisfied that they are being paid in accordance with an agreement entered into with the investigated person. <p>Part 7 Prohibitions and Penalties</p> <p>Practice prohibitions</p>
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<p>(b) a penalty not exceeding \$10 000 for each finding of unskilled practice of architecture or unprofessional conduct, or</p> <p>(c) both the costs under clause (a) and the penalty under clause (b).</p> <p>(2) If the person ordered to pay a penalty, costs or both under subsection (1) fails to pay the penalty, costs or both within the time ordered, the review panel or Council may suspend the registration of that person until the person has paid the penalty, costs or both.</p> <p>(3) If the Council finds that a complaint is frivolous or vexatious, it may order the complainant to pay the costs of the preliminary investigation and the hearing before the Council determined in accordance with the bylaws.</p> <p>(4) A penalty or costs ordered to be paid to the Association under this section is a debt due to the Association and may be recovered by the Association by civil action for debt.</p> <p>General Cancellation of falsely obtained registration 63(1) If the Council is satisfied, after a hearing on the matter, that a person whose registration is entered in the register obtained registration by means of any false or fraudulent representation or declaration, either oral or written, the Council shall order that the person's registration be cancelled.</p> <p>(2) The provisions of this Part respecting the procedures at a hearing before a review panel apply with all necessary modifications to a hearing held by the Council under subsection (1).</p> <p>Surrender of certificates, etc. and reinstatement 64(1) If the registration of an authorized entity has been cancelled or suspended under this Part, the certificate of registration and annual certificate or licence, permit or certificate of authorization of that authorized entity is deemed to</p>	<p>66(1) A person whose registration as a registered veterinarian or permit holder is cancelled or suspended under this Act shall not, without the consent of the Council, engage in the practice of veterinary medicine or directly or indirectly associate himself, herself or itself in the practice of veterinary medicine with any other registered veterinarian or permit holder.</p> <p>(2) No registered veterinarian or permit holder shall, except with the consent of the Council, associate in the practice of veterinary medicine directly or indirectly with or employ in connection with the registered veterinarian's or permit holder's practice a person whose registration has been cancelled or suspended under this Act.</p> <p>(3) The Council may permit a registered veterinarian or permit holder to employ in connection with the registered veterinarian's or permit holder's practice a person whose registration has been cancelled or suspended under this Act, but the employment shall be in the capacity and subject to the terms and conditions that are prescribed by the Council.</p> <p>Veterinary Profession General Regulation</p> <p>Registration of corporations as permit holders 11(1) No corporation shall be approved for registration as a permit holder by the Council unless it provides evidence satisfactory to the Council that</p> <p>(a) the corporation is registered under or established by an Act of Alberta, and</p> <p>(b) subject to subsection (1.1), the majority of the issued shares of the corporation having voting rights are beneficially owned by an unrestricted veterinarian.</p> <p>(1.1) A corporation that does not meet the requirements of subsection (1)(b) may be approved for registration as a permit holder by the Council if the corporation does not offer veterinary services to the public or engage in the practice of veterinary medicine for the benefit of individual members of the public except in accordance with an authorization given under</p>
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<p>be cancelled or suspended, and that person shall surrender to the Registrar the seal or stamp issued by the Registrar and, when requested by the Registrar, the certificate of registration, annual certificate, licence, permit or certificate of authorization, as the case may be.</p> <p>(2) If the registration of an authorized entity has been cancelled under this Part, the registration shall not be reinstated in the register except by order of the Council or the Court of Appeal.</p> <p>(3) No order shall be made under subsection (2) within one year after</p> <p>(a) the date on which the registration was cancelled, or</p> <p>(b) if an order was granted under section 60 staying the imposition of a punishment imposed by the Council, and the punishment is later confirmed by the Court of Appeal under section 62, the date on which that Court made its order confirming the punishment.</p> <p>(4) A member of the Council who is a member of a committee of inquiry appointed pursuant to the regulations to consider an application under this Part for reinstatement of registration may participate in or vote at any proceedings of the Council under this section, and the Association's solicitor may participate in those proceedings.</p> <p>Conduct while registration cancelled or suspended</p> <p>65 The conduct of a person who is or was registered as an authorized entity and who represents or holds out that the person is registered and in good standing while the person's registration is suspended or cancelled may be dealt with as being unprofessional conduct in accordance with this Part.</p> <p>Part 7 Prohibitions and Penalties</p> <p>Practice prohibitions</p> <p>70(1) An authorized entity whose registration is cancelled or suspended under this Act shall not, without the consent of the Council, engage in the practice of architecture or directly or indirectly associate the entity with the practice of architecture</p>	<p>subsection (1.2).</p> <p>(1.2) The Council may authorize a corporation that is registered under subsection (1.1) to provide a veterinary service to an individual member of the public or to engage in the practice of veterinary medicine for the benefit of an individual member of the public if, in the opinion of the Council, the service or practice is likely to benefit the public generally.</p> <p>(2) A permit holder shall employ one or more unrestricted veterinarians who shall be responsible for directly supervising the practice of veterinary medicine by the permit holder.</p> <p>(3) A permit holder shall ensure that all veterinarians employed by it are registered veterinarians.</p> <p>Part 2 Operation and Proceedings of Committees</p> <p>Applications for reinstatement</p> <p>15 The Council may constitute itself as a Committee of Inquiry to consider any application for reinstatement of a person whose registration under the Act has been cancelled, and may</p> <p>(a) reinstate the applicant as a registered veterinarian or permit holder,</p> <p>(b) refuse to reinstate the applicant as a registered veterinarian or permit holder,</p> <p>(c) require the applicant to take further specified training prior to reinstatement,</p> <p>(d) require the applicant to take such examinations as may be prescribed by the Council prior to reinstatement,</p> <p>(e) impose any limits or conditions on the practice of the registered veterinarian or permit holder as the Council may decide, or</p> <p>(f) do any one or more of the above.</p> <p>Inspections</p> <p>52(1) The Practice Inspection and Practice Standards Committee may inspect a veterinary practice owned or operated by a registered veterinarian or permit holder or that employs a registered veterinarian.</p>
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<p>with any authorized entity.</p> <p>(2) No authorized entity shall, except under the authority of the Council, associate in the practice of architecture directly or indirectly with or employ in connection with the entity's practice a person whose registration has been cancelled or suspended under this Act.</p> <p>(3) The Council may by resolution permit an authorized entity to employ in connection with the entity's practice a person whose registration has been cancelled or suspended under this Act, but the employment shall be in the capacity and subject to the terms and conditions that are prescribed by the Council.</p> <p>General Regulation Definitions</p> <p>1 In this Regulation,</p> <p>(a) "architect-held corporation" means a corporation in which one or more registered architects hold the beneficial ownership of more than 50% of the voting shares of the corporation;</p> <p>(k) "professional services" means services</p> <p>(i) within the practice of architecture that are provided by a registered architect, an architects corporation, an architects and engineers firm, a visiting project architect or a restricted practitioner, or</p> <p>Architects Corporations, Interior Design Corporations Preliminary letter of approval</p> <p>10(1) The Council may grant a preliminary letter of approval for a corporation to be registered as an architects corporation if</p> <p>(a) the Council is satisfied that the proposed incorporation documents include provisions</p> <p>(i) that no transfer of shares may take place without the approval of the board of directors of the corporation,</p> <p>(ii) that no transfer of shares may take place which would contravene this Regulation or any regulation substituted for it,</p> <p>(iii) that no business will be carried on which would contravene this Regulation or any regulation substituted for it,</p> <p>(iv) that no director or officer may be appointed if the</p>	<p>(2) The Practice Inspection and Practice Standards Committee shall appoint inspectors to carry out all inspections and to report their findings in writing to the Practice Inspection and Practice Standards Committee.</p> <p>(3) If a registered veterinarian or permit holder refuses to cooperate with an inspector or refuses to permit the inspector to inspect the registered veterinarian's or permit holder's veterinary practice, the inspector shall report the refusal to the Practice Inspection and Practice Standards Committee which shall immediately report the refusal to the Practice Review Board.</p> <p>Application for inspection</p> <p>54(1) A registered veterinarian or permit holder shall apply for inspection by the Council within one year after establishing a veterinary practice.</p> <p>(2) A registered veterinarian or permit holder who owns or operates a veterinary practice that has changed ownership, undergone major renovations or changed the category of practice shall apply for inspection within one year after the changes or renovation.</p> <p>Response to inspector's report</p> <p>55(1) A registered veterinarian or permit holder shall respond to the Practice Inspection and Practice Standards Committee, in writing, within one month of receiving a copy of the report of an inspector, setting out that any deficiency identified in the report has been corrected, how it has been corrected and, if it is not corrected, the reasons for not doing so.</p> <p>(2) A registered veterinarian or permit holder who does not comply with subsection (1) shall be reported to the Practice Review Committee by the Practice Inspection and Practice Standards Committee.</p>
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appointment would contravene this Regulation or any regulation substituted for it, and

(v) that no bylaw may be enacted by the directors in contravention of the Act or any regulation or bylaw enacted under the Act,

and

(b) the Council is satisfied that the proposed name of the corporation meets the requirements set out in section 27.

Incorporation under Business Corporations Act

11(1) Within 45 days or a longer period that the Council permits, a recipient of a preliminary letter of approval must apply for incorporation under the *Business Corporations Act*.

(2) When the proposed corporation is incorporated under the *Business Corporations Act*, the corporation must send to the Registrar

(a) a certificate of incorporation issued by the Registrar of Corporations,

(b) evidence of the names of the corporation's directors, officers and shareholders, and

(c) any other evidence required by the Council to satisfy the Council that the requirements of this Regulation have been and will continue to be complied with.

Approval of registration of architects corporation

12 The Council must approve the registration of a corporation as an architects corporation if it is satisfied that the corporation meets all of the following requirements for architects corporations:

(a) the corporation has one or more full-time permanent employees or shareholders who are registered architects who will assume direct personal supervision, direction and control of the practice of architecture in which the corporation proposes to engage;

(b) the beneficial ownership of

(i) more than 50% of the corporation's voting shares is vested in

(A) one or more registered architects,

(B) one or more architect-held corporations, or

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DEFINITIONS

In the Bylaws, except as otherwise expressly provided, or the context otherwise requires:

1.16 "Regulated Member" means all members of the association and permit holders.

Practice Inspection and Practice Standards Committee

4.7.11 A Registered Veterinarian or permit holder to whom a Practice Inspection Report has been forwarded shall respond to the Practice Inspection and Practice Standards Committee with respect to any stated deficiencies within one month of receiving the report, stating that any deficiency has been corrected and how it has been corrected; and if it has not been corrected the reasons for not so doing.

Names of Practices

4.8

4.8.1 A Registered Veterinarian, permit holder, facility or other entity offering veterinary services to the public shall, prior to the use of any practice name which the person, permit holder, facility or entity wishes to use, have the practice's name approved by the Practice Inspection and Practice Standards Committee.

Fees

7.20

7.20.1 Council shall determine the annual fees for all categories of membership. Annual fees shall be due on the first day of January each year.

7.20.2 Council may direct the cancellation of the registration of any member or permit holder who fails to pay any fee, due or levy within the time set out in s. 25 of the Act.

Duties of Registrar/Secretary-Treasurer

9.3 The Registrar/Secretary-Treasurer as Registrar shall:

9.3.2 maintain in accordance with the Act, Regulations and Bylaws, a Register of Registered Veterinarians, Permit Holders,

	<p>(C) a combination of registered architects and architect-held corporations, or</p> <p>(ii) not less than 50% of the corporation's voting shares is vested in</p> <p>(A) one or more registered architects, (B) one or more architect-held corporations, or (C) a combination of registered architects and architect-held corporations and the beneficial ownership of any remaining voting shares is vested in either licensed interior designers or professional engineers, or both;</p> <p>(c) a majority of the directors and officers of the corporation are registered architects;</p> <p>(d) any shareholders of the corporation who are not registered architects, licensed interior designers or professional engineers are of good character and are satisfactory to the Council.</p> <p>Renewal of permits 14(1) A permit issued to an architects corporation under section 20(3) of the Act shall not be renewed unless the Council is satisfied that the architects corporation meets the requirements of section 12.</p> <p>Part 2 Practice Arrangements Prohibition on practice arrangements 25 An authorized entity shall not enter into a practice arrangement for the practice of architecture or interior design except as provided in this Regulation or under the Act.</p> <p>Information on practice arrangements 26 An authorized entity that engages in the practice of architecture or interior design on a full-time, part-time or limited basis</p> <p>(a) as a sole proprietor, (b) as a partner in a partnership that is referred to in section 33(1) or (3) or 34(1) or that is a joint firm, or (c) through a corporation that is an architects corporation, an architects and engineers firm or an interior design corporation,</p>	<p>and Other Members;</p>
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must ensure that the information relating to that practice arrangement that is required under this Part and under the bylaws is provided to the Council each year.

Architect firm names

27(1) An authorized entity that engages in the practice of architecture through a firm may only do so if the name of the firm

- (a) meets the requirements set out in this section,
- (b) contains the word “architect”, “architects”, “architectural” or “architecture”,
- (c) is not self-laudatory or misleading to the public, and
- (d) is approved by the Council.

(2) If the names of one or more individuals are included in the name of a firm referred to in subsection (1),

- (a) the names must only be of individuals who are
 - (i) partners or shareholders in the firm, and
 - (ii) registered architects, licensed interior designers, engineers or restricted practitioners,and

- (b) at least one of the names must be the name of a registered architect who is a partner or shareholder in the firm.

(3) The name of a firm referred to in subsection (1) must not include

- (a) the word “architects” or any other term that implies that more than one architect is involved in the firm unless more than one registered architect works with the firm as a partner or shareholder,

(4) If the name of a registered architect is included in the name of a firm referred to in subsection (1), the name of that firm may continue to contain that registered architect’s name after the registered architect dies or retires if

- (a) the registered architect was a partner or shareholder of the firm for more than 3 years,
- (b) the registered architect or the registered architect’s estate has agreed, in writing, to allow the registered architect’s name to continue to be used in the name of the firm, and
- (c) in the case of a retired registered architect, the registered architect does not practise architecture in Alberta or any other jurisdiction.

(6) The Council shall not approve a name for the purposes of this section if, in the opinion of the Council, the name does not meet the requirements of this section or is contrary to the Act.

Letterhead

30(1) The letterhead of a firm shall indicate the names of all individuals and corporations

(a) that

(i) are partners or shareholders in the firm, or

(ii) hold the beneficial ownership of the voting shares of a corporation that is a partner or shareholder of the firm, and

(b) that are involved in the practice of the firm.

(2) If the letterhead of a firm indicates the name of

(a) a registered architect who engages in the practice of architecture through the firm, the name must be immediately followed by the words "Architect, AAA",

(b) a licensed interior designer who engages in the practice of interior design through the firm, the name must be immediately followed by the words "Licensed Interior Designer, AAA",

(c) an engineer who engages in the practice of engineering through the firm, the name must be immediately followed by the words "Professional Engineer",

(d) a restricted practitioner who engages in the practice of architecture through the firm, the name must be immediately followed by the words "Restricted Practitioner in Architecture, AAA", or

(e) any other person, the name must be immediately followed by words describing that person's role in the firm.

(3) A firm shall not use a letterhead that lists as an architect an individual or corporation that is not permitted to engage in the practice of architecture.

(4) Notwithstanding subsection (3), if a firm is using the name of a deceased or retired architect in the firm name, the letterhead shall list that name and clearly indicate that the architect is deceased or retired.

Partnership to practise architecture

33(1) A registered architect may practise architecture as a partner in a partnership only if the partnership meets all of the

<p>following requirements:</p> <p>(a) one or more registered architects or architects corporations hold</p> <p>(i) more than 50% of the interest in the partnership, or</p> <p>(ii) not less than 50% of the interest in the partnership, if the remainder of the interest in the partnership is held by licensed interior designers or professional engineers, or both;</p> <p>(b) the partners in the partnership who are not authorized entities</p> <p>(i) do not engage in the practice of architecture,</p> <p>(ii) are of good character, and</p> <p>(iii) are satisfactory to the Council.</p> <p>(2) If at any time a partnership described in subsection (1) no longer meets the requirements of that subsection, the registered architects who are partners in the partnership, or who hold shares in an architect's corporation that is a partner in the partnership, must immediately advise the Council and apply to the Council for permission to continue to operate as a partnership for a period not exceeding 21 days, or any longer period that the Council permits, while the partnership is reorganized so as to comply with subsection (1).</p> <p>(3) Subject to section 3 of the Act and notwithstanding subsection (1), a registered architect may enter into a partnership with one or more engineers or engineers firms, as those terms are defined in section 17 of the Act.</p> <p>Part 3 Regulation of the Practice of Architecture and the Practice of Interior Design</p> <p>Prohibition on practice</p> <p>36 Unless otherwise permitted by the Act, no authorized entity shall make any arrangement or agreement whereby a person who is not entitled to engage in the practice of architecture may</p> <p>(a) directly or indirectly engage in the practice of architecture, or</p> <p>(b) hold himself or herself out as being able, directly or indirectly, to engage in the practice of architecture.</p> <p>Part 5 Practice Review Board</p> <p>Chair, vice-chair</p> <p>56 The Council must designate the chair and vice-chair of the</p>	
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	<p>Practice Review Board.</p> <p>Practice review 58 The Practice Review Board must appoint a person to conduct a review of the practice of an authorized entity under section 39(1)(b) of the Act if</p> <ul style="list-style-type: none"> (a) the review is part of a program of regular or periodic reviews of the practice of all authorized entities established by the Council, or (b) an authorized entity, the Complaint Review Committee or the Council requests in writing that the review be conducted and the Practice Review Board considers that the authorized entity should be the subject of a practice review. <p>Completion of review 60(1) On completion of a review of the practice of an authorized entity, the reviewer</p> <ul style="list-style-type: none"> (a) must prepare a report in the form established under the bylaws, and (b) may refer to the Complaint Review Committee for investigation any matter of a sufficiently serious nature, including <ul style="list-style-type: none"> (i) the lack of co-operation of an authorized entity in the course of a practice review or a follow-up review, (ii) a failure to comply with the Act, this Regulation or the bylaws, (iii) a failure to adopt and implement the recommendations respecting desired improvements in the practice of the entity concerned, and (iv) any apparent fraud, negligence or misrepresentation, or any disregard of the generally accepted standards of practice. <p>Report considered by Board 61 The Practice Review Board must consider the report provided under section 60 and any representations made by or on behalf of the authorized entity that is the subject of the review and may</p> <ul style="list-style-type: none"> (a) determine that it has no recommendations to make with 	
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respect to the practice of the authorized entity, or
(b) make directions or recommendations to improve the practice of the authorized entity.

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PART 6 REGISTERS

6.1 The following registers are established:

- (c) a Register of Architects Corporations;
- (d) a Register of Architecture Firms (sole proprietor or partnership).

Register of Registered Architects

6.2 (3) The Registrar shall maintain information as to whether the registered architect is a sole practitioner, in partnership, a director of an architects corporation or an employee.

Register of Architects Corporations

6.4(1) The Register of Architects Corporations shall contain:

- (a) at least one page for each architects corporation;
- (b) the following information with respect to each architects corporation:
 - (i) full name;
 - (ii) permit number;
 - (iii) date of registration;
 - (iv) business address;
 - (v) such other information as the Council requires for the purpose of the Regulation;
 - (vi) any suspension or cancellation date of the architects corporation;
 - (vii) such other information as the Council may direct.
- (2) Information entered in the Register of Architects Corporations under subsection (1)(b)(vi) may only be removed if the Council so directs.
- (3) If the Registrar makes any change to the information in the Register, the Registrar shall notify the architects corporation accordingly.

Architects Corporation Stamp

9.6(1) The stamp of an architects corporation shall be a rubber stamp engraved with:

(a) the name of the architects corporation to which the stamp is issued;

(b) the permit number of the architects corporation; and

(c) the words "issued pursuant to The Architects Act Alberta".

(2) The stamp shall be designed in the following form:

(3) The Registrar is the only person entitled to issue a stamp to an architects corporation.

(4) The stamp of an architects corporation is owned by the Association and is issued to an architects corporation in accordance with the Act and must be returned:

(a) in any of the circumstances described in the Act; or

(b) if the corporation is wound up or otherwise ceases to be an architects corporation.

(5) An architects corporation shall not use a stamp in the practice of architecture except the stamp issued to it by the Registrar.

(6) The stamp of an architects corporation may only be used when a registered architect also impresses his seal in association with the stamp of the architects corporation.

PART 10 FEES, DUES AND LEVIES

Registered Architects, Licensed Interior Designers, Architects Corporations, Licensed Interior Design Corporations, and Firms

10.1(2) Each architects corporation, licensed interior design corporation and firm shall pay the Association such fee in respect of each of the following matters as is prescribed by resolution of the Council:

(a) a registration fee payable on registration as an architects corporation, licensed interior design corporation or firm; and

(b) an annual fee payable on registration and thereafter on or before December 15 in each year for the following calendar year.

(3) The fees prescribed by the Council under (1) and (2) for licensed interior designers, licensed interior design corporations and licensed interior design firms shall not exceed the

	<p>equivalent fees prescribed by the Council with respect to registered architects, architects corporations and architects firms.</p> <p>Reinstatement 10.12(1) If a registered architect, architects corporation, architects firm, joint firm, licensed interior designer, interior design corporation or interior design firm whose registration is cancelled is subsequently reinstated that individual, corporation or firm shall pay the same registration fee payable as if that individual, corporation or firm were registering for the first time together with any fees, dues or levies currently due from that individual, corporation or firm.</p> <p>PART 13 MISCELLANEOUS PROVISIONS Annual Information 13.1 Every authorized entity shall annually review and confirm to the Association the following information: (a) the title, business address(es) and telephone number(s) of the individual and firm; and (b) the names of the partners, shareholders, directors and officers of the firm and the ownership and participation among them and each individual's place of residence and the registered office of the corporation.</p>	
Notes	<p>Similar provisions related to interior designers are not included.</p> <p>Permits are issued to architectural corporations (and interior design corporations). Certificates of authorization are issued to joint firms and restricted practitioners.</p>	