

2016 Bylaw Proposal 'A': Council Proposed Changes to Bylaws 7 & 9 that amends dues relief.

This proposal would:

- A) Clarify that dues relief are not associated with membership classification,
- B) Confirm that parental leave qualifies for dues relief, and
- C) Recognize that specified scope of practice licensees may also qualify for dues relief.

In the current by-laws, there is a membership classification named 'Members on Deferred Dues'. This by-law includes members-in-training (interns) in the category but members-in-training (interns) are not members of the association and should therefore not be referenced in Part VII Membership. In addition, the existing by-law 7.2 does not relate to the practicing status of members in that category; it only deals with the cost of membership renewal. The issue of dues relief is already addressed in by-law 9.1.8, making by-law 7.2 redundant. For these reasons it should be repealed.

Some of the prescriptive aspects of by-law 7.2 (being repealed) are being introduced into by-law 9.1.8. In addition, practitioners on parental leave are being formally recognized as being eligible for dues relief. The new Specified Scope of Practice Licensees are also being included in the list of individuals who are eligible for dues relief.

Bylaw	Current Wording	Proposed Wording	Reason
TOC 7	7.0 Provision 7.1 Professional Members 7.1.1 Practising Member 7.1.2 Retired Member 7.1.3 Life Membership 7.1.4 Honorary Life Member 7.2 Members on Deferred Dues	7.0 Provision 7.1 Professional Members 7.1.1 Practising Member 7.1.2 Retired Member 7.1.3 Life Membership 7.1.4 Honorary Life Member	See below
7.2	Members on Deferred Dues Professional members or members-in-training who are: a) unemployed; or	REPEAL	1. 'Deferred Dues' is a misnomer, as the reduced amount is never paid by the individual

	<p>b) not working due to illness or disability; or c) attending a full time post-graduate university program relevant to the practice of professional engineering or professional geoscience; or d) experiencing circumstances having equal merit, may be allowed to enter the deferred dues category on terms and conditions established by the council. Such professional members or members-in-training shall be eligible to have their annual dues deferred or reduced. Members in this category shall continue to fulfill the requirements of 11.3.</p>		<p>2. The topic of reduced dues is misplaced in the membership category section of the bylaws. Interns and professional members alike are regularly allowed to pay 'deferred dues', yet the difference in rights and responsibilities of members vs. interns is stark.</p> <p>3. There is already a bylaw, in the Dues section, that addresses the topic of reduced dues. That bylaw will be expanded to specify the conditions mentioned previously in bylaw 7.2</p>
	<p>9.1.8 Dues Relief</p> <p>The council may, at its discretion, defer, reduce or waive the annual dues of professional members, members-in-training, or members in the retired category. The annual dues to be paid by a professional member or member-in-training in the deferred dues category for any given year shall be a percentage, determined annually by the council, of the annual dues payable by practising professional members. Waiver of the annual dues of a professional member, member-in-training, or member in the retired</p>	<p>9.1.8 Dues Relief</p> <p><u>A member, intern, or specified scope of practice licensee who is:</u></p> <p>a) <u>unemployed;</u> b) <u>not working due to illness, disability, or parental leave;</u> c) <u>attending a full time post-graduate university program relevant to the practice of professional engineering or professional geoscience; or</u> d) <u>experiencing other circumstances which, in the opinion of council, merit dues relief;</u></p>	<p>1. Incorporates the explicit provisions from the old 'Deferred Dues' bylaw.</p> <p>2. Confirms that parental leave qualifies for dues relief, and</p> <p>3. Recognizes that specified scope of practice licensees qualify for dues relief</p>

	<p>category shall be made only on the basis of circumstances deemed by the registrar to be more onerous than those for eligibility for entry to the deferred dues category.</p>	<p><u>may apply to have his or her annual dues deferred, reduced or waived on terms and conditions established by the council. Applications shall be submitted to the registrar and relief, if granted, shall apply to the dues payable for the then current year only. Practising members and specified scope of practice licensees who are approved for dues relief shall continue to fulfill the requirements of 11.3.</u></p>	
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2016 Bylaw Proposal 'B': Council Proposed Change to Bylaw 7 that adds a membership category for Members On Leave

The Bylaws currently provide only one option for members that are non-practising; the Retired Member category. This category recognizes that members who officially declare themselves as retired from practice do not need to maintain competency through on-going professional development, particularly because they are not planning to return to the practising category. The Retired Member category is not appropriate for members who plan on being away from practice for several years but are planning to return to active practising status in the future. Two primary examples are: multi-year parental leave and long-term disability.

The new category, which will be called Member On-Leave, recognizes two important aspects for members that are on parental leave or long-term disability. The first aspect is that these members may be away from practice for three to five years or more, but definitely intend to return to practice. The second aspect is that there is a process for ensuring that the member experiences a smooth transition back to competency after an extended period of time on leave.

Bylaw	Current Wording	Proposed Wording	Reason
TOC 7	7.0 Provision 7.1 Professional Members 7.1.1 Practising Member 7.1.2 Retired Member 7.1.3 Life Membership 7.1.4 Honorary Life Member	7.0 Provision 7.1 Professional Members 7.1.1 Practising Member 7.1.2 Retired Member 7.1.3 Member On Leave 7.1.4 Life Membership 7.1.5 Honorary Life Member	See below
7.2	(NEW BYLAW)	7.1.3 Member On Leave 7.1.3.1 Any professional member may become a practitioner on leave by: (a) undertaking in writing, on the form prescribed by the council, that he or she will not practice professional engineering or professional geoscience while on leave; and	In the previous list of categories of membership, there was no satisfactory category for members who are planning to be away from practice for an extended period but are planning to

		<p>(b) returning to the registrar his or her manual seal and digital signature.</p> <p>7.1.3.2 A practitioner on leave shall have the rights and responsibilities of a professional member or specified scope of practice licensee, excepting only the right to practice professional engineering or professional geoscience.</p> <p>7.1.3.3 A practitioner on leave shall be reinstated as a professional member or specified scope of practice licensee upon:</p> <ul style="list-style-type: none">(a) giving notice to the registrar in the form prescribed by the council;(b) payment of annual dues, prorated for any partial year; and(c) undertaking to comply with the requirements outlined in the Continuing Professional Development Program.	<p>return to the practising category. For example, members on parental leave for more than several years and members who are on long term disability leave from work must choose between the Practising category, the Retired category, or resignation.</p>
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2016 Bylaw Proposal 'C': Council Proposed Change to Bylaw 11 that incorporates Specified Scope of Practice Licensees into ProDev requirements

In recognition of the new Specified Scope Of Practice Licensees, the Continuing Professional Development Reporting Program (ProDev) Guideline has been updated to ensure that Specified Scope Of Practice Licensees must also comply with the ProDev Program. Since the ProDev Guideline has been updated, bylaw 11.3 must also be updated. NOTE: the use of the term 'practitioners' in the new bylaw 11.3 is as defined in Bylaw Proposal E and in the Code of Ethics.

Bylaw	Current Wording	Proposed Wording	Reason
11.3	<p>The Continuing Professional Development Program, approved by the council on June 15, 2011, is hereby adopted as the Continuing Professional Development Program of the Association.</p> <p>Except as detailed in the Continuing Professional Development Program, members in the practicing, honorary life, temporary licensee, and deferred dues categories must, in addition to maintaining competency in their field of practice through continuing professional development as per the Code of Ethics, record and report professional development activity as prescribed by the association's Continuing Professional Development Program. Any Failure to maintain activities as prescribed by the Association's Continuing Professional Development Program may constitute professional misconduct and may be reported to the Investigation Committee.</p>	<p>The Continuing Professional Development Program, approved by the council on June 20, 2016, is hereby adopted and established as the Continuing Professional Development Program of the Association.</p> <p>Except as detailed in the Continuing Professional Development Program, practitioners must, in addition to maintaining competency in their field of practice through continuing professional development as per the Code of Ethics, record and report professional development activity as prescribed by the association's Continuing Professional Development Program. Any Failure to maintain activities as prescribed by the Association's Continuing Professional Development Program may constitute professional misconduct and may be reported to the Investigation Committee.</p>	<p>To include specified scope of practice licensees in the ProDev Program. The new date reflects the change to the Professional Development Reporting Program Guideline, which was updated to also include specified scope of practice licensees.</p> <p>The term 'practitioners' includes Holders of Certificates of Authorization, Retired Members, Members on Leave, and Interns but they are explicitly excluded in the updated ProDev Guideline.</p>

APPENDIX A

Continuing Professional Development Program approved by Council on June 20, 2016

(begins on following page)

Continuing Professional Development Program

| Approved by Council 2016-06-20

PREAMBLE

The following document describes Engineers Geoscientists Manitoba's Continuing Professional Development Program. The program is considered to be consistent with Engineers Canada's Guideline for Continuing Professional Development, as well as existing Continuing Professional Development Programs in other Jurisdictions in Canada. Practitioners have always had an obligation to maintain competency in their field of practice through continuing professional development. From 2004 to 2011, this requirement was confirmed through a declaration of competency that accompanied the annual registration process. Since 2012, the program described in this document has required the reporting of continuing professional development activities.

1 INTRODUCTION

1.1 Professional Development in a Changing Professional Context

In the interests of protecting the health, safety and welfare of the public, it is essential for professionals to engage in lifelong learning. Society's expectations continuously change, and currently the public is demanding greater accountability from professionals.

The *Engineering and Geoscientific Professions Act (the Act)* states that the Association:

12 (1) (j)“... may make, vary or revoke by-laws ... respecting the establishment and maintenance of standards of professional practice and of continuing professional development programs for members, temporary licensees, engineering interns, geoscience interns and specified scope of practice licensees”

and

12 (1) (k)“... may make, vary or revoke by-laws ...respecting the establishment of procedures for monitoring participation in continuing professional development programs by members, temporary licensees, engineering interns, geoscience interns and specified scope of practice licensees”

In addition, the Act provides the following:

Meaning of "continuing professional development requirements"

12.1(1) In this section, "continuing professional development requirements" means the requirements of a continuing professional development program established in accordance with the by-laws.

Compliance and recordkeeping

12.1(2) A member, temporary licensee or specified scope of practice licensee must, in accordance with this section and the requirements established under the by-laws,

(a) comply with the continuing professional development requirements that apply to him or her; and

(b) make and maintain records setting out the details of his or her participation in continuing professional development.

Registrar may require record

12.1(3) The registrar may require a member, temporary licensee or specified scope of practice licensee to provide to the registrar a copy of the records of his or her participation in continuing professional development for any period the registrar specifies.

Record to be provided without delay

12.1(4) A person who is required to provide a copy of a record under subsection (3) must provide it without delay after being informed of the requirement by the registrar.

Suspension for non-compliance

12.2(1) Subject to subsection (2), the council may direct the registrar to suspend the certificate of registration, temporary licence or specified scope of practice licence of anyone who fails to comply with a requirement of section 12.1.

Notice of non-compliance

12.2(2) The registrar must give the person notice that the person's certificate of registration, temporary licence or specified scope of practice licence will be suspended without further notice if the person does not comply with section 12.1 within the notice period consisting of 30 days after the day the notice is given or any longer period that the council permits.

Suspension by registrar

12.2(3) If the person's non-compliance continues after the expiration of the notice period described in subsection (2), the registrar may

(a) suspend the certificate of registration, temporary licence or specified scope of practice licence without further notice; and

(b) cancel the suspension once the registrar is satisfied that the person has complied.

Mandatory continuing professional development (CPD) is common in many professions. In most provinces, the engineering and geoscience regulatory organizations have moved towards mandatory requirements. In some instances, self-regulated professions have had acts enforced in their province that override their own act.

Maintaining autonomy as a self-regulated profession requires proactive measures on the part of the Association to ensure that the public is confident that it is being protected. This continuing competency program achieves this goal.

Engineers Geoscientists Manitoba's continuing competency program, which at present consists of continuing professional development, establishes a continual process and a minimum benchmark of effort. The minimum requirements may not be adequate to maintain or increase competence, so it is up to you to assess your own needs and to plan appropriately.

Recognizing the diversity of Engineers Geoscientists Manitoba's members, the Program provides the flexibility for you to undertake activities that provide the greatest benefit to you in the practice of your profession.

1.2 Application

This program applies to all Practitioners except for the following:

- Holders of certificates of authorization (partnerships, corporations),
- Retired Members,
- Members On Leave,
- Life Members, and
- Interns.

Honorary Life Members who declare themselves as retired from the practice of professional engineering and professional geoscience are also exempted from this program.

If you are newly registered as a professional member or licensee, the requirement to engage in professional development activities begins on the January 1 following the date of your registration.

1.3 Continuing Competency Committee

In accordance with by-law 4.5.3, the Continuing Competency Committee (CCC) is a committee of council, whose composition, rights, purpose, and scope are defined by Council in the Continuing Competency Committee Terms of Reference.

1.4 Interpretation

There are several instances where the Continuing Competency Committee will make interpretations of this Program. In some instances, a member or licensee may request said interpretation while in others the Continuing Competency Committee will determine that their interpretation should be given. These interpretations include, but are not limited to,

- Classification of an activity into a particular category,
- Acceptance of employment activities as Professional Practice, and
- Approval/denial for abatement.

All interpretations made by the CCC shall be published for reference by the membership.

In instances where a member or licensee has already participated in a CPD activity, and the CCC subsequently interprets the activity as being inappropriate, the activity shall count towards the target of this program. However, once an interpretation is given by the CCC, members and licensees should not submit reports that contradict this interpretation.

A member or licensee who is not satisfied with an interpretation given by the CCC may provide a written request for reconsideration. In the reconsideration the CCC may make enquiries with other resources. Any new interpretation is sent forward to the member and published for reference by the membership. If an item has not been resolved through re-interpretation, the Member or licensee may request advice, in accordance with By-law 15.2.9.

1.5 Modifications

This Program has been brought into force by the by-laws of the Association. It will remain in force until a by-law change is made that adopts a replacement Program. If a revised program is adopted in the future, the targets of this Program shall be applied to the portion of a reporting period that includes the year that the new Program is approved and any previous years.

2 ABATEMENT/EXEMPTION FROM THE PROGRAM

2.1 Application for an Abatement

2.1.1 Conditions

If you file an application to the Continuing Competency Committee, it may grant you an abatement of the requirements of the Program in the form of reduced number of minimum PDHs required. You may also be granted a temporary exemption from the program. In either scenario, the Continuing Competency Committee may place restrictions on your right to practise. At all times you may continue to use your professional designation, or licensee designation since you are still a member or a licensee and remain bound by the Act, By-Laws and Code of Ethics. If you are granted abatement from the program, you may not act as a Responsible Member for an [Engineers Geoscientists Manitoba](#) Certificate of Authorization.

If your work meets the legal definition of engineering or geoscience, or if you have technical influence over the professions, you are considered to be engaged in the practice and cannot be exempted. The legal definitions of the practices of engineering and geoscience appear in Article 1 of the Act, as well as on the Application for Abatement of the Continuing Competency Program. If you continue to influence the practice of engineering or geoscience in a broader sense, you may apply for abatement, but you are encouraged not to. You may continue to submit [Continuing Professional Development \(CPD\)](#) hours if you intend to resume practice. The period for which the abatement is effective will be determined by the Continuing Competency Committee.

2.1.2 Resuming Unrestricted Practice

If you

- have been granted abatement and intend to resume unrestricted practice, or
- are a Retired Member or Member On Leave and intend to become a Practising Member, you must immediately notify the Registrar and submit an Application for Resumption of Practice to the Continuing Competency Committee. On considering the application, the Continuing Competency Committee may advise you to comply with certain conditions that it might determine necessary prior to resuming unrestricted practice. When you have received the

Committee's acceptance to resume active practice, you are required to engage in professional development activities beginning on your resumption date.

If you have been exempted from the program for two years or less, there are no conditions to be met. However, you will be required to meet the minimum 240 hours in three years including the exempted period, unless the CCC advises you otherwise.

If you have been registered in another jurisdiction with a mandatory CPD program during the time when an exemption or abatement is in effect, there are also no conditions, regardless of the length of time you have been exempt. In any case, you are still required to notify [Engineers Geoscientists Manitoba](#) as noted above.

2.2 Participation in another CPD Program

If you are currently registered in another province or territory with a mandatory CPD program and are reporting your Continuing Professional Development to that province's association, you may make a declaration stating that you will adhere to that program. If you make such declaration, you are exempt from the requirements of the Program. An exemption created by a declaration stating compliance with another program is effective for the Calendar year in which it was submitted, but may be renewed for additional yearly periods. To continue the exemption, you must submit a new declaration annually.

3 THE RECORDING/REPORTING PROCESS

A successful plan for continuing professional development should consider your scope of practice and duties, your current level of knowledge and skills, your short term needs and objectives, as well as long range plans. You should select meaningful activities that will be of benefit to your practice. They should have a clear purpose and objective that will maintain, improve or expand the skills or knowledge in pursuit of your chosen field.

3.1 CPD Requirements

To meet the requirements of the Continuing Professional Development (CPD) Program, you are required to:

1. maintain a detailed record of CPD activities,
2. report the summary of your CPD hours, and
3. submit the detailed activity record on request.

3.2 Recording Activities

You are required to maintain a detailed record of your professional development activities. For maintaining this record manually, The Detailed Activity Record spreadsheet may be helpful.

Several examples are made available. You must retain them for at least three years.

Your detailed activity record must include the following information:

- the date(s) the activity occurred
- a description/title of the activity
- the organizer/provider of the activity (if applicable)
- the CPD category in which the activity belongs
- the number of Professional Development Hours (PDHs) you claimed for the activity

3.3 Reporting

Reporting may be done using the on-line forms or using manual forms. In either case a complete summary of Continuing Professional Development must be submitted by the end of the Calendar year.

3.4 Verifying the CPD Activities

[Engineers Geoscientists Manitoba's](#) Continuing Competency Committee is responsible for administering the Continuing Professional Development program. It may ask to review your professional development activities in detail. In that regard, you should retain documents to verify attendance at courses, seminars, etc. in case you are asked to produce those.

In the event of a review, you will be asked to submit your Detailed Activity Records for the previous three years. The detailed information should match the categories and hours you claimed in the CPD Reporting you had submitted previously.

You will be advised as to the outcome of the review, whether your activities comply with the requirements of the program, or whether some modification is necessary, or whether the Continuing Competency Committee will refer the matter to the Investigation Committee.

4 MINIMUM REQUIREMENTS

4.1 Numerical & Diversity Requirements

A credible program must define minimum levels of effort. The unit of measure for this effort is a Professional Development Hour (PDH). There is flexibility in terms of the number of professional development categories and the period over which the minimum may be attained. The requirements are as follows:

- You must maintain a total of at least 240 PDHs over three years,
- You must include activities in at least three of the six categories in each calendar year, and
- You can not claim more than the maximum PDHs allowed in each category.

4.2 Categories

The following are the six categories in which you may earn credit for professional development:

- Professional Practice
- Formal Activity
- Informal Activity
- Participation
- Presentations
- Contributions to Knowledge

4.2.1 Professional Practise

Active professional practise is a significant factor in maintaining and improving your skills, either where you are actually practising according to the legal definition or “influencing” the practice of the professions. “Influencing” means having some effect on how the professions are practised without necessarily performing technical work.

15 hours of work equals one PDH.

A maximum of 150 PDHs over a three year period may be claimed in this category.

4.2.2 Formal Activity

You should strive to include some formal activities in your continuing professional development program. Formal activities are often for academic credit and may include an evaluation process. Where there is no evaluation, credit may be claimed in this category for activities that are over half a day in length. For example, formal activities include:

- professional development programs, courses and seminars
- courses offered by universities, technical institutes, colleges, suppliers, employers or technical societies
- courses offered in traditional classroom settings, by correspondence, by video or online

Each hour of course attendance equals one PDH.

One CEU (for courses offering Continuing Education Units) equals 10 PDHs

A maximum of 90 PDHs over a three year period may be claimed in this category.

4.2.3 Informal Activity

Informal activities are usually shorter in duration and do not involve any evaluation, but nevertheless expand your knowledge, skills and judgment. They include:

- self-directed study
- attendance at conferences and industry trade shows
- seminars, technical presentations, talks and workshops (if half a day or less)
- attendance at meetings of technical, professional or managerial associations or societies
- structured discussion of technical or professional issues with one's peers

Each hour of informal activity equals one PDH.

A maximum of 90 PDHs over a three year period may be claimed in this category.

4.2.4 Participation

Activities that promote peer interaction and provide exposure to new ideas and technologies both enhance the profession and serve the public interest. These activities include:

- serving on [Engineers Geoscientists Manitoba's](#) Council or as a member of an [Engineers Geoscientists Manitoba](#) committee#
- appointment as a mentor to a Member-in-Training, less experienced professional member or technologist
- service on public bodies that draw on professional expertise (i.e. planning boards, development appeal boards, investigative commissions, review panels or community building committees)
- service on standing or ad-hoc committees of a technical or professional nature or managerial associations and societies
- activities that contribute to the community which require professional and ethical behaviour, but not necessarily the application of technical knowledge – including active service for charitable, community, religious or service organizations, coaching league sports teams, or elected public service on municipal, provincial or federal levels or school boards.

Each hour of participation activity equals one PDH.
 A maximum of 60 PDHs over a three year period may be claimed in this category.

4.2.5 Presentations

Eligible presentations are those of a technical or professional nature that are discretionary, that is, outside your normal job functions. Presentations might occur:

- at a conference, meeting, course, workshop or seminar
- either within a company or at an event sponsored by a technical or professional organization.

Multiple deliveries of the same presentation count for only one presentation.

Each hour of preparation and delivery earns one PDH.

A maximum of 60 PDHs over a three year period may be claimed in this category.

4.2.6 Contributions to Knowledge

Activities which expand or develop the technical knowledge base in the professions are recognized. Contributions may include:

- Development of published codes and standards
- Patents
- Publication of papers in a peer-reviewed technical journal
- A thesis at the Masters or Ph.D. level
- Publication of a book
- Publication of articles in non-reviewed journals or an internal company report
- Reviewing articles for publication
- Editing papers for publication

Each hour of preparation or development equals one PDH

A maximum of 90 PDHs over a three year period may be claimed in the Contributions to Knowledge category.

4.2.7 Summary

Category	Hours	Maximum Over a 3 Year Period
Professional Practice	15 hours = 1 PDH	150 PDHs
Formal Activity	1 hour = 1 PDH 1 CEU = 10 PDHs	90 PDHs
Informal Activity	1 hour = 1 PDH	90 PDHs
Participation	1 hour = 1 PDH	60 PDHs
Presentations	1 hour = 1 PDH	60 PDHs
Contributions to Knowledge	1 hour = 1 PDH	90 PDHs

4.3 **Members and Licensees** in Management Positions

As noted in section 2, if your work does not fall within the legal definitions of engineering or geoscience and you do not have influence over the professions, you can still maintain your registration. One option is to apply for abatement from the CPD program. Another option is to enter the Retired Member or Member On Leave category and be exempted from the requirements of the CPD program.

If your work does fall within those definitions and you are influencing the profession, you are considered to be engaged in professional practice and cannot be exempted.

There are a number of non-technical professional development activities that can qualify for the required minimum of 240 professional development hours (PDHs).

Firstly, 50 of those PDHs per year would come from your everyday job function. The balance of the 30 PDHs could conceivably come from activities in which you already engage, including formal and informal activities, participation and presentations. For example, if you attend conferences, workshops, meetings of managerial or professional organizations (including Engineers Geoscientists Manitoba) or if you engage in self-study such as reviewing journals pertinent to your job, you can claim those hours under the “informal” category. If you serve on public boards or committees, or on committees of professional or managerial societies, or if you mentor less-experienced professional members, those hours qualify under the “participation” category.

If you prepare and give presentations outside your normal job function at meetings, workshops or seminars, either within or outside your firm, such time qualifies for the “presentation” category. There are also activities such as industry or institutional courses that exceed a half-day in length which would count as “formal” PDHs. Development of published codes or standards, publishing or reviewing or editing articles for publication can be claimed as “contributions to knowledge.”

4.4 **Members and Licensees** on Dues Relief

If you are a member or licensee who is unemployed, ill or disabled, on parental leave or enrolled in certain full-time educational programs, you may have applied for and been granted dues relief. Unless you have filed for application for abatement from the CPD Program and have been granted special consideration by the Continuing Competency Committee you still have an obligation to comply with the CPD program.

5 ROLE OF THE EMPLOYER

Engineers Geoscientists Manitoba encourages employers to support the continuing professional development efforts of their member employees. Discuss your professional development objectives with your employer or mentor. Through discussion and mutual agreement, you and your employer can decide on professional development activities and the type and level of employer support.

Among other things, employer support can include:

- consultation during development of your program
- provision of learning opportunities
- assistance in developing job expectations and responsibilities
- periodic review of your performance and progress
- assistance in documenting activities and levels of effort through company performance management systems
- financial support of activities

- release time to participate in activities.

Ultimately, however, the responsibility for continuing professional development and maintaining competency rests with you.

6 CONSEQUENCES OF NON-COMPLIANCE

In accordance with the provisions of Part 4.1 of the *Engineering and Geoscientific Professions Act*, failure to report continuing professional development activities in a timely manner may result in an administrative suspension.

In addition, the By-laws provide that if you do not satisfy the CCC that you are complying with these program requirements, it may be considered professional misconduct and the matter may be referred to the Investigation Committee.

7 FURTHER INFORMATION

If you have specific questions about the Continuing Professional Development program, please contact the following:

Engineers Geoscientists Manitoba's Director of Professional Standards

2016 Bylaw Proposal 'D': Council Proposed Changes to Bylaws 3 and 4 that recognize the Act change providing for an Intern Councillor

The changes to The Engineering and Geoscientific Professions Act in November of 2015 included a provision that Council's composition must include one intern (previously called member-in-training) that is elected to the position. This bylaw proposal removes the old bylaw that elected a member-in-training representative to Council and creates the new by-laws necessary for establishing the rights and responsibilities of this new position on council, as well as the process for electing said councillor.

Bylaw	Current Wording	Proposed Wording	Reason
TOC	<p>3.2 Election of Representatives to Council</p> <p>3.2.1 Member-in-training representative to Council</p> <p>3.2.1.1 Eligibility</p> <p>3.2.1.2 Nominations</p> <p>3.2.1.3 Notice of Withdrawal</p> <p>3.2.1.4 Notification</p> <p>3.2.1.5 Withdrawal of Nomination</p> <p>3.2.1.6 Voting Procedure</p> <p>3.2.1.7 Counting of the Votes</p> <p>3.2.1.8 Term</p> <p>3.2.1.9 Vacancies</p>	<p>REPEAL</p>	<p>The new Act requires that one councillor be an intern, rendering the MIT Representative to Council unnecessary.</p>
3.1.1	<p>Only professional members shall be eligible to nominate, vote, or be elected to the council.</p>	<p>For the professional member of council positions referenced in 7 (d) of the Act, only professional members shall be eligible to nominate, vote, or be elected.</p> <p>For the intern member of council position referenced in 7 (f) of the Act, only interns shall be eligible to nominate, vote, or be elected.</p>	

<p>3.1.2</p>	<p>The secretary shall, at least 60 days before each annual general meeting, give or cause to be given notice to all members of the association that nominations for elected councillors will be received by the secretary up to a date which shall be 42 days before the date of the annual general meeting. Each nomination shall be made on-line or upon a form available from the secretary. It shall be endorsed by the nominee and six nominators. Any nominee registered as both a professional engineer and a professional geoscientist is eligible for election in only one category and must stipulate in which category he or she wishes to stand for the nomination to be valid.</p>	<p>The secretary shall, at least 60 days before each annual general meeting, give or cause to be given notice to all members and interns of the association that nominations for elected councillors will be received by the secretary up to a date which shall be 42 days before the date of the annual general meeting.</p> <p>Each nomination shall be made on-line or upon a form available from the secretary. It shall be endorsed by the nominee and six nominators.</p> <p>Any nominee registered as both a professional engineer and a professional geoscientist is eligible for election in only one category and must stipulate in which category he or she wishes to stand for the nomination to be valid.</p>	
<p>3.1.4</p>	<p>The membership shall be notified through electronic mail of the names of those nominated for election to council. The notification shall be accompanied by voting instructions, information on each candidate prepared in a standard format, and a declaration of his or her platform. The notification shall be sent to the membership no later than 35 days before the date of the annual general meeting. Members who wish to receive notification via standard mail may make said request to the association.</p>	<p>Members and interns shall be notified through electronic mail of the names of those nominated for election to council. The notification shall be accompanied by voting instructions, information on each candidate prepared in a standard format, and a declaration of his or her platform. The notification shall be sent to members and interns no later than 35 days before the date of the annual general meeting. Members and interns who wish to receive notification via standard mail may make said request to the association. Said request must be received by the secretary no later than 42 days before the date of the annual general meeting.</p>	

	Said request must be received by the secretary no later than 42 days before the date of the annual general meeting.		
3.1.6.1	<p>Members who wish to vote via standard mail may make said request to the association. Said request must be received no later than 28 days before the date of the annual general meeting.</p> <p>For votes by letter ballot, the secretary shall, at least 21 days before the date of the annual general meeting, cause to be prepared and mailed a ballot bearing the names of those nominated for election to council.</p> <p>To be valid, ballots shall be enclosed in two envelopes, with the name of the voting professional member shown on the outer envelope and with no identifying marks on the inner envelope. Ballots shall be received by the secretary no later than 9:00 a.m. on a date to be set by the president that is no more than 8 days prior to the date of the annual general meeting. The registrar shall cause the eligibility of each voter, as shown on the outer envelope, to be verified and the valid envelopes to be initialed.</p> <p>The initialed ballot envelopes shall be delivered unopened to the scrutineers.</p>	<p>Members and interns who wish to vote via standard mail may make said request to the association. Said request must be received no later than 28 days before the date of the annual general meeting.</p> <p>For votes by letter ballot, the secretary shall, at least 21 days before the date of the annual general meeting, cause to be prepared and mailed a ballot bearing the names of those nominated for election to council.</p> <p>To be valid, ballots shall be enclosed in two envelopes, with the name of the voting member or intern shown on the outer envelope and with no identifying marks on the inner envelope. Ballots shall be received by the secretary no later than 9:00 a.m. on a date to be set by the president that is no more than 8 days prior to the date of the annual general meeting. The registrar shall cause the eligibility of each voter, as shown on the outer envelope, to be verified and the valid envelopes to be initialed.</p> <p>The initialed ballot envelopes shall be delivered unopened to the scrutineers.</p>	
3.1.8	If a vacancy shall occur among the	If a vacancy shall occur among the elected	

	<p>elected councillors for any reason whatsoever, the council may fill the vacancy by appointing a registered professional member of the association, professional engineer or professional geoscientist as the case may be, to fill the vacancy for the balance of the term. If such vacancy shall occur prior to the giving of notice of the date for receipt of nominations or prior to the mailing of ballots to voting members, then notice of the vacancy and appointment, if any, shall be given to the membership at the same time. If such vacancy shall occur after the mailing of ballots to voting members, no notice of the vacancy need be given.</p>	<p>councillors for any reason whatsoever, the council may fill the vacancy by appointing a professional engineer, professional geoscientist, or intern as the case may be, to fill the vacancy for the balance of the term. If such vacancy shall occur prior to the giving of notice of the date for receipt of nominations or prior to the mailing of ballots to voting members, then notice of the vacancy and appointment, if any, shall be given to members and interns at the same time. If such vacancy shall occur after the mailing of ballots to voting members, no notice of the vacancy need be given.</p>	
3.2	Election of Representatives to Council	REPEAL	
4.1.1	<p>Council shall include ten professional members, elected pursuant to section 7 (d) of the Act, whose terms have not expired. In addition, council shall include the president, if his or her term of office as an elected councillor has expired, and the past president, if his or her term of office as an elected councillor has expired. Two of those elected professional members shall be professional geoscientists.</p>	<p>Two of the elected councillors shall be professional geoscientists. Notwithstanding that the intern councillor becomes a professional member of the association during his or her term, he or she will continue in office as the intern councillor for the balance of his or her term.</p>	<p>The first sentence of this by-law should be deleted as it is covered by s.7(d) and (f) of the Act. The second sentence appears to be covered by s.7(a) and (c) of the Act.</p>
4.1.1.1	NEW	<p>In the event that the intern councillor becomes a professional member during their elected term, they shall continue to fulfill their role until the end</p>	

		of their term.	
4.2.2.1	The vice-president shall be elected by the council from the elected councillors, by majority vote preferably within three months and in no case more than six months after each annual general meeting of the association. Normally, no person shall hold the office of vice-president without having served as an elected member of council for a period of at least 12 months. The vice-president shall be a professional member in good standing of the association.	The vice-president shall be a professional member elected by the council from the elected councillors, by majority vote preferably within three months and in no case more than six months after each annual general meeting of the association. Normally, no person shall hold the office of vice-president without having served as an elected member of council for a period of at least 12 months. The vice-president shall be a professional member in good standing of the association.	Since the bylaws require that the President be a professional member, and that the vice-president is assured to become president, the vice-president should also be a professional member
TOC	4.3 Duties 4.3.1 Councillors 4.3.1.1 Governance 4.3.2 President 4.3.3 Vice-President 4.3.4 Executive Committee Member 4.3.5 Registrar 4.3.6 Secretary 4.3.7 Chief Executive Officer 4.3.8 Auditor 4.3.9 Member-in-training Representative to Council 4.3.9.1 Resignation 4.3.9.2 Vacancy	4.3 Duties 4.3.1 Councillors 4.3.1.1 Governance 4.3.2 President 4.3.3 Vice-President 4.3.4 Executive Committee Member 4.3.5 Registrar 4.3.6 Secretary 4.3.7 Chief Executive Officer 4.3.8 Auditor 4.3.9 Member-in-training Representative to Council 4.3.9.1 Resignation 4.3.9.2 Vacancy	
4.3.9 4.3.9.1 4.3.9.2	Member-in-training Representative to Council	REPEAL	The new Act requires that one councillor be an intern, rendering the MIT Representative to Council unnecessary.

2016 Bylaw Proposal 'E': Council Proposed Changes to Bylaws that provides consistency with the terminology of the new Act and existing Code of Ethics

The changes to The Engineering and Geoscientific Professions Act in November of 2015 included a provision that the terms 'engineer-in-training' and 'geoscientist-in-training' be replaced with 'engineering intern' and 'geoscience intern', respectively. This by-law proposal incorporates those name changes and provides clarity throughout the bylaws by establishing two new terms:

- 'intern' ; which includes 'engineering interns' and 'geoscience interns', and
- 'practitioner' ; which includes members, interns, specified scope of practice licensees, and holders of a certificate of authorization. This term has been used in the Code of Ethics since 2001 and is now incorporated into the bylaws.

(NOTE: the acronyms 'EIT', 'GIT', and 'MIT' will continue to be used as they have in the past. This is addressed in policy)

Bylaw	Current Wording	Proposed Wording	Reason
2.0	<p>In these by-laws: "Act" means The Engineering and Geoscientific Professions Act. "lay councillor" means a person who is appointed to the council pursuant to sub-section 8 (2) of the Act. "member-in-training" means a person who is an engineer-in-training or a geoscientist-in-training. "professional member" means a person who is registered as a professional engineer or a professional geoscientist.</p>	<p>In these by-laws: "Act" means The Engineering and Geoscientific Professions Act. "intern" means an engineering intern or a geoscience intern "lay councillor" means a person who is appointed to the council pursuant to sub-section 8 (2) of the Act. "member-in-training" means a person who is an engineer-in-training or a geoscientist-in-training. "practitioner" means a member, temporary licensee, engineering intern, geoscience intern, specified scope of practice licensee, or holder of a certificate of authorization of the Association "professional member" means a person who is registered as a professional engineer or a</p>	<p>The new Act has changed the terms 'engineer-in-training' and 'geoscientist-in-training' to 'engineering intern' and 'geoscience intern'. This definition for 'intern' ensures that the bylaws are consistent with the Act.</p> <p>This definition for 'practitioner' has been in use within the Code of Ethics for 15 years. Using it in the bylaws creates consistency between the documents and allows for simplification of many</p>

		professional geoscientist.	bylaws.
4.3.6	The secretary shall send or cause to be sent all notices that are to be sent to the members of the association and council.	The secretary shall send or cause to be sent all notices that are to be sent to practitioners and council.	Although Specified Scope Of Practice Licensees do not require notifications stipulated in the bylaws (since the only required notifications in the bylaws are for AGM, council elections, and bylaw elections, all of which are reserved for members), the Act requires notifications to all license holders for disciplinary procedures, suspension for ProDev non-compliance, etc.
4.5	In addition to the committees established by the Act, the council may, from time to time, appoint boards or committees for the purpose of facilitating the business of the association. Subject to the provisions of the Act appointees to boards and committees may, in addition to professional members, include members-in-training , temporary licensees, specified scope of practice licensees, students and members of the public. When establishing any board or committee, the council shall provide terms of reference for the board or committee which terms shall include: a) the purpose for the committee;	In addition to the committees established by the Act, the council may, from time to time, appoint boards or committees for the purpose of facilitating the business of the association. Subject to the provisions of the Act appointees to boards and committees may, in addition to professional members, include interns , temporary licensees, specified scope of practice licensees, students and members of the public. When establishing any board or committee, the council shall provide terms of reference for the board or committee which terms shall include: a) the purpose for the committee;	Ensures that the terminology of the bylaws is consistent with the terminology of the Act.

	<p>b) the method by which, and by whom, the members are appointed;</p> <p>c) the method by which, and by whom, its chair shall be appointed; and</p> <p>d) the committee's or board's right to establish its own order of agenda.</p>	<p>b) the method by which, and by whom, the members are appointed;</p> <p>c) the method by which, and by whom, its chair shall be appointed; and</p> <p>d) the committee's or board's right to establish its own order of agenda.</p>	
4.5.1	<p>The registration committee appointed under sub-section 14 (1) of the Act shall be comprised of professional members and at least one person who is not, and never has been, a professional member, member-in-training or licensee of the association.</p>	<p>The registration committee appointed under sub-section 14 (1) of the Act shall be comprised of professional members and at least one person who is not, and never has been, a professional member, intern or licensee of the association.</p>	<p>Ensures that the terminology of the bylaws is consistent with the terminology of the Act.</p>
4.5.4.2	<p>(f) Following receipt of notices identifying these appointees, the Council shall appoint:</p> <p>i. two Past Presidents of the association, at least one of whom at the time of appointment shall be active in his or her profession;</p> <p>ii. a person who is a resident of Manitoba but who is not, and never has been a member, temporary licensee, holder of a limited scope of practice license, an engineer-in-training or a geoscientist-in-training of the association;</p> <p>iii. a maximum of four other persons who, at the time of appointment, are members of the association.</p>	<p>f) Following receipt of notices identifying these appointees, the Council shall appoint:</p> <p>i. two Past Presidents of the association, at least one of whom at the time of appointment shall be active in his or her profession;</p> <p>ii. a person who is a resident of Manitoba but who is not, and never has been a member, temporary licensee, holder of a limited scope of practice license, an intern of the association;</p> <p>iii. a maximum of four other persons who, at the time of appointment, are members of the association.</p>	<p>Ensures that the terminology of the bylaws is consistent with the terminology of the Act.</p>
4.6	<p>Any notice required to be given to members of the association shall be deemed to have been given if:</p>	<p>Any notice required to be given to practitioners shall be deemed to have been given if:</p>	<p>Although Specified Scope Of Practice Licensees do not require notifications stipulated in the bylaws</p>

			(since the only required notifications are for AGM, council elections, and bylaw elections, all of which are reserved for members), the Act requires notifications to all license holders for disciplinary procedures, suspension for ProDev non-compliance, etc.
4.6.1	Nothing in these by-laws prevents the distribution of information to members by electronic or other means where such distribution is deemed by the Secretary to be useful to the members.	Nothing in these by-laws prevents the distribution of information to practitioners by electronic or other means where such distribution is deemed by the Secretary to be useful to the members.	Ensures that this bylaw applies to all practitioners, including licensees; not just members.
4.9	No professional member, member-in-training , temporary licensee, specified scope of practice licensee, serving as an officer, councillor or committee member, other than association employees serving in an ex-officio capacity, shall receive a salary or honorarium for such service.	No professional member, intern , temporary licensee, specified scope of practice licensee, serving as an officer, councillor or committee member, other than association employees serving in an ex-officio capacity, shall receive a salary or honorarium for such service.	Ensures that the terminology of the bylaws is consistent with the terminology of the Act.
5.1	The annual general meeting of the professional members of the association shall be held in the Province of Manitoba on any date after September 10th, but prior to October 31st, in each year as council may decide. Temporary licensees, specified scope of practice licensees, members-in-training and students are entitled to attend and participate subject to restrictions in these by-laws. Members of the public,	The annual general meeting of the professional members of the association shall be held in the Province of Manitoba on any date after September 10th, but prior to October 31st, in each year as council may decide. Temporary licensees, specified scope of practice licensees, interns and students are entitled to attend and participate subject to restrictions in these by-laws. Members of the public, subject to	Ensures that the terminology of the bylaws is consistent with the terminology of the Act.

	subject to application to the registrar and the availability of space, are entitled to observe.	application to the registrar and the availability of space, are entitled to observe.	
5.8	The president and the council shall establish the frequency, agenda and procedure of meetings of the council. Special meetings of the council shall be held at the call of the president, or by requisition signed by two councillors. At least 24 hours' notice shall be given of all meetings of the council. Meetings of the council or parts thereof not otherwise declared by the council to be in camera shall be open for professional members, licensees, members-in-training and students to be present as observers, provided that they give 24 hours notice of intention.	The president and the council shall establish the frequency, agenda and procedure of meetings of the council. Special meetings of the council shall be held at the call of the president, or by requisition signed by two councillors. At least 24 hours' notice shall be given of all meetings of the council. Meetings of the council or parts thereof not otherwise declared by the council to be in camera shall be open for professional members, temporary licensees, specified scope of practice licensees, interns and students to be present as observers, provided that they give 24 hours notice of intention.	Ensures that the terminology of the bylaws is consistent with the terminology of the Act.
TOC	6.3 Other Requirements 6.3.1 Member-In-Training Requirement 6.3.2 Pre-Registration Program	6.3 Other Requirements 6.3.1 Intern Requirement 6.3.2 Pre-Registration Program	Ensures that the terminology of the bylaws is consistent with the terminology of the Act.
6.3.1	Member-In-Training Requirement To be eligible for enrollment as a member-in-training, an applicant must submit evidence to the registration committee that he or she: a) is academically qualified for registration as a professional member;	Intern Requirement To be eligible for enrollment as an intern, an applicant must submit evidence to the registration committee that he or she: a) is academically qualified for registration as a professional member;	Ensures that the terminology of the bylaws is consistent with the terminology of the Act.
6.3.2	There shall be a pre-registration program for members-in-training. The requirements of such program shall be set out in the Manual of Admissions and shall include a	There shall be a pre-registration program for interns. The requirements of such program shall be set out in the Manual of Admissions and shall include a requirement to pass an	Ensures that the terminology of the bylaws is consistent with the terminology of the Act.

	requirement to pass an approved professional practice examination.	approved professional practice examination.	
6.4.1	When applying for reinstatement or licensure, a person who has resigned from professional membership in accordance with these by-laws and who is not qualified for registration under sub-section 15 (2) of the Act must comply with the conditions or exemptions set out in the Manual of Admissions.	When applying for reinstatement or licensure, a person who has resigned from professional membership in accordance with these by-laws and who is not qualified for registration under sub-section 15 (2) of the Act must comply with the conditions or exemptions set out in the Manual of Admissions.	Ensures that this bylaw applies to all practitioners, including licensees; not just members.
TOC	6.4 Registration by Reinstatement 6.4.1 Resigned in Good Standing 6.4.2.1 Removed for Non-Payment and Registered Elsewhere in Canada 6.4.2.2 Removed for Non-Payment and Not Registered Elsewhere in Canada 6.4.3 Membership Cancelled	6.4 Registration by Reinstatement 6.4.1 Resigned in Good Standing 6.4.2 Removed for Non-Payment and Registered Elsewhere in Canada 6.4.3 Removed for Non-Payment and Not Registered Elsewhere in Canada 6.4.4 Application When Previously Cancelled	Ensures that this bylaw applies to all practitioners, including licensees; not just members.
6.4.3	Membership Cancelled A person whose name has been removed from the register pursuant to clause 47 (1) (j) of the Act may, subject to any conditions or recommendations contained in the order of the discipline committee, apply for reinstatement. Whether qualified for registration under sub-section 15 (2) of the Act or not, such person shall, when applying for reinstatement or licensure, subject to the provisions of the Manual of Admissions: a) provide evidence of sufficient relevant professional engineering or professional	Application When Previously Cancelled A person whose name has been removed from the register pursuant to clause 47 (1) (j) of the Act may, subject to any conditions or recommendations contained in the order of the discipline committee, apply for reinstatement. Whether qualified for registration under sub-section 15 (2) of the Act or not, such person shall, when applying for reinstatement or licensure, subject to the provisions of the Manual of Admissions: a) provide evidence of sufficient relevant professional engineering or professional	Ensures that this bylaw applies to all practitioners, including licensees; not just members.

	<p>geoscientific work experience; b) subscribe to and agree to abide by the Code of Ethics established under Part XIII; c) pass the association’s professional practice test; and d) if so required by the registration committee, pass an approved professional practice examination.</p>	<p>geoscientific work experience; b) subscribe to and agree to abide by the Code of Ethics established under Part XIII; c) pass the association’s professional practice test; and d) if so required by the registration committee, pass an approved professional practice examination.</p>	
7.3	<p>Applicants who have 48 months of qualifying work experience and who have satisfied all of the requirements for registration of the Manual of Admissions, other than for the 12 month required period of work experience in a Canadian environment, may be registered as a provisional member until such time as the full work experience requirement is satisfied and on the conditions that: (a) the provisional member does not use the suffix “P.Eng.” or “P.Geo.”, but may, at his or her option, continue to use EIT or GIT;</p>	<p>Applicants who have 48 months of qualifying work experience and who have satisfied all of the requirements for registration of the Manual of Admissions, other than for the 12 month required period of work experience in a Canadian environment, may be registered as a provisional member until such time as the full work experience requirement is satisfied and on the conditions that: (a) the provisional member does not use the suffix “P.Eng.” or “P.Geo.”, but may, at his or her option, continue to use Engineering Intern, Geoscience Intern or any abbreviation thereof approved by resolution of the council.</p>	<p>Ensures that the terminology of the bylaws is consistent with the terminology of the Act.</p>
TOC	<p>7.0 Provision 7.1 Professional Members 7.1.1 Practising Member 7.1.2 Retired Member 7.1.3 Life Membership 7.1.4 Honorary Life Member 7.2 Members on Deferred Dues 7.3 Provisional Member 7.4 Other 7.5 Notice of Delivery</p>	<p>7.0 Provision 7.1 Professional Members 7.1.1 Practising Member 7.1.2 Retired Member 7.1.3 Life Membership 7.1.4 Honorary Life Member 7.2 Members on Deferred Dues 7.3 Provisional Member 7.4 Other 7.5 Notice of Delivery</p>	

	7.6 Requirement to Respond	7.6 Requirement to Respond	
7.5.1 7.5.2 7.5.3	<p>7.5 Notice of Delivery Address</p> <p>7.5.1 Each professional member shall advise the registrar of the address to which the Association is to direct all correspondence to the member.</p> <p>7.5.2 Each professional member shall advise the registrar of any change in the address to which the Association is to direct all correspondence to the member, within 30 calendar days of the effective date of the change of address.</p> <p>7.5.3 Each professional member shall provide the registrar with the name and address of any person designated to receive correspondence from the Association on the member's behalf, with respect to:</p> <p>(a) Complaints, charges and disciplinary matters involving the member;</p> <p>(b) Professional liability insurance reports, claims or processes involving the member; and</p> <p>(c) The member's failure to pay monies owing to the association</p>	(MOVE)	<p>Move to 11.4 (new)</p> <p>This bylaw relates to practice requirements (Bylaw 11), not membership categories (Bylaw 7)</p>
7.6.1 7.6.2 7.6.3	<p>7.6 Requirement to Respond</p> <p>7.6.1 Where the Association makes a written request to a member for a response within a specified period, the member shall provide a written response within the specified time period and shall provide the information, explanation or records in the possession of or under the control of the</p>	(MOVE)	<p>Move to 11.5 (new)</p> <p>This bylaw relates to practice requirements (Bylaw 11), not membership categories (Bylaw 7)</p>

	<p>member. A written request sent to the mailing address of the member, or the member's designate, appearing in the records of the Association shall be deemed to have been delivered three working days following the date of being sent by registered mail, and shall be deemed to have been received by the member.</p> <p>7.6.2 Failure of the member to submit a written response as required under subsection 7.6.1 may constitute professional misconduct.</p> <p>7.6.3 Where a member fails to respond to a written request as required under subsection 7.6.1, the person, investigation committee or sub-committee conducting an investigation may proceed with the investigation without the member's response.</p>		
TOC	<p>9.1 Annual Dues</p> <ul style="list-style-type: none"> 9.1.1 Practising Category 9.1.2 Retired Category 9.1.3 Temporary Licence 9.1.4 Specified Scope of Practice <p>Licence</p> <ul style="list-style-type: none"> 9.1.5 Certificate of Authorization 9.1.6 Member-In-Training 9.1.7 Student 9.1.8 Dues Relief 9.1.9 Provisional Member <p>9.2 Fees</p> <ul style="list-style-type: none"> 9.2.1 Member-in-Training 9.2.2 Registration 9.2.3 Specified Scope of Practice 	<p>9.1 Annual Dues</p> <ul style="list-style-type: none"> 9.1.1 Practising Category 9.1.2 Retired Category 9.1.3 Temporary Licence 9.1.4 Specified Scope of Practice <p>Licence</p> <ul style="list-style-type: none"> 9.1.5 Certificate of Authorization 9.1.6 Intern 9.1.7 Student 9.1.8 Dues Relief 9.1.9 Provisional Member <p>9.2 Fees</p> <ul style="list-style-type: none"> 9.2.1 Intern 9.2.2 Registration 9.2.3 Specified Scope of Practice 	<p>Ensures that the terminology of the bylaws is consistent with the terminology of the Act.</p>

	<p>Licence</p> <p>9.2.4 Certificate of Authorization</p> <p> 9.2.4.1 Application</p> <p> 9.2.4.2 Renewal</p> <p>9.2.5 Reinstatement</p> <p>9.2.6 Review of Academic Credentials</p> <p>9.2.7 Examinations</p> <p>9.2.8 Late Payment</p>	<p>Licence</p> <p>9.2.4 Certificate of Authorization</p> <p> 9.2.4.1 Application</p> <p> 9.2.4.2 Renewal</p> <p>9.2.5 Reinstatement</p> <p>9.2.6 Review of Academic Credentials</p> <p>9.2.7 Examinations</p> <p>9.2.8 Late Payment</p>	
9.1.6	<p>Member-In-Training</p> <p>The annual dues to be paid by a member-in-training for any given year shall be a percentage, determined annually by the council, of the annual dues payable by practising professional members.</p>	<p>Intern</p> <p>The annual dues to be paid by an intern for any given year shall be a percentage, determined annually by the council, of the annual dues payable by practising professional members.</p>	Ensures that the terminology of the bylaws is consistent with the terminology of the Act.
9.2.1	<p>Member-In-Training</p> <p>The fees and dues applicable to an application for enrollment as a member-in-training, as prescribed under sub-section 19 (d) of the Act, shall comprise a non-refundable admission fee, plus the annual dues for a member-in-training, in amounts set by council annually.</p>	<p>Intern</p> <p>The fees and dues applicable to an application for enrollment as an intern, as prescribed under sub-section 19 (d) of the Act, shall comprise a non-refundable admission fee, plus the annual dues for a member-in-training, in amounts set by council annually.</p>	Ensures that the terminology of the bylaws is consistent with the terminology of the Act.
9.2.5	<p>The dues and fees required to accompany an application for reinstatement to any of the categories of professional membership, as provided for in sub-section 24 (2) of the Act, shall comprise:</p> <p>a) a non-refundable admission fee in an amount to be set annually by council;</p> <p>b) the annual dues, pro-rated in accordance with the provisions of the Manual of Admissions;</p>	<p>The dues and fees required to accompany an application for reinstatement to any of the categories of professional membership, as provided for in sub-section 24 (2.1) of the Act, shall comprise:</p> <p>a) a non-refundable admission fee in an amount to be set annually by council;</p> <p>b) the annual dues, pro-rated in accordance with the provisions of the Manual of Admissions;</p>	Ensures that this bylaw applies to all practitioners, including licensees; not just members.

	c) a non-refundable de-registration fee.	c) a non-refundable de-registration fee. Change 24 (2) to 24(2.1) to reflect re-numbering in the Act	
9.2.8	There shall be a late payment fee applicable when a member or member-in-training fails to pay his or her annual dues within 10 days of the date on which they are payable. The fee shall be set annually by the council.	There shall be a late payment fee applicable when a practitioner's annual dues are not received within 10 days of the date on which they are payable. The fee shall be set annually by the council.	Ensures that this bylaw applies to all practitioners, including licensees.
9.2.10	The Association may, in discretion of the Council, participate in any program providing professional liability insurance to any or all members, members-in training or licensees and the Council may establish fees payable by such members, members-in training or licensees in respect of any such program.	The Association may, at the discretion of the Council, participate in any program providing professional liability insurance to any or all members, intern or licensees and the Council may establish fees payable by such members, interns or licensees in respect of any such program.	Ensures that the terminology of the bylaws is consistent with the terminology of the Act.
10.1	A professional member or member-in-training may, by written notice of resignation, withdraw from membership or enrollment respectively.	A practitioner may, by written notice of resignation, withdraw from the Association.	Ensures that this bylaw applies to all practitioners, including licensees.
	11.1 Use of the Seal 11.2 Charges and Salaries 11.3 Compliance to Practise	11.1 Use of the Seal 11.2 Charges and Salaries 11.3 Compliance to Practise 11.4 Notice of Delivery Address 11.5 Requirement to Respond	
	Moved From 7.5	11.4 Notice of Delivery Address 11.4.1 Each practitioner shall advise the registrar of the address to which the Association is to direct all correspondence to the practitioner.	Ensures that this bylaw applies to all practitioners, including licensees; not just members.

		<p>11.4.2 Each practitioner shall advise the registrar of any change in the address to which the Association is to direct all correspondence to the practitioner, within 30 calendar days of the effective date of the change of address.</p> <p>11.4.3 Each practitioner shall provide the registrar with the name and address of any person designated to receive correspondence from the Association on the practitioner's behalf, with respect to:</p> <ul style="list-style-type: none"> (a) Complaints, charges and disciplinary matters involving the practitioner; (b) Professional liability insurance reports, claims or processes involving the practitioner; and (c) The practitioner's failure to pay monies owing to the association 	
	<p>Moved From 7.6</p>	<p>11.5 Requirement to Respond</p> <p>11.5.1 Where the Association makes a written request to a practitioner for a response within a specified period, the practitioner shall provide a written response within the specified time period and shall provide the information, explanation or records in the possession of or under the control of the practitioner. A written request sent to the mailing address of the practitioner, or the practitioner's designate, appearing in the records of the Association shall be deemed to have been delivered three working days following the date of being sent by registered mail, and shall be deemed to have been received by the</p>	<p>Ensures that this bylaw applies to all practitioners, including licensees; not just members.</p>

		<p>practitioner.</p> <p>11.5.2 Failure of the practitioner to submit a written response as required under subsection 7.6.1 may constitute professional misconduct.</p> <p>11.5.3 Where a practitioner fails to respond to a written request as required under subsection 7.6.1, the person, investigation committee or sub-committee conducting an investigation may proceed with the investigation without the practitioner's response.</p>	
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.	The investigation committee may, when consulted, offer advice to practitioners 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.	Ensures that this bylaw applies to all practitioners, including licensees.
15.11.1.1	In addition to the annual fee the council shall, when necessary, establish and maintain a special fund for the purpose of administering and enforcing the discipline provisions of these by-laws. The fund shall be established and maintained by assessing the general membership an amount set by the council from time-to-time. Non-payment of this special assessment is deemed to be non-compliance with section 24 of the Act.	In addition to the annual fee the council shall, when necessary, establish and maintain a special fund for the purpose of administering and enforcing the discipline provisions of these by-laws. The fund shall be established and maintained by assessing practitioners an amount set by the council from time-to-time. Non-payment of this special assessment is deemed to be non-compliance with section 24 of the Act.	Ensures that this bylaw applies to all practitioners, including licensees; not just members.
15.11.1.2	The registrar shall disburse such funds as	The registrar shall disburse such funds as	The deleted language is

	<p>may be required for the purpose of investigations conducted by the investigation committee or for the purpose of formal hearings of the discipline committee and appeals therefrom. The fund shall be administered by the registrar, who shall report on it to the general membership at least once a year at the annual general meeting, and an annual auditors' statement shall be prepared on it.</p>	<p>may be required for the purpose of investigations conducted by the investigation committee or for the purpose of formal hearings of the discipline committee and appeals therefrom. The fund shall be administered by the registrar, who shall report on it to the general membership at least once a year at the annual general meeting, and an annual auditors' statement shall be prepared on it.</p>	<p>unnecessary, and suggests that only members are in attendance at the AGM, which is in conflict with Bylaw 5.1</p>
16.0	<p>The council may, from time to time, establish chapters of the association, and adopt a constitution and by-laws for each chapter. The chapter shall comprise professional members, licensees and members-in-training who represent a defined group. Subject to the by-laws of the chapter, members of the public may participate in the activities of the chapter, but shall not have voting privileges.</p>	<p>The council may, from time to time, establish chapters of the association, and adopt a constitution and by-laws for each chapter. The chapter shall comprise professional members, licensees and interns who represent a defined group. Subject to the by-laws of the chapter, members of the public may participate in the activities of the chapter, but shall not have voting privileges.</p>	<p>Ensures that the terminology of the bylaws is consistent with the terminology of the Act.</p>

2016 Bylaw Proposal 'F': Council Proposed bylaws that are to be repealed.

These Repeals arose from examining the language of the By-laws generally for consistency of application to all practitioners.

In reviewing the bylaws for consistency with the new terminology (see Bylaw Proposal 'E'), the following bylaws were identified as using older terminology. However, in reviewing these particular bylaws, it was determined by legal counsel that they should be repealed because they are redundant and/or try to establish powers beyond those afforded by the Act.

Bylaw	Current Wording	Proposed Wording	Reason
7.4	Other The council shall establish policies and procedures that define the responsibilities, rights and privileges of temporary licensees, specified scope of practice licensees, members-in-training and students.	REPEAL	No council policies exist in this regard and the rights and responsibilities for everyone is dispersed through the Act and bylaws
9.2.9	Applicants for reinstatement as a professional member or member-in-training whose name has been removed from the register for omission to pay annual dues shall pay a de-registration fee. The fee shall be set annually by the council.	REPEAL	Redundant with Bylaw 9.2.5
9.2.11	Other fees as may be required for the processing of applications for admission or enrollment or for the maintenance of membership shall be authorized by and specified in the policies and procedures provided for under these by-laws.	REPEAL	Based upon s.12(1)(n) of the Act, the association may make by-laws "establishing fees and dues to be paid by members...". However, there is no authority in the Act to do this by "policies and procedures provided for under those by-laws". Therefore, this provision should be repealed.

2016 Bylaw Proposal 'G': Council Proposed Changes and Additions to Bylaws that recognize the Act change providing for Specified Scope of Practice Licensees

The changes to The Engineering and Geoscientific Professions Act in November of 2015 now allow Engineers Geoscientists Manitoba to issue Specified Scope of Practice Licenses. These bylaw changes identify the registration process, the rights and the responsibilities for the new licensees. These include application fees, dues, use of the seal, and insurance requirements.

Bylaw	Current Wording	Proposed Wording	Reason
6.2.1	The evidence of academic qualification required for membership under clause 15 (1) (b) of the Act, shall be as set out in the Manual of Admissions.	The evidence of academic qualification required for membership under clause 15 (1) (b) of the Act and for a specified scope of practice license under clause 18 (b) of the Act , shall be as set out in the Manual of Admissions.	
6.2.2	The evidence of sufficient relevant work experience required for membership under clause 15 (1) (c) of the Act, shall be based on at least four years' engineering or geoscientific work experience, subject to the provisions of the Manual of Admissions.	The evidence of sufficient relevant work experience required for membership under clause 15 (1) (c) of the Act , shall be based on at least four years' engineering or geoscientific work experience, subject to the provisions of the Manual of Admissions. The evidence of sufficient relevant work experience required for a specified scope of practice license under clause 18 (b) of the Act, shall be as set out in the Manual of Admissions.	
9.1.4	BLANK	The dues to be paid by a specified scope of practice licensee shall be established annually by resolution of the council.	
9.2.3	BLANK	The fees to be paid in connection with an application for registration as a specified scope of	

		practice licensee shall be established annually by resolution of the council. Concurrently with payment of the application fee, the applicant shall pay the annual dues, prorated for the balance of the year then remaining. The dues shall be refunded if the application is not accepted.	
TOC	11.1 Use of the Seal 11.1.1 Professional Member's Manual Seal 11.1.1.1 Affixing the Manual Seal 11.1.1.2 Validating the Manual Seal 11.1.1.3 Use of Manual Seal 11.1.2 Professional Member's Electronic Seal 11.1.2.1 Use of Electronic Seal 11.1.3 Temporary Licensee's Seal 11.1.4 Specified Scope of Practice Licensee's Seal	11.1 Use of the Seal 11.1.1 Manual Seal of Professional Members and Specified Scope of Practice Licensees 11.1.1.1 Affixing the Manual Seal 11.1.1.2 Validating the Manual Seal 11.1.1.3 Use of Manual Seal 11.1.2 Digital Signature of Professional Members and Specified Scope of Practice Licensees 11.1.2.1 Use of Digital Signature 11.1.3 Temporary Licensee's Seal 11.1.4 Specified Scope of Practice Licensee's Seal	
11.1.4	BLANK	REMOVE:	The requirements for application of seals should be consistent between professional members and specified scope of practice licensees. In lieu of a separate section, add specified scope of practice licensee language to 11.1.1, 11.1.1.2, 11.1.2 & 11.1.2.1
	11.1.1 Professional Member's Manual	11.1.1 Manual Seal of Professional Members and	

Seal

The combined acts of affixing and validating a manual seal constitute manual authentication of a document.

11.1.1.1 Affixing the Manual Seal

An image of the manual seal may be affixed through the use of either an inked stamped impression or a copy of it.

11.1.1.2 Validating the Manual Seal

The professional member, having affixed his or her manual seal in conformance with section 26 (1) of the Act, shall validate it by signing the document in the vicinity of the seal and indicating the date upon which it was signed.

11.1.1.3 Use of Manual Seal

A copy of a validated seal shall not be used for the purpose of authenticating a document.

11.1.2 **Professional Member's Electronic Seal**

A member may authenticate a document which is in computer readable form by the use of his or her electronic seal. This authentication will have the same effect as affixing and validating a manual seal on a physical document.

11.1.2.1 Use of Electronic Seal

Validation of a document which is in computer readable form must only be

Specified Scope of Practice Licensees

The combined acts of affixing and validating a manual seal constitute manual authentication of a document.

11.1.1.1 Affixing the Manual Seal

An image of the manual seal may be affixed through the use of either an inked stamped impression or a copy of it.

11.1.1.2 Validating the Manual Seal

A professional member or **Specified Scope of Practice Licensee**, having affixed his or her manual seal in conformance with section 26 (1) of the Act, shall validate it by signing the document in the vicinity of the seal and indicating the date upon which it was signed.

11.1.1.3 Use of Manual Seal

A copy of a validated seal shall not be used for the purpose of authenticating a document.

11.1.2 **Digital Signature of Professional Members and Specified Scope of Practice Licensees**

A professional member **or Specified Scope of Practice Licensee** may authenticate a document which is in computer readable form by the use of his or her **digital signature**. This authentication will have the same effect as affixing and validating a manual seal on a physical document.

11.1.2.1 Use of **Digital Signature**

Validation of a document which is in computer readable form must only be performed with the explicit knowledge of and confirmatory action by

	performed with the explicit knowledge of and confirmatory action by the member . Any process and/or technology that automatically applies a professional member's seal to documents without the member's knowledge and action is strictly prohibited.	the member or Specified Scope of Practice Licensee . Any process and/or technology that automatically applies a professional member's digital signature to documents without the member's or Specified Scope of Practice Licensee's knowledge and action is strictly prohibited.	
12.1.3	BLANK	Each certificate of specified scope of practice license shall have the name of the specified scope of practice licensee inscribed thereon, and shall specify the licensee's scope of professional practice. Such certificate shall be prominently displayed in the licensee's place of practice.	
12.1.3.1	NEW	Validity of Certificate The certificate of specified scope of practice license is valid for the period shown on the sticker issued annually by the association.	
12.2.4	BLANK	REMOVE	The requirements for seals should be consistent between professional members and specified scope of practice licensees. In lieu of a separate section, add specified scope of practice language to 12.2.1, 12.2.2, & 12.2.2.1
TOC	12.2 Seals 12.2.1 Professional Member's Manual Seal 12.2.2 Professional Member's	12.2 Seals 12.2.1 Manual Seal of Professional Members and Specified Scope of Practice Licensees 12.2.2 Digital Signature of Professional	

	<p>Electronic Seal 12.2.2.1 Protection of Professional Member's Electronic Seal 12.2.3 Temporary Licensee's Seal 12.2.4 Specified Scope of Practice Licensee's Seal</p>	<p>Members and Specified Scope of Practice Licensees 12.2.2.1 Protection of the Digital Signature 12.2.3 Temporary Licensee's Seal 12.2.4 Specified Scope of Practice Licensee's Seal</p>	
	<p>12.2.1 Professional Member's Manual Seal The registrar shall issue a manual seal in accordance with section 26 (1) of the Act and these By-Laws. A member shall not acquire a seal from any other source. 12.2.2 Professional Member's Electronic Seal The registrar may issue an electronic seal when he or she is satisfied that an appropriate process and/or technology is available. The authenticity of the seal shall be confirmable. The seal shall be revocable. 12.2.2.1 Protection of Professional Member's Electronic Seal The member shall ensure that his or her electronic seal is secure and remains under the member's control at all times.</p>	<p>12.2.1 Manual Seal of Professional Members and Specified Scope of Practice Licensees The registrar shall issue a manual seal in accordance with section 26 (1) of the Act and these By-Laws. Members and Specified Scope of Practice Licensees shall not acquire a seal from any other source. 12.2.2 Digital Signature of Professional Members and Specified Scope of Practice Licensees The registrar may issue a digital signature when he or she is satisfied that an appropriate process and/or technology is available. The authenticity of the digital signature shall be confirmable. The digital signature shall be revocable. 12.2.2.1 Protection of the Digital Signature Members and Specified Scope of Practice Licensees shall ensure that their digital signature is secure and remains under their control at all times.</p>	
14.4	BLANK	The liability insurance requirements for a Specified Scope of Practice Licensee shall be the same as those set out in 14.2.	

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGE TO MODIFY BY-LAW 3.1.6

By-Law	Current Wording	Proposed Wording	Reason
By-Law 3.1.6	<p>3.1.6 Voting Procedure Except as provided in 3.1.6.1, voting shall be conducted on-line through a secure portal. Voting shall occur in the period between 21 days and eight days before the annual general meeting.</p>	<p>3.1.6 Voting Procedure Except as provided in 3.1.6.1, voting shall be conducted on-line through a secure portal. Voting shall occur in the period between 21 days and eight days before the annual general meeting. The electronic voting system shall be audited in accordance with a policy prepared and published by the council.</p>	<p>Ensures audit of electronic voting system.</p>

10.2	<p>Removal for Omission to Pay Dues When the name of a professional member or member-in-training is subject to removal from the register in accordance with sub-section 24 (2) of the Act, and the council has determined the date on which the payment is due, the time of the payment shall be determined as in 9.3.</p>	REPEAL	Redundant with 24(2) of the Act
15.0	<p>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>	REPEAL	Redundant with s.46(1) of the Act.
15.3.4	<p>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 the complaint.</p>	REPEAL	This by-law is redundant with s.33(1) of the Act and should be deleted from the by-laws. A by-law (as opposed to a provision of the Act) compelling the complainant to produce documents is likely unenforceable, unless the complainant is a member, licensee, etc.

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGE TO MODIFY BY-LAW 3.1.6

By-Law	Current Wording	Proposed Wording	Reason
By-Law 3.1.6	<p>3.1.6 Voting Procedure Except as provided in 3.1.6.1, voting shall be conducted on-line through a secure portal. Voting shall occur in the period between 21 days and eight days before the annual general meeting.</p>	<p>3.1.6 Voting Procedure Except as provided in 3.1.6.1, voting shall be conducted on-line through a secure portal. Voting shall occur in the period between 21 days and eight days before the annual general meeting. The electronic voting system shall be audited in accordance with a policy prepared and published by the council.</p>	<p>Ensures audit of electronic voting system.</p>

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGE TO MODIFY BY-LAW 3.1.7 Counting of the votes

By-Law	Current Wording	Proposed Wording	Reason
By-Law 3.1.7	<p>3.1.7 Counting of the Votes At least 10 days prior to the date of the annual general meeting, the president shall appoint three scrutineers who shall be professional members of the association but not members of council or nominees for election to council. The election shall be decided according to the rules of proportional representation. The method for counting votes shall be that approved by council and on file in the association office. The scrutineers shall provide a report of the results of the voting to the registrar. The report shall be presented at the annual general meeting. The registrar shall retain letter ballots and on-line voting records for a period of 30 days following the annual general meeting, after which they shall be destroyed.</p>	<p>3.1.7 Counting of the Votes At least 10 days prior to the date of the annual general meeting, the president shall appoint three scrutineers who shall be professional members of the association but not members of council or nominees for election to council. The election shall be decided according to the rules of proportional representation. The method for counting votes shall be that approved by council and on file in the association office. The scrutineers shall provide a report of the results of the voting to the registrar. The report shall be presented at the annual general meeting. The registrar shall retain letter ballots and on-line voting records for a period of 30 days following the annual general meeting, after which they shall be destroyed.</p> <p>The electronic voting system shall be audited in accordance with a policy prepared and published by the council.</p>	Ensures audit of electronic voting system.

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGE TO MODIFY BY-LAW 3.3.1 Registrar

By-Law	Current Wording	Proposed Wording	Reason
By-Law 3.3.1	<p>3.3.1 Registrar The registrar shall be appointed by the council. The term of office and remuneration of the registrar shall be determined by the council from time to time.</p>	<p>3.3.1 Registrar The registrar shall be appointed by the council. The term of office and remuneration of the registrar shall be determined by the council from time to time. The performance of the registrar shall be evaluated annually in accordance with a policy developed by the council. The office of the registrar may be combined with that of the secretary and/or the chief executive officer.</p>	<p>Defines in By-Law the existing Council Policy to evaluate Registrar's performance annually. Clarifies roles which can be combined.</p>

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGE TO MODIFY BY-LAW 3.3.2 Secretary

By-Law	Current Wording	Proposed Wording	Reason
By-Law 3.3.2	<p>3.3.2 Secretary The secretary shall be appointed by the council. The term of office and remuneration of the secretary shall be determined by the council from time to time. The offices or registrar and secretary may be combined.</p>	<p>3.3.2 Secretary The secretary shall be appointed by the council. The term of office and remuneration of the secretary shall be determined by the council from time to time. The performance of the secretary shall be evaluated annually in accordance with a policy developed by the council. The offices of registrar and secretary may be combined. The office of the secretary may be combined with that of the registrar and/or the chief executive officer.</p>	<p>Defines in By-Law the existing Council Policy to evaluate Secretary's performance annually. Clarifies roles which can be combined.</p>

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGE TO MODIFY BY-LAW 3.3.3 Chief Executive Officer

By-Law	Current Wording	Proposed Wording	Reason
By-Law 3.3.3	<p>3.3.3 Chief Executive Officer The council may appoint a chief executive officer. The term of office and remuneration of the chief executive officer shall be determined by the council from time to time. The offices(s) of registrar and/or secretary may be combined with that of the chief executive officer.</p>	<p>3.3.3 Chief Executive Officer The council may appoint a chief executive officer. The term of office and remuneration of the chief executive officer shall be determined by the council from time to time. The performance of the chief executive officer shall be evaluated annually in accordance with a policy developed by the council. The office(s) of registrar and/or secretary may be combined with that of the chief executive officer. The office of the chief executive officer may be combined with that of the registrar and/or the secretary.</p>	<p>Defines in By-Law the existing Council Policy to evaluate CEO's performance annually. Clarifies roles which can be combined.</p>

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGE TO MODIFY BY-LAW 4.2.2.1 Vice-President Election

By-Law	Current Wording	Proposed Wording	Reason
By-Law 4.2.2.1	<p>4.2.2.1 Election The vice-president shall be elected by the council from the elected councilors, by majority vote preferably within three months and in no case more than six months after each annual general meeting of the association. Normally, no person shall hold the office of vice-president without having served as an elected member of council for a period of at least 12 months. The vice-president shall be a professional member in good standing of the association.</p>	<p>4.2.2.1 Election The vice-president shall be elected by the council from the elected councilors, by majority vote preferably within three months and in no case more than six months after each annual general meeting of the association. Normally, no person shall hold the office of vice-president without having served as an elected member of council for a period of at least 12 months. The vice-president shall be a professional member in good standing of the association. The election of the vice-president shall be conducted by paper ballot through a process prepared and published by the council.</p>	<p>In combination with existing By-Law 5.4, ensures Vice President is elected using published process in accordance with Robert's Rules of Order.</p>

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGES REGARDING GOVERNANCE & COUNCIL CODE OF CONDUCT

By-Law	Current Wording	Proposed Wording	Reason
By-Law 4.1.5	NEW	<p>4.1.5 Governance The council shall prepare, revise when appropriate, publish and adhere to a governance manual developed for guidance in carrying out its responsibilities for the association's overall performance.</p> <p>4.1.5.1 Code of Conduct The governance manual shall include a code of conduct for councilors. The council shall prepare and publish a policy describing the process for reviewing accusations of violations of the code of conduct as well as sanctions that may be imposed for confirmed violations.</p>	<p>Defines in By-Law a requirement for a Council Code of Conduct. Provides transparency regarding policy for addressing complaints of violations of Council Code of Conduct.</p>
By-Law 4.3.1.1	<p>4.3.1.1 Governance Councillors shall be responsible for ensuring that the council prepares, revises when appropriate, publishes and adheres to a Governance Manual developed for guidance in carrying out its responsibility for the association's overall performance.</p>	(REPEAL – MOVED TO 4.1.5)	Repealed – moved to 4.1.5 – better fit.

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGE TO MODIFY BY-LAW 4.3.2 President

By-Law	Current Wording	Proposed Wording	Reason
By-Law 4.3.2	<p>4.3.2 President The president, if present, shall preside at all meetings of the association, of the council and of the executive committee. He or she shall be responsible for the performance of such duties and exercising of such powers as are set out in these by-laws and as may from time to time be assigned by the council.</p>	<p>4.3.2 President The president, if present, shall preside at all meetings of the association, of the council, and of the executive committee. He or she shall be responsible for the performance of such duties and exercising of such powers as are set out in these by-laws and as The president may perform duties delegated to him or her by the council and shall report to the council on completed duties.</p>	<p>The wording that has been struck out is unnecessary; this bylaw does not need to state that other bylaws provide powers to the President. Further clarifies that President's authority is limited to that defined by Council.</p>

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGE TO MODIFY BY-LAW 4.3.7 CEO

By-Law	Current Wording	Proposed Wording	Reason
By-Law 4.3.7	<p>4.3.7 Chief Executive Officer If the council appoints a chief executive officer, his or her duties and authority shall be assigned from time to time by the council.</p>	<p>4.3.7 Chief Executive Officer If the council appoints a chief executive officer, his or her duties and authority shall be as assigned from time to time by the council. <input type="checkbox"/> The chief executive officer shall operate within the executive limitations established by the council through its governance manual. The chief executive officer shall report annually to the council on compliance with the executive limitations.</p>	<p>Ensures that Council sets boundaries for CEO, and CEO reports at least annually on compliance.</p>

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGE TO CREATE BY-LAW 4.5.5

By-Law	Current Wording	Proposed Wording	Reason
By-Law 4.5.5	NEW	<p>4.5.5 Audit Committee</p> <p>The council shall maintain a committee, known as the Audit Committee, whose functions and responsibilities are as defined in the terms of reference established and published by the council through its governance process policies. The Audit Committee's composition shall exclude staff and the chief executive officer.</p>	<p>Establishes an Audit Committee reporting to Council, which does not include staff or CEO. Ensures independent review of Association's finances. See Appendix A - Terms of Reference.</p>



ENGINEERS GEOSCIENTISTS MANITOBA COUNCIL POLICY

Policy Name: Audit Committee Terms of Reference Number: GP-8.11 Policy Type: Governance Process Date Approved: April 8, 2016

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Purpose

1. The Audit Committee enhances the Board's effectiveness and efficiency in fulfilling its external and direct inspection monitoring responsibilities of fiscal policy.

Committee Products

2. The committee products are to support the Council's job, never to decide for the Council unless explicitly stated below

2.1. A transparent process of review and disclosure that enhances owner and stakeholder confidence in the organization's financial reporting

2.1.1. Options for board decision concerning the selection of the external financial auditor and liaison with auditor on behalf of Council. 2.1.2. An annual opinion for the Council as to the CEO compliance with criteria specified in Executive Limitations policies on finance (EL-3; EL3.1 and EL-4). 2.1.3. An opinion for the Council's decision of the appropriateness of the scope in the auditor's proposal including areas of audit risk, timetable, deadlines and materiality limits, and of the projected audit fee. 2.1.4. An opinion for the Council, based on evidence required of the external auditor, as to whether the independent audit of the organization was performed in an appropriate manner. 2.1.5. An annual report to the Council highlighting the committee's review of the audited financial statements and any other significant information arising from their discussions with the external auditor.

2.2. Current information for the Council on significant new developments in accounting principles or relevant rulings of regulatory bodies that affect the organization.

2.3. A self-monitoring report on the appropriateness of the Council's own spending, based on criteria in the Council policy on board expenses, including periodic random audit of the Council members' expense accounts, where applicable.

2.4. Reports, as required, to ensure that the oversight over the organization's assets are sufficient.

2.5. Options for Board decision including capital assets outside the CEO's expenditure limits as identified in Executive Limitations.

Committee Authority

3. The Committee's authority enables it to assist the board in its work, while not interfering with Council holism.

3.1. The committee has no authority to change or contravene Council policies.

3.2. The committee has no authority to spend or commit other organization funds, unless such funds are specifically allocated by the Council.

3.3. The committee has authority to use staff resource time normal for administrative support around meetings.

3.4. The Committee does not have authority to instruct the CEO or any other staff member, other than to request information required in the conduct of its duties.

3.5. The Committee has the authority to meet independently with the organization's external auditors.

Committee Composition and Tenure

4. The Committee's composition shall enable it to function effectively and efficiently. 4.1. On an annual basis, the Council shall appoint Committee members as follows:

4.1.1. Two Council members who are not on the Executive Committee; each with a one year renewable term 4.1.2. Two members in good standing of the organization; preference will be given to members with demonstrated financial literacy; each will have a once renewable

three-year term 4.1.3. One representative with a professional accounting designation from a regulatory organization; the representative will have a once renewable three-year term.

4.2. In the event of a vacancy prior to the conclusion of the term, the Council may fill the vacancy by appointment for the duration of the term.

4.3. In the event that a member of the Audit Committee is temporarily unable to serve, an alternate may be appointed by Council to act in the member's absence.

4.4. The Council shall appoint the Chair and Vice-chair of the Committee from the Committee membership.

4.5. In the event that the Chair is unable to attend a meeting, the Vice-Chair shall act as Chair. 4.6. The Chair is entitled to a vote and shall cast the deciding vote in the event of a tie. 4.7. The quorum of the Committee shall be three.

4.8. Financial literacy is defined as the ability to read and understand a set of financial statements that present a breadth and level of complexity of accounting issues that are generally comparable to those to those that could be reasonably expected with the organization.

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGE TO MODIFY BY-LAW 5.8

By-Law	Current Wording	Proposed Wording	Reason
By-Law 5.8	<p>5.8 Meeting of the Council The president and the council shall establish the frequency, agenda and procedure of meetings of the council. Special meetings of the council shall be held at the call of the president, or by requisition signed by two councilors. At least 24 hours' notice shall be given of all meetings of the council. Meeting of the council or parts thereof not otherwise declared by the council to be in camera shall be open for professional members, licensees, members-in-training and students to be present as observers, provided that they give 24 hours notice of intention.</p>	<p>5.8 Meeting of the Council The president and the council shall establish the frequency, agenda and procedure of meetings of the council. Special meetings of the council shall be held at the call of the president, or by requisition signed by two councilors. The council shall publish a schedule of regular meetings and shall give at least 24 hours' notice shall be given of all special meetings of the council.</p> <p>Meetings of the council or parts thereof not otherwise declared by the council to be in camera shall be open for professional members, licensees, members-in-training and students to be present as observers, provided that they give 24 hours notice of intention. Where the council holds a meeting or a part thereof in-camera, the reason(s) for having the in-camera meeting shall be noted in the published minutes.</p>	<p>Defines in By-Law the existing practice to publish schedule of Council meetings. Ensures transparency regarding reason for any in-camera discussion, for example to ensure confidentiality of member information.</p>

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGE TO MODIFY BY-LAW 17.5 Voting Procedure

By-Law	Current Wording	Proposed Wording	Reason
By-Law 17.5	<p>17.5 Voting Procedure Except as provided in 17.5.1, the vote shall be conducted on-line through a secure portal. Voting shall occur in a period that begins no later than 21 days before the annual general meeting or special meeting of the association at which it is to be considered and ends no more than 8 days before the annual general meeting or special meeting of the association at which it is to be considered.</p>	<p>17.5 Voting Procedure Except as provided in 17.5.1, the vote shall be conducted on-line through a secure portal. The electronic voting system shall be audited in accordance with a policy prepared and published by the council.</p> <p>Voting shall occur in a period that begins no later than 21 days before the annual general meeting or special meeting of the association at which it is to be considered and ends no more than 8 days before the annual general meeting or special meeting of the association at which it is to be considered.</p>	<p>Ensures audit of electronic voting system.</p>

2016 Annual General Meeting

COUNCIL PROPOSED BY-LAW CHANGE TO MODIFY BY-LAW 17.6 Counting of Votes

By-Law	Current Wording	Proposed Wording	Reason
By-Law 17.6	<p>17.6 Counting of Votes A tally of votes submitted on-line and through letter ballots shall be counted by persons appointed by the president in accordance with a policy adopted from time to time by the council.</p>	<p>17.6 Counting of Votes At least 10 days prior to the date of the annual general meeting, the president shall appoint three scrutineers who shall be professional members of the association but not members of council. A tally of votes submitted on-line and through letter ballots shall be directly supervised by the scrutineers in accordance with a method for counting votes that has been approved by council, is on-file in the association office, and is made available to any practitioner upon request.</p> <p>The scrutineers shall provide a report of the results of the voting to the registrar. The report shall be presented at the annual general meeting. The registrar shall retain letter ballots and on-line voting records for a period of 30 days following the annual general meeting, after which they shall be destroyed.</p>	<p>Creates consistency with By-Law 3.1.7 while recognizing that proportional representation does not apply to voting on bylaw proposals.</p>