

BY-LAWS

SOCIETY OF CERTIFIED ENGINEERING TECHNICIANS AND TECHNOLOGISTS OF NOVA SCOTIA

Operating as



Article 1 - Definitions

1.01 In these by-laws and any rules made by the Council, unless the context otherwise requires:

- (a) "Act" means the Applied Science Technology Act, Stats N.S. 1999, c. 3;
- (b) "Council" means the Council of the Society;
- (c) "rule" means a rule made by the Council pursuant to Section 7 of the Act; and
- (d) "Society" means the Society of Certified Engineering Technicians and Technologists.

1.02 Any word used importing the singular number shall include the plural and vice versa and words importing the masculine gender shall include the feminine and neuter genders and vice versa wherever the context so requires.

1.03 Any word used in these by-laws or in the rules which is defined in the Act shall have its meaning set out therein.

Article 2 - Head Office

2.01 The head office the Society shall be at such place as may be determined by resolution of the Council from time to time. All notifications, notices, correspondence and any other directions shall be made to the Society or the Council at the head office.

Article 3 - Corporate Seal and Execution of Documents

3.01 The corporate seal of the Society shall be in such form as the Council may by resolution approve from time to time.

3.02 Contracts, documents or other instruments in writing requiring the signature of the Society may be signed by the President, the Vice-President, the Executive Director and the Registrar or any two (2) of them, and the corporate seal may be affixed thereto and all contracts, documents and instruments in writing so signed shall be binding upon the Society without further authorization or formality. The Council shall have power from time to time by resolution to appoint any officer or officers on behalf of the Society either to sign contracts, documents and instruments in writing generally or to sign specific contracts, documents or instruments in writing and affix the corporate seal thereto.

Article 4 - Fiscal Year

4.01 The fiscal year of the Society shall terminate on December 31 in each year, which date may be changed from time to time by a resolution of the Council.

Article 5 - Membership

5.01 There shall be the following eight categories of membership in the Society:

- (a) Certified members;

- (b) Temporary members;
- (c) Associate members;
- (d) Student members;
- (e) Honorary members;
- (f) Life members;
- (g) Non-active members; and
- (h) Retired Members.

5.02 Certified Members

(a) Certified members shall be those certified engineering technicians, certified engineering technologists, certified applied science technicians, and certified applied science technologists whose names are entered in the Register, who have complied with the requirements of the Act, by-laws and rules and have paid all required fees, and who are entitled to use the title Certified Engineering Technician and the letters “CET” following their names, the title Certified Engineering Technologist and the letters “CET” following their names, Certified Applied Science Technician and the letters “CTech” following their names, or Certified Applied Science Technologist and the letters “AScT” following their names, respectively, or such other designations and letters as may be permitted by the Council from time to time to be used by a certified member.

(b) Certified members shall be entitled, subject to the by-laws and rules:

- (i) to receive notice of, attend and participate in annual and special meetings of the Society;
- (ii) upon election or appointment, to hold office and to nominate persons to hold office in the Society;
- (iii) upon election or appointment, to serve on committees of the Society;
- (iv) to vote;
- (v) to have full membership rights; and
- (vi) to use a member identification stamp.

(c) Membership shall be renewed annually in accordance with the by-laws and the rules.

(d) Certified members who do not reside in Nova Scotia shall not be entitled to hold office in the Society or be members of Council.

5.03 Temporary Members

(a) Temporary members shall be those persons whose names are entered in the Temporary Register, who have complied with the requirements of the by-laws and the rules and have paid all required fees.

(b) Temporary members shall have the right to carry on the occupation of engineering or applied science technology as set out in the Act, by-laws and rules, and shall be entitled to the rights of certified members, except those of (i) holding office, (ii) nominating persons to hold office in the Society, and (iii) voting.

(c) Registration in the Temporary Register shall be issued and renewed at such intervals and subject to such conditions, limitations and restrictions as may be set out in the rules.

(d) A person’s name shall not be entered in the Temporary Register for a period exceeding two (2) years.

5.04 Associate Members

(a) Associate members shall be those persons who are employed in the engineering technology field but who lack some of the required educational qualifications or work experience qualifications for certification, whose names are entered in the associate members roster, who have complied with the requirements of the by-laws and rules, and who have paid any required fees.

(b) Associate members shall be entitled;

- (i) to receive notice of, attend and participate in annual and special meetings of the Society; and
- (ii) to serve, upon appointment, on committees of the Society in accordance with the by-laws and rules.

(c) Associate members shall have no voting or other rights at meetings of the Society except as otherwise provided herein and shall not be eligible for nomination to any office of the Society.

(d) Associate membership shall be renewed annually in accordance with the by-laws and the rules.

5.05 Student Members

(a) Student members are those persons enrolled as students in an accredited or approved course of study in engineering or applied science technology and are in their graduating year, whose names are entered in the Student members roster, who have complied with the requirements of the by-laws and the rules, and who have paid all required fees.

(b) Entry in the Student member roster shall be issued and renewed at such intervals and subject to such conditions, limitations and restrictions as may be set out in the rules.

(c) A person's name shall not be entered in the Student member roster for a period exceeding three (3) calendar years unless extended by a resolution of Council.

5.06 Honorary Members

(a) Honorary members shall be those persons whose names are entered in the roster of honorary members pursuant to resolutions of the Council.

(b) Honorary membership may be awarded to persons who are highly esteemed in their fields of endeavour or have furthered the interests of the Society in an outstanding manner.

(c) Honorary members shall be entitled to the membership rights of associate members.

5.07 Life Members

(a) Life members shall be members whose names are entered in the roster of life members, each pursuant to a resolution presented by the Council and approved at an annual or special meeting of the Society.

(b) Life membership may be awarded to certified members or former certified members who have given exceptional and meritorious service to the Society.

(c) Life members shall be entitled to all the rights of certified members without payment of annual fees and subject to all the other provisions of the by-laws and the rules.

5.08 Non-Active Members

(a) Non-active membership may be granted by the Council on application of a member who

(i) has temporarily changed employment to a field not certifiable by the Society, or

(ii) by loss of employment is unable to pay annual dues, and who supplies annual proof of continuance of such status.

(b) Non-active members are not entitled to vote, hold office or nominate candidates for office, but may enjoy all other rights and privileges of membership in the Society and shall be required to pay annual dues, as determined by the Council.

They may be reinstated to full membership on such conditions as the Council may prescribe.

5.09 Retired Members

(a) Retired membership may be granted by the Council on application of a member who has retired from active employment and who provides proof of continued retired status. Retired members are not entitled to vote, hold office or nominate candidates for office, but may enjoy all other rights and privileges of membership in the Society.

(b) Retired members shall be required to pay annual fees. If a retired member is over fifty-five (55) years of age and had been a member of the Society for fifteen (15) or more years before becoming a retired member, the retired member shall be entitled to a discount on the annual fees as determined by the Council.

5.10 Certification Qualifications

The qualifications for certification and membership in the Society in existence at the coming into force of these by-laws, except to the extent they are inconsistent with these by-laws shall continue to be the qualifications required for certification and membership, and shall be deemed to be rules of the Council. The Council may, from time to time as it deems necessary or expedient, make rules respecting the qualifications for certification and membership and the procedure for applying for certification and membership.

5.11 Resignation

A member may resign in good standing by a resignation submitted in writing to the Society provided that all indebtedness of the member to the Society has been paid in full.

5.12 A former certified member, who resigned and who is not indebted to the Society, may, within two (2) years of the member's resignation, reapply for membership and be reinstated in accordance with the rules provided that the member pays all fees, including late filing fees, which would have been payable for the preceding years, if the member had not resigned.

5.13 A former certified member who resigned may reapply for membership after the member's resignation has been in effect for more than two (2) years and be reinstated in accordance with the rules, provided such member pays all fees set by Council, and passes the examinations Council may prescribe.

5.14 Any member whose membership has ceased because of non-payment of membership

fees, dues, assessments or charges dues to the Society may be reinstated upon payment of the fees, dues, assessments and charges due in the year in which the member's membership ceased, the fees, dues, assessments and charges dues for the present year and any late filing or reinstatement fees established by Council from time to time, and by passing such examinations as Council may prescribe. An application for reinstatement made more than twelve (12) months after the date on which the applicant's membership ceased must be approved by Council.

5.15 All certificates of membership, renewal of membership certificates, validation seals and member identification stamps shall be and remain the property of the Society and shall be returned to the Society immediately upon demand of the Registrar or Executive Director.

Article 6 - Dues, Fees and Assessments

6.01 Annual membership fees shall be in such amounts as may from time to time be determined by resolution of the Council.

6.02 The Council may from time to time determine all other fees, dues and assessments for all other matters by resolution.

6.03 All annual membership or other annual fees are due on January 1 in each year.

6.04 On or before December 1 in each year the Registrar shall send, by mail or otherwise, to each person liable to pay an annual membership fees, a notice with respect to such fees.

6.05 The Registrar shall cause to be sent to a member who has failed to pay fees, dues or assessments that came due on January 1 a letter, mailed by certified or registered mail prior to the following March 1, addressed to the member's last address known to the Society, outlining the action to be taken by the Society.

6.06 If a member has not filed the required renewal application and the annual membership fee together with any late filing fees or reinstatement fees established by Council from

time to time, by the following March 31, the Registrar shall strike the name of the member from the Register or roster and the Registrar shall forthwith send a notice to the member that the member is no longer entitled to any of the rights and privileges of membership, or to hold oneself out as a member, and demanding that the member return to the Society the member's certificate of membership, renewal of membership certificate, and member identification stamp.

6.07 No fees paid to the Society are refundable.

Article 7 - Officers

7.01 The officers of the Society shall be the President, Past President, Vice-President, and the Treasurer.

7.02 The President and Vice-President shall be elected every two (2) years from among the certified members of the Society who have served at least one (1) two (2) year term on the Council in accordance with Article 13 hereof.

7.03 The Past President shall be the person last to hold the office of President prior to the present President.

7.04 The Treasurer, who shall be a certified member, shall be appointed by the Council for a term of one (1) year and such appointment may be renewed.

7.05 If any vacancy in any of the offices of the Society occurs for any reason the Council shall fill such vacancy and such person shall hold office until the next following Annual Meeting.

7.06 Duties of the President

The President shall,

(a) preside at all meetings of the Council, the Executive Committee and the Society, and at such meetings shall be entitled to participate in all discussions but not to vote, except to cast the deciding vote when there is a tie;

(b) be the chief executive officer of the Society and shall perform all acts and duties pertaining to the office of President;

(c) call special meetings of the Society when necessary;

(d) exercise general control and supervision over the business and affairs of the Society and shall be the official representative of the Society;

(e) perform such other duties and exercise such other powers as the Society or Council may from time to time direct.

7.07 Duties of the Past President

The Past President, in addition to duties prescribed elsewhere in these by-laws, may, in the absence of the President and the Vice-President, be the official representative of the Society. The Past President shall be the representative of the Society on the Canadian Council of Technicians and Technologists. If the Past President is unable or unwilling to act as such, the Council shall appoint a certified member to act as such representative.

7.08 Duties of the Vice-President

The Vice-President shall be vested with all the powers and shall perform all the duties of the President in the absence, disability or refusal to act of the President and shall perform all other duties and exercise such powers as may be assigned from time to time by the Council.

7.09 Duties of the Treasurer

The Treasurer shall exercise general control and supervision over the financial affairs of the Society.

Article 8 - Executive Director

8.01 The Council may appoint an Executive Director who shall not be a director of the Society and who shall hold office during the pleasure of the Council.

8.02 Duties of the Executive Director

The Executive Director shall, under the direction of the Council and the President, administer the affairs of the Society and the Society office, act as secretary and ensure that the provisions of the Act, by-laws and rules are adhered to in Society activities. Attendance by the Executive Director at meetings of the Executive Committee, other committees, the Council and the Society shall be by invitation of the members thereof.

Article 9 - The Registrar

9.01 At the first meeting of Council after each annual meeting, it shall appoint the Registrar who shall be a certified member and not a Director of the Society and who shall hold office until his successor is appointed in the following year, but may be removed during such term by resolution of the Council

9.02 Duties of the Registrar

The Registrar shall,

- (a) issue a certificate of certification to certified members and temporary members upon admission, and from time to time to such persons who have met the requirements of the Act, by-laws and rules and have paid all required fees in such form or forms as the Council may approve by resolution;
- (b) issue annually or at such other times as the Council may direct a renewal certificate and a validation seal in such form as the Council may approve by resolution to such persons who have met the requirements of the Act, by-laws and rules, and have paid all required fees;
- (c) issue, or cause the Executive Director to issue, upon application, and in such form or forms as Council may approve from time to time, a member identification stamp to certified members who have met the requirements of the Act, by-laws and rules, and have paid all required fees;

(d) accurately keep or cause to be kept the registers and rosters of the Society and shall record or cause to be recorded all information required to be kept in such registers and rosters;

(e) perform all duties and exercise all powers assigned to the Registrar in the Act, by-laws and rules, and perform such other duties and exercise such other powers as may be directed from time to time by the Council;

(f) where the Registrar is aware of improper professional conduct of a member and it is reasonably perceived by the Registrar that such conduct may result in serious damage to an employer or other member of the public, report such conduct to the Complaints Committee; and

(g) deliver to the successor in this office all books, papers and other property of the Society and Council.

9.03 An Assistant Registrar may be appointed by the Council, and shall be a certified member, shall not be a Director of the Society, and shall hold office during the pleasure of the Council. The Assistant Registrar shall aid in all activities required of the Registrar to become familiarized with the position, but shall not have any of the powers assigned the Registrar as prescribed in the Act, by-laws or rules of the Council. The Assistant Registrar shall be responsible to the Registrar.

9.04 The position of Executive Director and the position of Registrar shall not be held by the same person.

Article 10 - Council

10.01

- (a) The Council shall be composed of:
- (i) the officers, who shall also be Directors of the Society; and
 - (ii) eight (8) other Directors, who are sometimes referred to herein as “Directors at Large”

(b) Subject to Article 13, Council may make rules governing the method of nominating Directors at Large and the method of holding and conducting elections of Directors at Large.

10.02 Subject to section 10.03, the term of office of each member of council shall commence and be effective at the end of the Annual Meeting of the Society in the year in which the Director is elected or appointed.

10.03

(a) If any vacancy on the Council occurs, the Council may fill such vacancy.

(b) Any person appointed to fill a vacancy shall hold office until the term of office of the person's successor, whether appointed or elected, commences.

(c) If any member of Council fails to attend three (3) consecutive meetings of the Council, which three (3) meetings shall be deemed to include the Annual Meeting of the Society, without valid cause after being duly advised of the holding of such meetings, the Council may declare the member's position to be vacant and may appoint another person to fill the vacancy so created.

10.04 Pursuant to Section 7 of the Act, the Council may by resolution make, amend or repeal rules regulating any aspect, subject or matter of the business and affairs of the Society and the occupation of engineering and applied science technology as may be governed by by-law, and any such rule shall be valid, binding and effective from the date of the resolution of the Council until amended or repealed by a resolution at an annual, or special meeting of the Society called for the purpose of considering the same.

10.05 The Council, Executive Committee and any committee of the Council or the Society may conduct meetings by telephone or other communication facilities provided that a notice of meeting by telephone or other communication facilities has been given not

less than three (3) days before the date of such meeting or such notice has been waived. The minutes of any action, decision, order or determination taken or made by a meeting held by telephone or other communication facilities shall be made part of the minutes of the Council, Executive Committee or committee, as the case may be.

10.06 Indemnity of Directors and Officers

Every Director, committee member, agent and officer of the Society or their respective heirs, executors and administrators, shall, from time to time and at all times, be indemnified and saved harmless out of the funds of the Society from and against;

(a) all costs, charges and expenses whatsoever which such Directors, committee member, agent or officer sustains or incurs in or about any action, suite or proceeding which is brought, commenced or prosecuted against any of them for or in respect of any act, deed, matters or things whatsoever, made, done or permitted by any of them, in or about the execution of the duties of office; and

(b) all other costs, charges and expenses which are sustained or incurred in, or about, or in relation to the affairs thereof, except such costs, charges or expenses as are occasioned by one's own willful neglect or default.

10.07 Meetings

Meetings of the Council shall be held at least four (4) times yearly at any time or place determined by the President.

10.08 Notice of Council Meetings

(a) Notice of the time and place of Council meetings shall be mailed, faxed, or delivered to each Council member not less than ten (10) days before the date of such meeting.

(b) Notwithstanding the foregoing, the meeting of the Council may be held at any time or place without formal notice, if all Directors

are present or have waived notice of the meeting.

(c) If any Director is unable to attend a meeting of Council they shall inform the Society office prior to the meeting.

10.09 Quorum

The Quorum for meetings of the Council shall be six (6) Directors.

10.10 Voting at Meetings

Unless otherwise provided by the Act, by-laws or rules, voting on any question or resolution at any meetings of the Council or any committee shall be determined by the majority of votes cast on such question or resolution. The President or other officer who presides at a meeting shall not vote except to cast the deciding vote where there is a tie.

10.11 Procedure

Subject to the by-laws and rules, the procedure at meetings of the Council shall be governed by the latest edition of Herb Perry: Call to Order Meeting Rules and Procedure for Non-Profit Organizations.

Article 11 - Committees

11.01 Council may, from time to time, appoint from the membership of the Society, such committees in addition to those provided for in these by-laws and in the Act as it thinks necessary, provided that such committees shall conform to any regulation imposed upon them by Council. Council may also permit such committees to have as members, person other than Society members, when deemed necessary.

11.02 The President and the Vice-President shall be ex-officio members of such Committees.

11.03 Each committee Chair shall be appointed by Council, and in the Chair's absence, the Committee shall appoint an Acting

Chair who shall exercise all the functions and powers of the Chair.

11.04 A Committee shall meet as required by its guidelines as laid down by Council, and may meet at such additional times as it sees fit.

11.05 Questions arising at any meeting of a Committee shall be determined by the majority of those present without the Chair voting, and in the case of equality, the Chair will cast the deciding vote.

11.06 The majority of any committee shall constitute a quorum.

Article 12 - Executive Committee of Council

12.01 The members of the Executive Committee of the Council shall be the officers of the Society.

12.02 Subject to section 10 of the Act, the Executive Committee shall carry on the business of the Council between meetings of the Council. All orders, determinations, resolutions and decisions of the Executive Committee, the same to be determined by majority vote, with the President or other officer who presides not having a vote except to cast the deciding vote in the event of a tie, shall be effective from the date made but must be reported to the next meeting of the Council.

Article 13 - Elections

13.01 Prior to the first annual meeting, and prior to every second annual meeting thereafter, the President and the Vice-President shall be elected, each for a term of two (2) years, in accordance with the provisions of this Article.

13.02 Prior to the first annual meeting of the Society, four (4) Directors at Large shall be elected to serve for a term of two (2) years and four (4) Directors at Large shall be elected to serve for a term of one (1) year. Prior to each subsequent annual meeting, four (4) Directors at Large shall be elected for a term of two (2) years.

13.03 Only certified members of the Society who are residents of Nova Scotia are eligible for election to the Council.

13.04 A Nominating Committee shall be appointed at the first meeting of the Council following the Annual Meeting to serve for the ensuing year. The Committee shall consist of a minimum of three (3) certified members of the Society, one of whom shall be the Past President who shall act as Chair. Council shall appoint members to fill any vacancies which may occur in the Nominating Committee. The Nominating Committee shall nominate eligible members for election to offices to be filled in the current year's election, not later than October 15 of each year.

13.05 Nominations for any office or offices may be made in writing by any five (5) members. Such nominations shall reach the Registrar, properly endorsed, not later than October 15 and shall be added to the list of nominees for office submitted by the Nominating Committee.

13.06 Unless the offices are all filled by acclamation, the Registrar shall, on or before November 15, mail to each member a ballot form containing the names of all persons nominated for office, in groups relating to each office. A biography of each nominee shall be included with each ballot. The number to be elected, and the method of marking ballots shall be made clear on the ballot form. To have one's ballot counted a member shall cause it to be returned to the head office of the Society on or before December 15.

13.07 A Ballot Counting Committee shall be appointed by the Council consisting of the Registrar as Chair and two other certified members prior to December 15.

13.08 The Ballot Counting Committee shall meet by December 31 and shall receive the ballots from the Registrar. They shall count and record the votes for each nominee. In the event that at least fifty per cent (50%) plus one (1) of the total votes cast are not awarded to a nominee for President or Vice-President, then a

second letter ballot will be held prior to the Annual Meeting. For such a vote, the two candidates for each office receiving the highest number of votes in the first ballot will be nominees for the second ballot. A simple majority will decide the winner.

13.09 Subject to the provisions of Article 13.02, the four (4) candidates who receive the highest number of votes for the office of Director at Large shall be elected as Directors at Large for a term of two (2) years.

13.10 The results of the poll, which shall not otherwise be disclosed unless authorized by Council, shall be brought by the Registrar in a sealed envelope to the Annual Meeting, together with the ballots and tally sheets in a separate sealed package. The sealed envelope shall then be opened by the Registrar and the results of the poll shall be announced.

13.11 In the event of a tie vote for any office, and when only one candidate can be elected for that office, the Annual Meeting shall vote by secret ballot to decide which of the tied candidates shall be elected as President, or Vice-President, or a Director at Large, as the case may be.

13.12 Any objection to the poll as announced will be valid only, if made immediately after the announcement. If such a request is supported by ten (10) members, the Chair shall appoint a Ballot Recounting Committee of up to eight (8) members who shall forthwith recount all the ballots. Candidates may be present or represented at such a recount.

13.13 Upon completion of the recount, the results shall be communicated in writing to the Chair who shall immediately announce such results to the Annual Meeting. Such recount shall be final and binding.

13.14 Following the announcement of the poll, or recount, as the case may be, the ballots and any tally sheets shall be destroyed.

Article 14 - Annual and Special Meetings

14.01 Annual

The Council shall set a day after January 1 but not later than March 31 for the Annual Meeting.

14.02 Special

(a) Special meetings of the Society shall be convened by order of the President, or on written request signed by any fifty (50) certified members of the Society, at such time and place as may be determined by the President, and in no case later than forty-five (45) days following receipt by the President of such written request.

(b) A request for a special meeting shall set forth the purpose of and the business to be transacted at such meeting.

14.03 Notice of Annual and Special Meeting of the Society

(a) Notice of annual or special meetings of the Society shall be mailed or delivered to each member of the Society at the member's last known address in Nova Scotia at least fourteen (14) days before the holding of the meeting designating the time and place of such meeting, or may be published in a newspaper having general circulation in the province at least thirty (30) days before the holding of the meeting.

(b) In the case of a special meeting of the Society, such notice shall specify the nature of the proposed business to be transacted and no other business shall be transacted at such meeting or any adjournment thereof.

14.04 Quorum - Society

The Quorum for meetings of the Society shall be twenty (20) certified members.

14.05 Voting at Meetings

(a) Unless otherwise provided by the Act, by-laws or rules, voting on any question at any

meetings of the Society, shall be determined by the majority of votes cast on such question. The President or other officer who presides at a meeting shall not vote except to cast the deciding vote in the event of a tie.

(b) Voting at all meetings of the Society shall be by show of hands unless twenty-five per cent (25%) of the members present in person request a secret ballot in which case the President shall appoint three (3) scrutineers for the purposes of taking the secret ballot.

14.06 Procedure

(a) Subject to the by-laws and rules, the procedure at meetings of the Society shall be governed by the latest edition of Herb Perry: Call to Order Meeting Rules and Procedure for Non-Profit Organizations.

(b) If the quorum is not met during the first half hour of a meeting of the Society, the President shall in the case of an Annual Meeting call another meeting for such time and place, subject to such notice requirements as the President shall determine, and in the case of a Special Meeting, the Special Meeting shall be dissolved.

Article 15 - Financial

15.01 The operation of the Society shall be funded through annual dues assessed to all members pursuant to Article 6 of these by-laws and income which may accrue to the Society from other sources.

15.02 The reasonable out-of-pocket expenses of officers, Directors and members acting on committees of the Society incurred while carrying out the business on behalf of the Society shall be paid by the Society subject to such rules as may be prescribed by the Council from time to time.

15.03 The auditor of the Society shall be appointed annually at the Annual Meeting of the Society and shall be an accountant entitled to carry on the practice of public accounting in the Province of Nova Scotia.

15.04 The Council shall cause to be kept proper records and accounts of all financial transactions of the Society.

15.05 A copy of the audited Financial Statement shall be available to each member of the Annual Meeting.

Article 16 - Accreditation Board

16.01 An Accreditation Board shall be appointed to rule on the qualifications of all educational establishments applying for program accreditation by the Society, and to establish a level of accreditation for each program. The Board shall consist of a minimum of six (6) members as follows:

(a) A Chair, who should be at least a practising Certified Technologist, and shall be appointed by Council, and who shall fulfill those duties as laid down in the Terms or Reference for the Chair of the Accreditation Board as determined by Council.

(b) A minimum of two (2) persons from academic institutions nominated by the Council.

(c) A minimum of two (2) certified members from other than academic institutions nominated by the Council.

(d) The Registrar, or the Registrar's designate, who shall act as Secretary to the Board.

16.02 The Accreditation Board shall meet at such times and at such places as the Accreditation Board may deem necessary to fulfill its obligations. For such meetings, a quorum shall consist of four (4) members including the Chair or the Chair's designate.

16.03 The Accreditation Board shall be responsible for recommending and establishing the method and procedure for the accreditation of technical and academic programs so as to maintain acceptable standards of certification within the Society. The method and procedure or accreditation shall be approved by Council.

16.04 There shall be two (2) types of accredited programs as follows:

(a) An "Accredited Program" is a program which has been examined, and has been granted full accreditation status. Graduates of an accredited program may qualify for certification upon completion of two (2) years relevant work experience acceptable to the Certification Board and successfully completing any examinations set by the Certification Board.

(b) An "Accreditation Pending Program" is a program which does not have the requirements for full accreditation, but there exists reasonable assurance that it will in the future - e.g., a program which has not yet been offered, a program where there are no graduates, or from which graduates have not yet been employed; a program which required modifications and the establishment has given a commitment to make revisions.

16.05 Any applicant for program accreditation by the Society shall have the right to appeal to the Council the ruling of the Accreditation Board in accordance with Accreditation Board policy.

Article 17 - Certification Board

17.01 The Certification Board shall be appointed by the Council.

17.02

(a) The Certification Board shall have not less than five (5) members appointed by the Council, at least two (2) of whom shall be certified technologists, two (2) of whom shall be certified technicians and at least one (1) of whom shall be a person with another background including professional engineering.

(b) The Chair shall be appointed by the Council from among the members of the Certification Board and shall have served at least one (1) previous term as a member of the Certification Board.

17.03

(a) The Certification Board members shall serve the following terms namely:

| | | |
|-------------------|---|---------|
| Chair | - | 2 years |
| Committee Members | - | 3 years |

(b) Any vacancy on the Certification Board shall be filled by a person appointed by the President for the unexpired term of the vacated member.

17.04 The Certification Board may engage such persons as it deems necessary or advisable to carry out its functions and responsibilities.

17.05 The quorum for a meeting of the Certification Board shall be three (3) members.

Article 18 - Certification Review Board

18.01 The Certification Review Board shall be appointed by the Council.

18.02

(a) The Certification Review Board shall have three (3) members, each of whom shall be certified members for not less than five (5) years and none of whom shall be a member of the Certification Board or the President of the Society.

(b) The Chair shall be appointed by the Council from among the members of the Certification Review Board and shall have served at least one (1) previous term as a member of either the Certification Board or the Certification Review Board.

18.03

(a) The Certification Review Board members shall serve the following terms namely:

| | | |
|-------------------|---|---------|
| Chair | - | 2 years |
| Committee Members | - | 3 years |

(b) Any vacancy on the Certification Review Board shall be filled by a person appointed by the President for the unexpired term of the vacated member.

18.04 The quorum for a meeting of the Certification Review Board shall be all its members.

Article 19 - Discipline

19.01 Complaints Committee

The Complaints Committee shall be composed of six (6) certified members, including a Chair and a Vice-Chair, each of whom will have been members for a minimum of three (3) years at the time of their appointment and none of whom shall be Officers or Directors at Large or members of the Discipline Committee.

19.02

(a) The Council shall appoint the members of the Complaints Committee, including the Chair and the Vice-Chair, for terms of two (2) years, provided that one-half of the first Complaints Committee shall be appointed for initial terms of three (3) years.

(b) The Council shall appoint the Chair of the Complaints Committee and a Vice-Chair to serve in the place of the Chair in the event of the Chair's absence or inability to act at any time.

(c) In the event of any vacancy for any reason on the Complaints Committee the Council shall fill such vacancy forthwith for the unexpired term of the vacated member.

(d) The quorum for a meeting of the Complaints Committee shall be four (4) members.

19.03 Upon receiving a complaint in writing signed by the complainant, the Chair of the Complaints Committee shall:

(a) appoint a panel of three (3) members of the Complaints Committee to consider and investigate the complaint. Each panel shall

consist of the Chair or the Vice-Chair, and two (2) other members of the Complaints Committee; and

- (b) cause the Executive Director to:
 - (i) notify the member in writing that a complaint has been received by the Complaints Committee and that an investigation is being conducted;
 - (ii) forward a copy of the complaint to the member;
 - (iii) request and obtain such information, documents, evidence and things as considered necessary for the purposes of the Complaints Committee and prepare and deliver to the Complaints Committee such information documents, evidence and things; and
 - (iv) upon completion of such preliminary matters deemed necessary by the Executive Director, set a date for the first hearing of the Complaints Committee and notify the member of the said date in accordance with the provisions of the Act.

19.04 Each panel of the Complaints Committee shall constitute a quorum and shall act for, carry out and exercise all duties and powers of the Complaints Committee.

19.05 After the Complaints Committee has made a determination under section 22(9) of the Act the Complaints Committee shall forward to the Council, the member against whom the complaint has been made and the complainant a report of its determination, signed by the members of the Complaints Committee concurring therein.

19.06 If the Complaints Committee has referred a complaint to the Discipline Committee, it shall submit all evidence, documents and things submitted to it together with the report described in article 19.05 to the Discipline Committee.

19.07 Discipline Committee

The Discipline Committee shall be composed of six (6) certified members including a Chair and a Vice-Chair, each of whom shall have been members for a minimum of three (3) years at the time of their appointment, and none of whom shall be Officers, Directors at Large, or members of the Complaints Committee.

19.08

(a) The Council shall appoint the members of the Discipline Committee, including the Chair and the Vice-Chair, for terms of two (2) years provided that one-half of the first Discipline Committee shall be appointed for initial terms of three (3) years.

(b) The Council shall appoint the Chair of the Discipline Committee and a Vice-Chair to serve in the place of the Chair in the event of the Chair's absence or inability to act at any time.

(c) In the event of any vacancy for any reason on the Discipline Committee the Council shall fill such vacancy forthwith for the unexpired term of the vacated member.

19.09 Upon receiving a complaint, the Chair of the Discipline Committee shall:

(a) appoint a panel of three (3) members of the Discipline committee to consider and investigate the complaint. Each panel shall consist of the Chair or the Vice-Chair, and two (2) other members of the Discipline committee;

- (b) cause the Executive Director to:
 - (i) notify the member in writing that a complaint has been received by the Discipline Committee and that an investigation is being conducted;
 - (ii) forward a copy of the complaint to the member;
 - (iii) request and obtain such information, documents, evidence and things as considered necessary for the purposes of the Discipline Committee and prepare and deliver to the Discipline

Committee such information documents, evidence and things; and

(iv) upon completion of such preliminary matters deemed necessary by the Executive Director, set a date for the first hearing of the Discipline Committee and notify the member of the said date in accordance with the provisions of section 26(1)(d) of the Act.

19.10 If a complaint or matter is being investigated pursuant to section 25 of the Act, in addition to the other requirements set out in section 19.09 hereof, the Executive Director shall forward a copy of the Registrar's order to the member against whom the order was made.

19.11 When the Discipline committee has made a determination, decision or order pursuant to subsection 23(8) of the Act, the Discipline Committee shall forward to the Council, the member against whom the complaint was made and the complainant a report of its determination, decision or order, signed by the members of the Discipline Committee concurring therein.

19.12 Each panel of the Discipline Committee shall constitute a quorum and shall act for, carry out and exercise all the duties and powers of the Discipline Committee.

19.13

(a) If the Discipline Committee makes an order pursuant to paragraphs 23(7)(b) of the Act, whether made prior to or after the commencement of the first hearing of the Discipline Committee, a copy of the order shall be mailed forthwith to the member against whom the order is made.

(b) Both the complainant and the member against whom a complaint is made have the right to be represented at any hearing by legal counsel, at their own expense.

(c) The Discipline Committee shall make such record of the evidence presented to it in

such manner and form as it deems expedient and the Discipline Committee shall not in any case be obligated to keep or prepare a verbatim transcript of evidence.

(d) It is the duty of the member against whom a complaint is made to appear at all hearings but in the event of non-attendance the Discipline Committee upon proof of mailing or service of notice of such hearing may proceed in the same way as though the member were in attendance.

19.14 When the Discipline Committee has made a determination, decision or order pursuant to section 23(8) of the Act, the Discipline Committee shall notify any persons, including the public generally, as it deems expedient or necessary, of its determination, decision or order in such manner and form as it deems expedient.

Article 20 - Code of Ethics

20.01

(a) The Code of Ethics of the Society adopted by the Council and amended from time to time by the Council is incorporated herein as by-laws by reference.

(b) In the case of conflict between the Code of Ethics, and the other provisions of the by-laws of the Society, the by-laws shall have precedence.

20.02 No member shall act or carry on the occupation of engineering and applied science technology or permit anything to be done on the member's behalf contrary to the Code of Ethics.

20.03 When any member

(a) fails to do anything required by the Code of Ethics;

(b) does anything or permits anything to be done which is not permitted by the Code of Ethics; or

(c) breaches any provision of the Code of Ethics; or any combination thereof, any member

shall, upon becoming aware of such conduct, immediately complete, sign and deliver a complaint with respect to the member to the Chair of the Complaints Committee.

Article 21 - By-Law Amendments

21.01 Amendments to by-laws and rules shall be made in accordance with the provisions of the Act.

21.02 Certified members may present suggestions for by-law or rule amendments to Council for its consideration by written notice signed by the proponents which notice may include appropriate draft amendments.