

**New Brunswick Society of
Certified Engineering
Technicians and Technologists**



**Société des techniciens et des
technologues agréés du génie
du Nouveau-Brunswick**

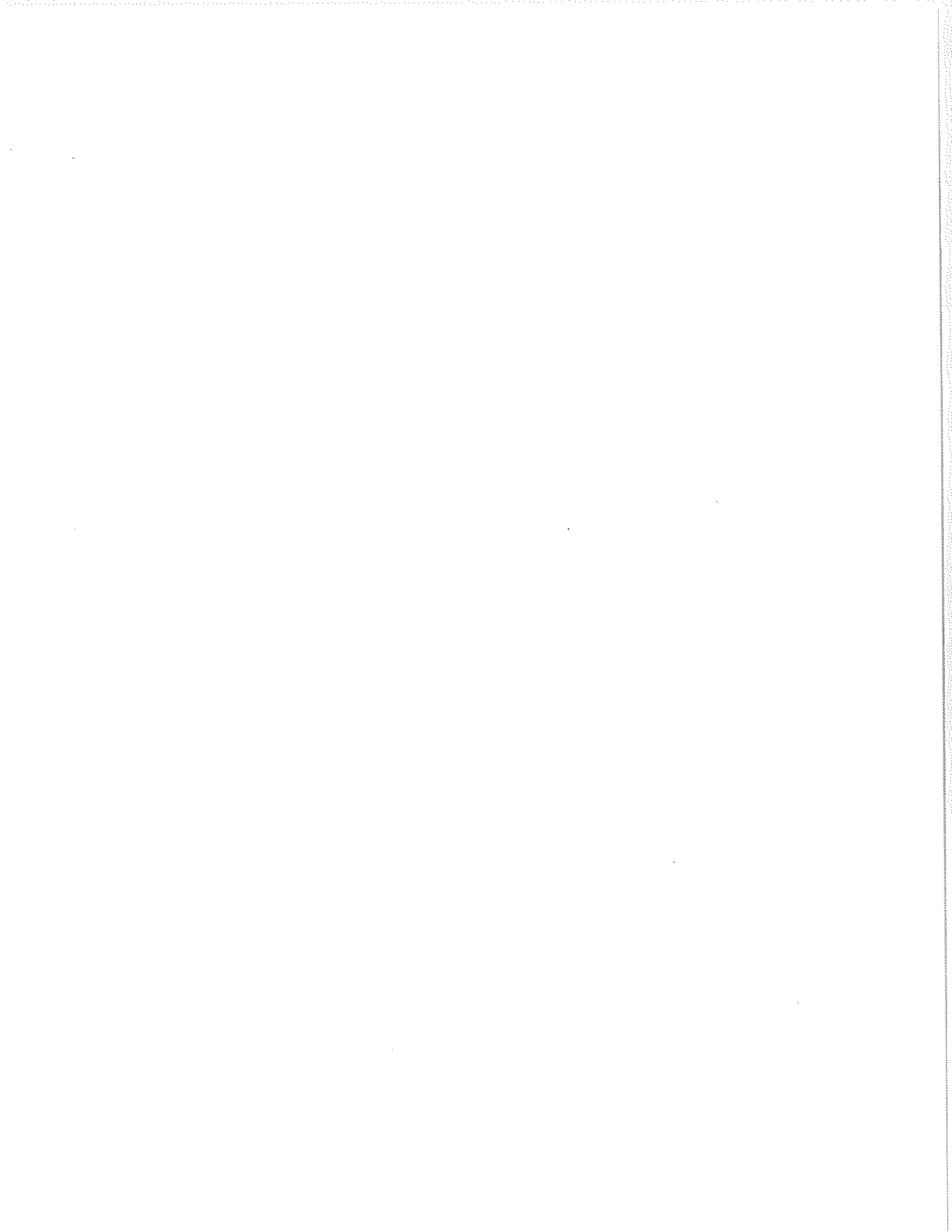
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By-Laws

30 - 04 - 2022

the Technology Professionals in New Brunswick

Les spécialistes de la technologie au Nouveau-Brunswick



**NBSCETT / SttagN-B
BY-LAWS**

<u>ARTICLE NUMBER</u>	<u>CONTENTS</u>	<u>PAGE</u>
	DEFINITIONS	2
1	HEAD OFFICE AND FISCAL YEAR	3
2	SEAL	3
3	OFFICERS	3
4	DUTIES OF OFFICERS	4
5	PAYMENT OF EXPENSES OF OFFICERS, COUNCILLORS And MEMBERS	6
6	MEETINGS	6
7	EXECUTION OF DOCUMENTS AND AUDITS	10
8	FEES	11
9	BY-LAW AMENDMENTS	11
10	COUNCIL OF THE SOCIETY	11
11	COMMITTEES	13
12	EXECUTIVE COMMITTEE OF THE COUNCIL	14
13	DISCIPLINE	14
14	RULES OF CONDUCT	18
15	CERTIFICATION BOARD	19
16	CERTIFICATION REVIEW BOARD	19
17	CERTIFICATION AND MEMBERSHIP	20
18	BRANCHES	26
19	TECHNOLOGY FOUNDATION / CHARITÉ TECHNOLOGIE	26

NBSCETT / SttagN-B
BY-LAW DEFINITIONS

In these Bylaws and any Rules made by the Council, unless the context otherwise requires:

"Act" means the Engineering Technology Act;

"Council" means the Council of the Society;

"rule" means a rule made by the Council pursuant to Section 6 of the Act;

"Society" means the New Brunswick Society of Certified Engineering Technicians and Technologists;

Any word 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.

Any words used in these bylaws or in the rules which are defined in the Act shall have the meaning set out therein.

**ARTICLE 1
HEAD OFFICE AND FISCAL YEAR**

- 1.01 The head office of the Society shall be at such place as may be determined by the Council from time to time by rule. All notifications, notices, correspondence and any other directions shall be made to the Society or the Council at the head office.
- 1.02 The fiscal year of the Society shall terminate on the 31st day of December in each year, which date may be changed from time to time by a resolution of the Council.

**ARTICLE 2
SEAL**

- 2.01 The corporate seal of the Society shall be in such form as the Council may approve from time to time.

**ARTICLE 3
OFFICERS**

- 3.01 The officers of the Society shall be the President, Immediate Past President, President Elect, Vice-President, Executive Director/CEO (Chief Executive Officer), and Registrar.
- 3.02 The President and President Elect shall serve from among the certified members of the Society biennially for a term of two (2) years. The President elect, upon completion of this term, shall be acclaimed as President.
- 3.03 The Vice President shall be elected annually from among the certified members of the Society in accordance with By-Law 6.08.
- 3.04 The Council may appoint an Executive Director/CEO who shall hold office during the pleasure of the Council. The Executive Director shall be an ex-officio, non-voting member of the Council, Executive Committee, all standing Committees and Boards, and Committees/Boards as may be created by the Council.
- 3.05 The Registrar shall be appointed by the Council, shall be a certified engineering technician or technologist, shall not be a member of the Council of the Society, and shall hold office during the pleasure of the Council. This position is subject to reappointment after a period of two (2) consecutive years.
- 3.06 The Assistant Registrar shall be appointed by the Council, shall be a certified engineering technicians or technologist, shall not be a member of the Council of the Society, and shall hold office during the pleasure of Council.
- The Assistant Registrar shall aide in all activities required of the Registrar, but shall not have any of the powers assigned to the Registrar as prescribed in the Act, By-Laws or Rules of Council; and is responsible to the Registrar. This position is subject to reappointment after a period of one (1) consecutive year.
- 3.07 The offices of Executive Director/CEO and Registrar may both be held by one person at the same time.

3.08 The Immediate Past President shall serve as an officer during the period in which his successor remains in office.

3.09 The NBSCETT/SttagN-B representative to the national federation of provincial certifying associations shall be a Certified member, should be a Society Past President, deemed aware of current Society activities and endeavours, capable of appropriate representation of the Society, and with the adequate time available confirmed, to devote the required commitment, and be ratified in this appointment, by the Council.

The post of provincial representative to the national body, and the Council position would be of a term from appointment date of two (2) consecutive years. The appointment is effective immediately following the applicable national federation Annual General Meeting.

Regardless of whether the individual is the Immediate Past President or not, the NBSCETT/SttagN-B National Director shall be a voting member of the Society's Council and Executive Committee.

There is no limit to duration of one individual holding this position.

3.10 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.

ARTICLE 4 DUTIES OF OFFICERS

4.01 **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 and to vote,
- b) be an ex-officio, non-voting member of all Committees and Boards,
- c) be the chief executive officer of the Society and shall perform all acts and duties pertaining to the office of President,
- d) call special meetings of the Society when necessary,
- e) exercise general control and supervision over the business and affairs of the Society,
- f) have a second casting vote in the event of a tie at any meeting at which he/she presides, and
- g) perform such other duties and exercise such other powers as the Society or Council may from time to time direct.

4.02 **PRESIDENT ELECT**

The President Elect 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.

4.03 **VICE-PRESIDENT**

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

4.04 **EXECUTIVE DIRECTOR/CEO (Chief Executive Officer)**

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 Treasurer and Secretary, and ensure that the provisions of the Act, Bylaws and Rules are adhered to in Society activities.

4.05 **REGISTRAR**

The Registrar shall,

- a) issue a certificate of certification to certified members and temporary members upon admission and from time to time in such form or forms as the Council may approve by resolution, to such persons who have met the requirements of the Act, bylaws and rules and have paid all required fees,
- 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, bylaws and rules and have paid all required fees,
- c) issue, or cause the Executive Director/CEO to issue, upon application, and in such form or forms as Council may approve from time to time, a member identification seal to certified members who have met the requirements of the Act, bylaws 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, bylaws and rules and perform such other duties and exercise such other powers as may be directed from time to time by the Council, and
- f) deliver to his successor in office all books, papers and other property of the Society and Council.

- 4.06 All certificates of membership, renewal of membership certificates, validation seals and member identification seals 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/CEO. Members removed from the membership list, for reasons including non-payment, moving out of the province and not retaining membership, shall return certificates, stamps, and rings, to the Society. A letter from Society Legal Counsel, will be sent when wall certificates, etc., are not returned within appropriate time. The letter shall state legal action unless the certificate, etc., is not returned. Council shall review the matter before any legal action is undertaken.

ARTICLE 5 PAYMENT OF EXPENSES OF OFFICERS, COUNCILLORS AND MEMBERS

- 5.01 The reasonable out-of-pocket expenses of officers or members of Council, and members of the Society, acting on Committees/Boards of the Society, incurred while carrying out business pre-authorized by the President and/or Executive Director/CEO, on behalf of the Society, shall be paid by the Society, subject to such Rules/schedules as may be prescribed by the Council from time to time.

ARTICLE 6 MEETINGS

6.01 ANNUAL

The annual meeting of the Society shall be held each year on a Saturday during the month of April; with the members' business meeting at 10:00 am, open to all members in all categories at no charge, and a semi-formal luncheon. Members and guests will be responsible for their own transportation, accommodations, meals, etc., costs. No charges or AGM registration fees will be levied to Society invited speakers/special guests. Invited speakers/guests are responsible for their own transportation and accommodations.

The "George E. Hamilton, CET Member Of The Year" award, will be presented each year at the Annual General Convention. Nomination of any certified member shall be received annually from all certified members, and selected by the Council.

The "Presidents Award" will be presented at the Annual General Convention, to an employer selected and recognized by the Council, for their support of the Society and its endeavours.

6.02 SPECIAL

- a) Special meetings of the Society shall be convened by order of the President or on written request signed by any twenty (20) 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.

6.03

COUNCIL

Meetings of the Council shall be held at least four (4) times yearly at any time or place determined by the President. The Society (NBSCETT/SttagN-B) office shall remain in a Fredericton location. The language policy of the Society, will be one of the Official Languages of the Province of New Brunswick. The November (late fall), and the February (early spring) regular Council meetings will be held via tele-conference.

6.04

NOTICE OF ANNUAL AND SPECIAL MEETINGS OF THE SOCIETY

- a) Notice of annual or special meetings of the Society shall be mailed, telegraphed or delivered to each member of the Society at the last known address in New Brunswick 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.

6.05

NOTICE OF COUNCIL MEETINGS

- a) Notice of the time and place of Council Meetings shall be mailed or delivered to each member of the Council 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 members of the Council are present or have waived notice of the meeting.
- c) If any member of the Council is unable to attend a meeting of the Council, they shall inform the Society office prior to the meeting.

6.06

QUORUM--SOCIETY, COUNCIL, COMMITTEES

The Quorum for meetings shall be in the case of,

- a) the Society -- 20 certified members,
- b) the Council -- 6 members of the Council, and
- c) Committees -- unless otherwise provided, a majority of the members of the Committee.

6.07

VOTING AT MEETINGS

- a) Unless otherwise provided by the Act, bylaws or rules, voting on any question at any meetings of the Society, the Council or any committee shall be determined by the majority of votes cast on such question.

- b) Voting at all meetings of the Society shall be by show of hands unless five (5) 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.

6.08

ELECTIONS, APPOINTMENTS AND VOTING BY MAIL

- a) Upon completion of the Society's Annual General Meeting, the Council's President Elect shall be the President; there shall be an elected President elect for a two (2) year term, biennially prior to the Annual General Meeting; and, the Vice President elect shall be elected annually.
- b) Prior to each Annual General Meeting there shall be elected a Vice-President and District Councillors, as required.
- c)
 - (i) The nominating committee, will consist of the Council's Past President who shall be the Chair, and at least three (3) certified members of the Society. The Executive Director/CEO will serve as a resource in locating interested members.
 - (ii) A call for nominations shall be circulated to all certified members in the Society's newsletter prior to December 1.
- d) On or before January 25 the Nominating Committee shall submit to the Executive Director/CEO a list of nominees for each vacancy that is to be filled on Council.
- e) Additional nominations for any office or offices may be made in writing by any five (5) certified members. Such nominations shall reach the Society properly endorsed not later than February 15.
- f) Nominations submitted by the Nominating Committee or certified members must be accompanied by written consent of the nominee.
- g) Elections shall be conducted by mail ballot.
- h) The names of all persons nominated for office shall be placed on the ballot form in groups relating to each office. The number to be elected and method of marking ballots shall be made clear on the ballot form. Ballot forms shall be mailed to all certified members not later than March 1.
- i) Each certified member is entitled to vote for as many candidates as there are vacancies to be filled or for a lesser number.
- j) The poll shall close at five o'clock pm on March 31 and no ballots received after that time will be considered.
- k) Not later than March 31, the President shall appoint three (3) certified members to act as a ballot counting committee.
- l) The ballot counting committee shall meet on or before April 4. They shall count and record the votes cast for each nominee.

- m) The candidate for the office of President Elect receiving the highest number of votes shall serve for a two (2) year term.
- n) The candidate for the office of Vice-President receiving the highest number of votes shall be declared elected for a one (1) year term.
- o) The Society Council shall be composed of Councillors elected from the described six (6) Districts; in addition to an independent election for President Elect and Vice-President from the entire membership; the Council selected provincial representative to the national federation of certifying associations, may be the same individual as the immediate Past President, and the appointed public member "Public Councillor".

There shall be two (2) Councillors representing each of the Districts: Fredericton will include the complete counties of Carleton, York, Sunbury, and Queens; Saint John will include the complete counties of Charlotte, Saint John and Kings; Moncton will include the complete counties of Albert and Westmorland.

There shall be one (1) Councillor representing each of these Districts: Northeast will include the complete counties of Kent and Northumberland; North will include the complete counties of Gloucester and Restigouche; Northwest will include the complete counties of Madawaska and Victoria.

- p) The results of the poll shall be forwarded to the Society office; and all candidates shall be informed of the results by the office no later than April 8.
- q) In case of equality of votes for any Officer or Councillor, the Council's Past President shall cast a deciding vote.
- r) Any objection to the poll as announced will be valid only if made immediately after the announcement and a proper request for recount will then be in order. If such a request is supported by ten (10) certified members the Chair of the Nominating Committee shall appoint a ballot returning committee of eight (8) certified members who shall forthwith recount all the ballots. Candidates may be present or represented at such recount.
- s) On completion of the recount the results shall be communicated in writing to the Chair of the Nominating Committee who shall announce it to the Annual Meeting immediately. Such recount shall be final and binding.
- t) Following the announcement of the poll or of the recount as the case may be, the ballots and any tally sheets shall be destroyed.
- u) All candidates for election as President Elect or as a Vice-President shall have served as a member of the Council within the five (5) years preceding their nomination.
- v) No District Councillor shall be entitled to hold the same office for more than two (2) consecutive terms.

- w) The Nominating Committee shall ensure at least one (1) nominee for Council's public representative who shall not be a certified member. The public appointee Public Councillor shall be appointed by a recommendation vote of Council at the first meeting of the new Council term as applicable, for a term of three (3) years and may be eligible to be re-appointed to one (1) additional term of three (3) years. The Public Councillor shall be afforded all benefits/responsibilities as per all voting Council participants.

6.09

PROCEDURE

- a) Subject to the By-Laws and Rules Of Council, the procedure at meetings of the Society and the Council shall be governed by the latest official edition of the (CSAE) Canadian Society of Association Executives 'Guide to Better Meetings for Directors of Non-Profit Organizations'.
- b) If within half an hour of the time appointed for the commencement of the Annual General Meeting or a special meeting of the Society, a quorum is not present, the President shall in the case of an annual meeting, call another meeting for such time and place the 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 7 EXECUTION OF DOCUMENTS AND AUDITS

7.01

Contracts, documents or other instruments in writing requiring the signature of the Society may be signed by the President, Immediate Past President, President Elect, or Vice-President, the Executive Director/CEO 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.

7.02

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.

7.03

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

7.04

A copy of the audited/Review Engagement, of the Annual Financial Statements, prepared by the auditor, shall be available to each member at the annual meeting.

**ARTICLE 8
FEES**

- 8.01 Annual membership fees shall be in such amounts as may from time to time be determined by an ordinary resolution of the Council.
- 8.02 The Council may from time to time determine all other fees, dues and assessments for all other matters by an ordinary resolution of the Council.
- 8.03 All annual membership or other annual fees are due on January 1 in each year.
- 8.04 On or before the 1st day of December in each year the Registrar shall send, by mail or otherwise, to each person liable to pay an annual membership fee, a notice with respect to such fees.
- 8.05 Any member who has failed to pay all fees, dues or assessments that came due on January 1st shall be sent a letter prior to March 1 addressed to the last address known to the Society, outlining the action to be taken by the Society.
- 8.06 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 March 31 in any year, the name of the member shall be struck from the register or roster and the Registrar shall forthwith send a notice notifying the member they are no longer entitled to, any of the rights and privileges of membership or, to hold themselves out as a member in any way.
- 8.07 Life members shall not be required to pay an annual membership fee.
- 8.08 Membership and certification in the Society shall expire on March 31 in each year, unless renewed prior to that date and each person whose membership or registration has expired shall enjoy none of the rights and privileges of a member.
- 8.09 No fees paid to the Society are refundable.

**ARTICLE 9
BYLAW AMENDMENTS**

- 9.01 Amendments to bylaws and rules shall be made in accordance with the provisions of the Act.
- 9.02 Certified members may present suggestions for bylaw or rule amendments to Council, for its consideration, by January 15th in each year by written notice signed by the proponents and setting out the exact wording of the proposed amendments.

**ARTICLE 10
COUNCIL OF THE SOCIETY**

- 10.01 a) The Council shall be composed of:
- (i) the President, the Past President, President Elect and the Vice-President,

(ii) two (2) District Councillors nominated and elected as representatives for each of the fixed geographic districts of the Province described as follows:

Fredericton - complete Counties of York, Sunbury, Carleton, and Queens

Moncton - complete Counties Albert and Westmorland

Saint John - complete Counties of Saint John, Charlotte, and Kings

(iii) one (1) District Councillor nominated and elected as representative for each of the Districts of the province, as described:

North East NB complete Counties of Kent and Northumberland

North NB complete Counties of Gloucester and Restigouche

North West NB complete Counties of Madawaska and Victoria

10.02 Subject to Section 10.03 the term of office of all members of Council, whether appointed or elected, shall commence and be effective at the end of the annual meeting of the Society in the year in which the Councillor is elected or appointed.

10.03 a) If any vacancy on the Council occurs, the Council by resolution may fill such vacancy.

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

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

d) The term of office for the position of President and President Elect shall be for a single two (2) year term.

10.04 Pursuant to Section 6 and paragraph 5(1)(m) of the Act the Council may by resolution make, amend or repeal rules regulating an aspect, subject or matter of the business and affairs of the Society and the occupation of engineering technology as may be governed by By-laws, including such aspects, subjects or matters described in paragraphs 5(1)(a) to (o) inclusive of the Act and any such rule shall be valid, binding and effective from the date of the resolution of the Council until amended or repealed by an ordinary 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 COUNCILLORS AND OFFICERS**

Every Councillor, committee member, agent or officer of the Society and heirs, executors and administrators, and estate and effects, respectively, 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 Councillor, committee member, agent or officer sustains or incurs in or about any action, suit or proceeding which is brought, commenced or prosecuted against them, for or in respect of any act, deed, matters or things whatsoever, made, done or permitted by 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.

**ARTICLE 11
COMMITTEES**

11.01 The Society shall maintain the following Boards and Standing Committees:

- a) Boards
 - Accreditation Board
 - Certification Board
- b) Standing Committees
 - Legislative Review Committee
 - Complaints Committee
 - Discipline Committee
 - Finance Committee
 - Human Resources Committee
 - Legislative Committee

11.02 The Chairman of the Complaints Committee and the Discipline Committee and the members thereof, shall be appointed in accordance with the provisions of the Act and By-Laws with respect to such committees.

11.03 The Council shall establish, maintain and appoint such other committees as it from time to time deems necessary or expedient.

11.04 Unless otherwise expressly provided, the Council may fill any vacancy on any committee and any person appointed to fill such a vacancy shall hold office until his successor, whether appointed or elected, commences his term of office.

11.05 Except as otherwise expressly provided the Council may from time to time appoint an additional member or members to any committee.

11.06 The Legislative Committee is established for opportunities of discourse and preparation of briefs/statements/comments to all levels of government and related agencies, allowing for staff on a more participatory base to construct pro-active recommendations to Council. The Chair shall be the Vice-President, with the power to add members from all publics; and the President elect shall be a non-voting ex officio committee member.
The Legislative Committee is allowed to prepare briefs for presentation to the Government/Cabinet, with Council's approval, dealing with topics of direct relationship to the Society's membership, the public's safety, and the betterment of the New Brunswick standard of living/ quality of life, without prejudice of political opinion or belief, and without individual benefit/gain to the Society or member.

ARTICLE 12 EXECUTIVE COMMITTEE OF THE COUNCIL

12.01 The Executive Committee of the Council shall consist of the following:
- the President,
- the President Elect
- the Vice-President,
- the Past President,
- the Society's Director to the national federation of certifying associations,
- and such other members of the Council, as Council may appoint from time to time.

12.02 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 shall be effective from the date made but must be reported to the next meeting of the Council.

ARTICLE 13 DISCIPLINE

13.01 COMPLAINTS COMMITTEE

The Complaints Committee shall be composed of six (6) certified engineering technicians or technologists 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 councillors of the Society or members of the Discipline Committee.

- 13.02
- 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 his 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.

13.03

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;
- b) cause the Executive Director/CEO 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 and request the member to state their language preference,
 - (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/CEO, 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 paragraph 29(8)(c) of the Act.

13.04

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.

13.05

After the Complaints Committee has made a determination under subsection 29(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.

13.06

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 Section 13.05 to the Discipline Committee.

13.07

DISCIPLINE COMMITTEE

The Discipline Committee shall be composed of six (6) certified engineering technicians or technologists 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 Councillors of the Society or members of the Complaints Committee.

13.08

- 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 his 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.

13.09 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 other members of the Discipline Committee;
- b) consider the following factors in appointing a panel, provided always that such factors are not binding on the Chair:
 - (i) the immediate geographic area in which the member against whom the complaint was made resides;
 - (ii) the similarity of the length and type of practice or work experience of the panel members with that of the member against whom the complaint has been made; and
 - (iii) such other factors as the Chair considers relevant; and
- c) cause the Executive Director/CEO 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 and request the member to state their language preference;
 - (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/CEO, 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 paragraph 33(1)(e) of the Act.

13.10 If a complaint or matter is being investigated pursuant to Section 32 of the Act, in addition to the other requirements set out in Section 13.09 hereof, the Executive Director/CEO shall forward a copy of the Registrar's order to the member against whom the order was made and request that the member state their language preference.

13.11 When the Discipline Committee has made a determination, decision or order pursuant to Subsection 30(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.

- 13.12 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.
- 13.13
- a) If the Discipline Committee makes an order pursuant to paragraphs 30(7)(b) or (c) 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.
- 13.14 When the Discipline Committee has made a determination, decision or order pursuant to Subsection 30(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.
- 13.15 **REINSTATEMENT**
- a) The Discipline Committee or panel thereof shall consider all applications for reinstatement of certification or membership after revocation or suspension and all applications for removal or alteration of conditions, restrictions or limitations imposed on a member's certification, membership or right to carry on the occupation of engineering technology (hereinafter collectively referred to as "sanctions") and shall make such investigations and conduct such hearings it deems necessary for the consideration of such applications.
 - b) A panel of the Discipline Committee appointed to consider an application under Subsection 13.15(a) shall be appointed in the manner set out in Section 13.09(a) with such modifications as are necessary to ensure that no member of a panel appointed to consider that application has participated in a previous disciplinary proceeding respecting the particular matter concerning the applicant which is being considered pursuant to 13.15(a).
- 13.16 No application under Section 13.15 may be made to the Discipline Committee within 12 months from the date on which sanctions were imposed or within 12 months from the date of the determination of any previous application under Subsection 13.15.
- 13.17 The Discipline Committee shall determine its own rules of procedure with respect to applications made under Section 13.15.
- 13.18
- a) The Discipline Committee shall not consider any application made under Section 13.15 unless:

- (i) the application is in writing and is signed by the applicant;
 - (ii) the application sets out the grounds of the application, the remedy or order sought and the remedial measures taken by the applicant;
 - (iii) the applicant has paid all fees determined by the Council by resolution from time to time; and
 - (iv) the applicant has complied with any requirements set out in the rules with respect to such applications.
- b) The Discipline Committee may dismiss the application made under Section 13.15 and may make such decision, order or determination as it deems appropriate.
 - c) When the Discipline Committee has made a decision, order or determination with respect to an application under Section 13.15, the Discipline Committee shall forward to Council and the applicant a copy of its decision, order or determination signed by the members of the Discipline Committee concurring therein.

13.19 Each panel shall constitute a quorum and shall act for, carry out and exercise all the duties and powers of the Disciplinary Committee with respect to applications under Section 13.15.

ARTICLE 14 RULES OF CONDUCT

- 14.01 a) The Society hereby adopts the Code of Ethics and Rules of Professional Conduct of NBSCETT/SttagN-B as the Rules of Conduct of the Society and incorporates the same herein as Bylaws by reference.
 - b) In the case of conflict between the Rules of Conduct, and the other provisions of the Bylaws of the Society, the Bylaws shall have precedence.
- 14.02 No member shall act or carry on the occupation of engineering technology or permit anything to be done on their behalf contrary to the Rules of Conduct.
- 14.03 When any member
- a) fails to do anything required by the Rules of Conduct;
 - b) does anything or permits anything to be done which is not permitted by the Rules of Conduct; or
 - c) breaches any provision of the Rules of Conduct; or any combination thereof, the Executive Director/CEO shall, upon becoming aware of such conduct, immediately complete, sign and deliver a complaint with respect to the member, to the Chairman of the Complaints Committee.

**ARTICLE 15
CERTIFICATION BOARD**

- 15.01 The Certification Board shall be appointed by the Council.
- 15.02 a) The Certification Board shall have eleven (11) members appointed by the Council, 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 Review Board, Mature applicant Board, Panel of Examiners, Complaints Committee, Discipline Committee, or a member of the Society Council;
- b) The Chair shall be appointed by the Council from among the members of the Certification Board and shall have served at least one previous term as a member of the Certification Board.
- 15.03 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 certified member appointed by the President for the unexpired term of the vacated member.
- 15.04 The Certification Board may engage such persons as it deems necessary or advisable to carry out its functions and responsibilities.
- 15.05 The Certification Board may appoint a panel or panels of the Certification Board to act for, carry out and exercise all the powers and duties of the Certification Board.
- 15.06 On any appeal from a decision of the Certification Board, no member of Council who is a member of the Certification Board or the Certification Review Board shall participate in or vote on the appeal.
- 15.07 The Certification Board/staff, shall consider a membership application file closed when, after a forty-five (45) day reminder notice has also been unanswered, and the applicant's total non-response duration exceeds sixty (60) days. The Certification Board shall decide continuation of the an application on a case-by-case basis, any allowable subsequent late responses within the total twelve (12) month time.
- 15.08 The successful completion of the Professional Practice and Ethics Examination shall be a prerequisite for Society certified membership.

**ARTICLE 16
CERTIFICATION REVIEW BOARD**

- 16.01 The Certification Review Board shall be appointed by the Council.
- 16.02 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, Mature Applicant Board, Panel of Examiners, Complaints Committee, Discipline Committee, or a member of the Society Council;

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.

16.03

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 certified member appointed by the President for the unexpired term of the vacated member.

ARTICLE 17 CERTIFICATION AND MEMBERSHIP

17.01

CATEGORIES OF MEMBERSHIP

There shall be the following the following (8) categories of membership in the Society:

- a) 17.02 - certified members
- b) 17.03 - temporary members
- c) 17.04 - associate members
- d) 17.05 - technology graduate in training
- e) 17.06 - student /étudiant members
- f) 17.07 - honorary members
- g) 17.08 - life members
- h) 17.09 – retired

17.02

CERTIFIED MEMBERS

- a) Certified members shall be those certified technicians and certified engineering 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.
- b) Members dependent upon Certification Board recommendation for certification in all global accepted applied science disciplines, and by Council approval, may be awarded the title Professional Technologist, be granted henceforth, the designation and will be entitled to use the initials PTech following their name in all instances, effective September 01, 2005.

Members, dependent upon Certification Board recommendation for certification in all global accepted applied science disciplines, and by Council approval, may be awarded the title Certified Technician, be granted henceforth the designation, and will be entitled to use the initials CTech following their name in all instances.

Existing certified members, maintaining their good standing, who have been awarded the title Certified Technician, shall retain this designation, and will be entitled to use the initials CTech following their name in all instances.

Existing certified members, maintaining their good standing, who have been awarded the designation Certified Engineering Technologist, shall retain this

designation and use the initials CET following their name in all instances, but may irrevocably choose to change their designation title to Professional Technologist, and henceforth use the initials PTech, following their name in all instances.

Existing certified members, maintaining their good standing, who have been awarded or chosen the title Applied Science Technologist shall retain this designation and use the initials ASCT following their name in all instances, but, may irrevocably chose to change their designation title to Professional Technologist, and henceforth use the initials PTech following their name in all instances.

Existing certified members, maintaining their good standing, who have been awarded the designation Certified Engineering Technician, shall retain this designation and use the initials CET following their name in all instances but, may irrevocably choose to change their designation title to Certified Technician, and henceforth use the initials CTech following their name in all instances.

- c) Certified members shall be entitled, subject to the bylaws and rules:
 - (i) to receive notice of, attend and participate in meetings of the Society and to receive copies of any regular bulletins or publications issued by 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, serve on committees of the Society;
 - (iv) to the right to vote;
 - (v) to full membership rights;
 - (vi) to the right to use a member identification seal.
- d) Membership shall be renewed annually in accordance with the Bylaws and the rules.
- e) Certified members who do not reside in New Brunswick shall not be entitled to hold office in the Society or be members of Council.
- f) All certified members working independently, shall avail themselves of professional liability (errors and omissions) insurance (ie: Professional Liability Insurance as available through the national program of LMS Prolink, Quebec).

17.03

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 Bylaws/Rules and have paid all required fees.
- b) With respect to rights in the Society, other than the right to carry on the occupation of engineering technology as set out in the Act, Bylaws and rules, temporary members shall be entitled to the rights of the appropriate membership category, but without full membership rights; specifically excluding (i) holding office or to nominate persons to hold office in the Society; (ii) the right to vote.

- c) The application for Temporary membership will be sent to the applicant's home province for verification/recommendation. Wallet membership cards will be issued for the period paid. Temporary membership will no way imply regular membership will be granted. (normal procedures will used for regular membership application). Temporary membership may be granted in multiples of six (6) months; and the fee shall be 50% of current certified annual dues for each six (6) month period.
- d) No person shall be entitled to have their name entered in the temporary register for a period exceeding two (2) years.

17.04

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 for certification, whose names are entered in the associate member's roster, have complied with the requirements of the Bylaws and rules and have paid any required fees.
- b) Associate members shall be entitled;
 - (i) to receive notice of and attend meetings of the Society and to receive any copies of any regular bulletins or publications issued by the Society; and
 - (ii) to serve, upon appointment, on committees of the Society in accordance with the Bylaws 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.

17.05

TECHNOLOGY GRADUATES IN TRAINING

- a) Technology Graduates in Training shall be those members who have met all of the educational requirements for certification but lack the relevant experience required, whose names are entered in the Technology Graduates in Training roster, who have complied with the requirements of the Bylaws and the rules and have paid all required fees.
- b) Technology Graduates in Training shall be entitled to the membership rights of associate members.
- c) Entry in the Technology Graduates in Training 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.

17.06

STUDENT MEMBER / ETUDIANT MEMBRE

Qualified students enrolled in a full time nationally accredited applied science and engineering technology training programs may become the Society's "Student Members" during their program. Upon receipt of the annual membership renewal, the student will receive a wall certificate, "Student membership is grant to ... and, is valid during enrollment in

the applied science/engineering technology program; and, the student member shall receive all regular information and publications of Society information and consumer affinity programs as applicable as well as related professional development materials.

17.07

HONOURARY MEMBERS

- a) Honourary members shall be those persons whose names are entered in the roster of honorary members pursuant to a resolution presented by the Council and approved at an annual or special meeting of the Society or by the majority of votes cast by a mail ballot.
- b) Honourary 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. A framed certificate will be awarded to the Honourary Member; and will include the Society's name, seal, recipient's name, and suitable wording to convey the recipient is being so honoured.
- c) Honourary members shall be entitled to the membership rights of associate members; and have the right to use the certified technologist designation (PTech) after their name during the period this membership is in effect.

17.08

LIFE MEMBERS

- a) Life members shall be certified members or retired certified members approved by a resolution of Council whose names are entered in the roster of life members pursuant to a resolution presented by the Council and approved at an annual or special meeting of the Society. A framed certificate will be awarded to each Life Member; which will include the Society's name, seal, recipient's name, and suitable wording to convey the recipient is being so honoured.
- b) Life membership may be awarded to certified members who have given exceptional and meritorious service to the Society.
- c) Members who have retired from active employment, must have paid annual dues for not less than twenty-five (25) years before they can be considered for Life membership.
- (d) Life Members shall be entitled to all the rights of membership without payment of annual dues, and are subject to all the other provisions of the By-Laws and Rules.

17.09

RETIRED MEMBERS

Members who have paid Society Certified Members dues for a minimum of ten (10) years, may be granted by Council, "Retired Member" status, upon receipt of affidavit of permanent retirement from active employment, and be charged (annually) only the individual certified member assessment fee from the national federation of certifying associations, plus a nominal ten (10) dollar administration fee.

17.10 **CERTIFICATION QUALIFICATIONS**

The qualifications for certification and membership in the Society in existence at the coming into force of these bylaws except to the extent they are inconsistent with the bylaws 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.

17.11 **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.

17.12 **REINSTATEMENT**

- (i) A member struck off the membership roster for non-payment of dues (By-Law #8.06), may within three (3) calendar membership years, submit to the Society payment for the year removed from the roster because of non-payment, the current late payment fee, the current reinstatement fee, and the current year's membership dues, will be granted reinstatement.
- (ii) A member resigning from the membership roster may within three (3) calendar membership years, submit to the Society the current reinstatement fee, and the current year's membership dues, will be granted reinstatement
- (iii) Any member removed from the Register, after three (3) years of removal/expulsion may apply to the Society for membership upon payment of applicable application fees and will be processed as a first time applicant having their qualifications assessed against current membership requirements by the Certification Board.
- (iv) An application for reinstatement of membership from an applicant suspended/expelled from the Society under Article #13 (Discipline), shall be submitted to the Council for review. Such applicants may be accepted/reinstated only upon terms and conditions as decided by Council.
- (v) Application for membership/reinstatement from persons that have been found guilty of an offence by a Court shall be submitted for Council review. Such applicant may be accepted/reinstated only upon terms and conditions as decided by Council.
- (vi) Members may be required by Council to undergo periodic examinations or submit further information relating to their competency for the purpose of maintaining membership in the Society.
- (vii) Reinstatement of former members within the first year of being struck from the roster, will be re-issued (if required) an appropriate Certificate of Membership, stating the original date of certification, and member number. The signatories (if a new certificate is required to be produced) may be the current President, and Certification Board Chair. In the case of reinstatement of a member after (1) one or more years absence from the Society Registry, a new membership certificate will be issued exhibiting the original membership roster number, however the 'date of certification', and signatories will be that of current President and Certification Board Chair, and the date of Council approval.
A Reinstatement Fee (\$50.00) is levied to all requests for reinstatement.

PDA Program Application:

- (a) The Society will randomly select 5 member files per 1000 certified member files and review continuing professional development;
- (b) This review will establish PDA status maintaining Society membership; Deficiencies assessed on reviewed member(s) files will be identified to the member(s) with suggestions to support their efforts towards fulfillment of PDA commitments.
- (vii) Any member struck/resigning from the Society three (3) times, shall have their membership status reviewed by the Executive Committee. The Executive Committee may send a letter noting the member's situation is considered conduct bordering unethical behaviour.
- (viii) Former members, now Professional Engineer, Registered Land Surveyor, Licensed Architect, struck/resigned from the Society, may apply for reinstatement in their category of membership, upon payment of applicable current year's membership fee.

17.13

MEMBER IDENTIFICATION SEAL

- a) Certified members may apply for and receive a member identification seal upon payment of all required fees.
- b) Certified members shall not use any form of NBSCEIT/SttagN-B Identification Seal other than a member identification seal issued by the Society.
- c) Certified members shall use the members identification seal only in accordance with the guidelines approved by Council from time to time and shall, in each case, personally affix the member identification seal and their signature in the space provided in the seal.
- d) A certified member shall not affix his or her member identification seal or permit such seal to be affixed to any document unless such document has been prepared by the member or under the immediate supervision of the member.
- e) A certified member, upon the suspension or revocation of their membership, shall return the member identification seal to the Society immediately, without demand.

17.14

SPECIALY ITEMS

- a) The National Ring, as per CCTT design, is issued by the Society.
 - (i) National requirements are in effect: every applicant for a ring must sign a statement signifying it will only be worn while the member is in good standing in a Provincial Society.
 - (ii) The technology ring will be made available to new certified members; and the fee included within the first year's dues.
 - (iii) The cost to certified members will include all handling/ mailing costs.
- b) Specialty items, excepting the ring or anything connoting certified status, such as "PTech, CTech, CET, ASCT", may be sold to all members and publics. The administration of Society specialty items/ rings is a staff/office function.

ARTICLE 18 BRANCHES

- 18.01 Any locality in New Brunswick having a minimum of fifteen (15) certified members in good standing may, upon application to the Registrar, become approved by the Council as a Branch of the Society.
- 18.02 Branch meetings may be conducted by members in good standing comprising part, or all, of the membership of such a Branch, in order to carry out the educational, social and other objects of the Branch, provided such conduct or procedures does not in any way conflict with the Act, Bylaws or rules.
- 18.03 Branch meetings shall be held and conducted at the discretion of the local Branch Executive and according to the Standard Branch Constitution and Bylaws, but subject to the terms and conditions set out in the rules.
- 18.04 Branch Presidents may appoint an alternate to take the place of an elected Councillor if they cannot attend a Council Meeting. Such alternate will not have voting rights.
- 18.05 Pursuant to paragraph 5(1)(c) of the Act, the Council may make rules respecting Branches of the Society.

ARTICLE 19 TECHNOLOGY FOUNDATION -CHARITÉ TECHNOLOGIE

19.1 Objects

The **Technology Foundation - Charité Technologie** ("the Foundation") is established by the Society to promote the training and education of members and prospective members by providing scholarships, bursaries, grants, or financial assistance to persons attending or proposing to attend any school, college, or university, and undertaking or proposing to undertake any Engineering / applied science technology diploma study in New Brunswick or elsewhere, in programs acceptable to the Foundation. The Foundation may solicit, receive and accept all manner of contributions, gifts, bequests and legacies from any person, firm or corporation.

19.2 Board of Directors

The affairs of the Foundation shall be managed by a board of seven directors, each of whom at the time of his or her appointment and throughout the term of office shall be a member of the Society. Each director shall be appointed by the Society to hold office until the first annual meeting after their appointment or until their successor shall have been duly appointed and qualified. The whole board shall be retired at each annual general meeting but shall be eligible for re-appointment if otherwise qualified. The directors of the Foundation shall be appointed by Council at the first Council meeting following the annual meeting of the Society. Council may, by resolution passed by at least two-thirds of the votes cast at a meeting of which notice specifying the intention to pass such resolution has been given, remove any director before the expiration of their term of office, and may, by majority of the votes cast at that meeting, elect any person in the director's place for the remainder of the term.

19.3 **Vacancies, Board of Directors**

Vacancies on the board of directors, however caused, may so long as a quorum of directors remain in office, be filled by Council from among the qualified members of the Society, if they see fit to do so, otherwise such vacancies shall be filled at the first Council meeting following the annual meeting of the Association; but if there is not a quorum of directors, Council shall forthwith call a special meeting and make an appointment to fill the vacancy.

19.4 **Reports**

The Board of Directors shall regularly communicate with Council and submit a yearly report to Council at the Council meeting coinciding with the annual meeting.

The Foundation will forward an annual audit/Review Engagement financial statement to the Council, prior to the Society's annual meeting.

19.5 **Bursaries**

Each of the NBCC, CCNB campuses, with nationally accredited applied science/engineering technology programs, shall receive a bursary (should funds be available of the Technology Charite/Foundation) ranging from \$250.00 to \$500.00 to be presented to the recipient of the College's choice. This is to be presented by the Society President/CEO/designate. Accreditation must be in effect at the time the awards are presented.

A Bursary shall be presented to the high school student selected by the Science Fair adjudicators, and planning to enroll in a (2/3 year) NBCC, CCNB applied science or engineering technology program. An awards of \$250.00 shall be donated to the provincial Science Fair - \$200.00 for scholarship and \$50.00 as an operating grant.

The Society may award two additional bursaries, within the current financial confines, and made available to the NBCC, CCNB campuses offering nationally accredited applied science / engineering technology programs, in the name of "Alex Carr, CET", and "George E. Hamilton, CET".

Any donations by the Society to Trust Funds/ Memorials are considered on an individual basis by Council.

