Bylaws Relating to the Activities and Operation of the Association of Nova Scotia Land Surveyors Approved October 30, 2010

(sec. 12 amended October 22, 2011)
(sec. 41(2)(1) amended, sec. 41(2)(4) added October 19, 2013)
(sec. 31(4)(a) amended October 19, 2018)
(sec. 36(6) to 36(8) amended October 18, 2019)
(sec. 36(7)(d) amended October 15, 2021)
(sec. 36(8) amended April 18, 2024)
(sec. 31(2) & sec. 33(3) amended April 18, 2024)
(sec. 1.9 of Schedule "A" amended April 18, 2024) (sec. General of Schedule "C" amended April 18, 2024)
(sec. 2(v) of Schedule "C" amended April 18, 2024) (sec. 3(i) of Schedule "C" amended April 18, 2024) (sec. 36(9) & sec. 36(10) amended October 4, 2024)

1. Title

These Bylaws shall be cited as the Association of Nova Scotia Land Surveyors Bylaws.

2. Corporate Seal

A seal for the Association shall be prescribed by the Council and shall have the words "Association of Nova Scotia Land Surveyors" endorsed thereon.

3. Head Office

The head office of the Association shall be maintained within the province of Nova Scotia, and located as to reasonably carry on the business of the Association.

4. Forms

Any forms required pursuant to the Act, Regulations or Bylaws shall be approved in substance by Council. These shall include but not be limited to:

1) Certificate of Qualification
2) Certificate of Membership
3) Oaths for Nova Scotia Land Surveyor, Hearing Committee and Board of Examiners
4) Payment Notice
5) Final Notice of Arrears
6) Advertisement of cancellation/suspension of Membership/Corporate Permit
7) Those required for the administration of Corporate Permits
8) Mandatory Liability Insurance

5. Fiscal Year

The fiscal year of the Association must commence on the first day of January and must end on the last day of December of the current year.

6. Expenses

(1) A Council, Board or Committee member may be paid an honorarium by the Association and shall on request be reimbursed by the Association for reasonable expenses necessarily incurred in connection with the activities of the Association.

(2) Amounts of honoraria and/or expenses shall be determined by Council policy.

7. **Records and Accounts**

(1) The Executive Director is responsible for maintaining a hard copy of the Register in addition to electronic records.

(2) The Council may establish policies governing the use of membership information and records of the Association.

(3) The Council shall cause to be regularly and properly kept all books, accounts, and records of the Association required by law and by the Act, Regulations and Bylaws of the Association.

(4) The records of the Association shall consist of the minutes of all meetings of Council, all meetings of the Association, and all meetings of the Board, together with Committee reports, and incoming and outgoing correspondence.

(5) Minutes of meetings shall consist of the principal points made in discussion together with the resulting decision, and shall record the number of votes in favour of the motion, against the motion, and abstentions, without attributing specific votes to individuals unless the individuals indicate otherwise.

(6) The books of the Association shall record all money received and expended by the Association and the matters in respect of which the receipts or expenditure has taken place, and all revenues and purchases and all assets and liabilities of the Association as well as other transactions affecting the financial position of the Association.

(7) The financial records shall be made available for inspection by any member during regular office hours of the Association.

(8) Books, accounts, and records of the Association may only be disposed of by Council on recommendation of a committee established to review and determine the disposal of books, accounts and records.

8. **Signing Officers**

(1) All contracts, deeds, cheques, negotiable instruments and other documents determined by Council shall be signed on behalf of the Association by any two of the following:

(a) Executive-Director,
(b) President,
(c) Vice-President
(d) Immediate Past President.

(2) Despite subsection (1), Council may pass a resolution establishing a monetary limit for cheques to be signed by the Executive Director and such other persons as approved by Council.

9. **Zones**

For purposes of electing members of Council other than the Executive, public representatives and a person appointed by the Minister of Natural Resources, the Province shall be divided into 4 zones:

(a) Zone 1, consisting of the counties of Yarmouth, Shelburne, Queens, Lunenburg, Digby, Annapolis, and Kings;

(b) Zone 2, consisting of the counties of Halifax and Hants;

(c) Zone 3, consisting of the counties of Cumberland, Colchester, Pictou, Antigonish and Guysborough; and

(d) Zone 4, consisting of the counties of Inverness, Victoria, Richmond and Cape Breton.

10. Nominations and Elections

(1) A voting member is any member in the active, and life categories of membership, and any member in the retired category of membership who participates in the professional development program, and only voting members shall be eligible to vote at any general or special meeting of the Association.

(2) There shall be one person elected to Council from each zone, who shall be a voting member and who shall

(1) be ordinarily resident in the zone for which an election is being held; or

(2) have their normal place of employment as a professional land surveyor in the zone for which an election is being held.

(3) Every voting member who is ordinarily resident in the zone for which an election is being held is eligible to vote for a candidate on the Council from that zone.

(4) A nominating committee shall be appointed by Council consisting of:

(a) the Immediate Past President; and

(b) at least one voting member.

(5) The nominating committee shall prepare a list of nominees for election, not less than 45 days prior to the date of the annual meeting.

(6) The list of nominees shall be sent by the Executive Director to eligible voting members not less than 21 days prior to the date of the annual meeting.

(7) The list of nominees shall include nominees to fill vacancies for any zone eligible for election, and for the position of Vice-President or President, when such positions are open for election.

(8) All voting members of the Association are eligible to vote for the position of Vice-President and for the position of President, if an election is required for the position of President under these bylaws.

(9) Voting shall take place secretly, either by ballot paper or electronically, as determined by Council.

(10) Voting members shall complete and return their ballot to the Association, and only ballots received at the office of the Association by the close of business on the Tuesday preceding the annual general meeting shall be eligible to be counted for the election.

(11) Three scrutineers to count the ballots shall be appointed by the Executive Director. The scrutineers shall open and count the ballots not later than noon on Wednesday preceding the annual general meeting, and upon completion of the counting of the ballots, submit a written report, signed by the scrutineers to the Executive Director. In the event of a tie vote, the Executive Director shall advise the members of the need for a vote to break the tie to be held at the annual general meeting.

(12) The member having the highest number of votes for each position shall be elected, and in the case of a tie, an election shall be held by secret ballot at the annual general meeting, with the names of only the individuals who received tie votes being placed on the ballot for purposes of breaking the tie. Voting shall be undertaken in accordance with subsection (3) and (18).

(13) In the case of a vote at an annual general meeting, the Chair shall not vote except to break a tie.

(14) The Executive Director shall destroy the ballots following the recording of the election results provided that a motion is so made and approved by a majority vote at the annual meeting and further provided that a member has made no objection as to the voting procedure that would necessitate the retention of the ballots in order to deal with such objection.

(15) If the nominating committee does not put forward a full slate of candidates for election, or if, at the date of the annual meeting, any one or more nominees are withdrawn from the election resulting in no nominee being available for election, nominations may be made from the floor with the consent of the nominee, and an election held by secret ballot at the annual meeting.

(16) Where a vacancy on the Council for a zone position is caused by a resignation, suspension or for any other reason, the Council may appoint a voting member from that zone to act as councillor until the next election held pursuant to Section 11(1) of the Bylaws.

(17) Despite any provision of these by-laws, where a vacancy exists for the position of President, Vice-President or Immediate Past-President during the term of their office, the Council may appoint any voting member, including any member of the Executive, to serve in such vacant position with the consent of such member.

11. Term

(1) Members elected to Council shall serve for two years, with the elections for Zone 1 and Zone 2 being held in one year, and elections for representatives from Zone 3 and Zone 4 being held in the next year.

(2) Members are eligible to serve a maximum of two consecutive terms as a zone representative, and are eligible for further election as zone representative following a break in their period of service of a minimum of two years.

(3) The Vice President, President and Immediate Past President shall each serve a term of one year. If a person has served as President, there must be a break in service of at least two years following completion of the position of Immediate Past President, before that person is eligible to serve as Vice President.

(4) The person appointed by the Minster of Natural Resources shall serve at the discretion of the Minister of Natural Resources.

12. Transition

(1) At the time of the proclamation of the Act, members serving on Council pursuant to the former Act shall remain in place pending elections held pursuant to this Act.

(2) The first election to be held pursuant to this Act shall be held not later than the first annual general meeting following the proclamation of the Act.

(3) In the first election, terms of existing councilors under the old system may be continued if appropriate to adhere to the new system. In every odd numbered year thereafter, elections shall be held for representatives from Zones 2 and 3, and in every even numbered year thereafter, elections shall be held for Zone representatives from Zones 1 and 4.

13. Appointment of Public Representatives

(1) Council shall determine the number of public representatives to serve on Council, but shall appoint at least one.

(2) Council shall request the nominating committee to advertise, interview and recommend to Council the appointment of the public representative or representatives to serve on Council, and on the Complaints, Hearing, Reinstatement or other committees as required by the Act or as approved by Council.

(3) Public representatives shall serve for a term of two years, and may be reappointed for additional terms to a maximum of three terms. If the public representative is unable to complete their term, Council shall request the nominating committee to advertise for the vacant position, and then to interview and recommend to Council the appointment of a replacement.

(4) If a replacement public representative has not been appointed at the time of the expiration of the term of a serving public representative, the serving public representative shall remain in place until the appointment of a replacement.

14. Removal of Council Member

Upon written notice to the member, and upon a vote of at least 75% of Council members present at the meeting where the vote is taken, a Council member may be removed as a member of the Council for just cause, including non-attendance at meetings, the existence of disciplinary sanctions against the member, or other appropriate reason.

15. President and Vice-President

(1) The Vice-President shall be elected in accordance with Section 10 and upon completion of term as Vice-President, shall succeed to the office of President.

(2) Upon completion of the office of President, the President shall succeed to the office of Immediate Past President.

16. Duties of President

The duties of the President include but are not limited to:

(1) providing leadership to all members;
(2) presiding at all meetings of the Association, Council, and the annual and any special meetings of the Association;
(3) representing the Association ;
(4) acting in accordance with Council policies.

17. Duties of Vice-President

The duties of the Vice-President include but are not limited to:

(1) performing the duties of the President in the absence of the President;
(2) performing other duties as delegated by the President;
(3) acting in accordance with Council policies.

18. **Duties of Immediate Past President**

The duties of the immediate Past President include but are not limited to:

(1) acting as Chair of the nominating committee;

(2) performing other duties as delegated by the President;

(3) acting in accordance with Council policies

19. **Duties of Executive Director**

(1) The Executive Director shall perform such duties as set out in the Act, Regulations and Bylaws and such other duties in accordance with Council policies.

(2) The Executive Director shall report to and be accountable to the President and Council.

(3) The Executive Director may attend meetings of Council and all committees appointed by the Council in an ex-officio capacity, with the exception of those portions of Hearing committee meetings that are closed to the public.

(4) In the event of the office of the Executive Director being vacant, the Council shall make a temporary appointment until a successor is appointed by the Council.

20. **Role of the Executive**

The Executive plays an important senior role in assisting Council in carrying out the work of the Association by ensuring that Council's agendas are well prepared and organized. The Executive also deals with matters of Association business arising between regular meetings of Council in accordance with Council policies.

21. **Council Meetings**

(1) The Council must meet at least 4 times in each fiscal year within the Province of Nova Scotia.

(2) Meetings of Council shall be called by the President and in consultation with the Executive and the Executive Director, the President shall approve the agenda.

(3) A majority of the Council constitutes a quorum for the transaction of business.

(4) At least 14 days prior to the scheduled meeting, notice shall be issued to each member of the Council for ordinary Council meetings.

(5) Except as provided in subsection (6) each member of the Council shall be entitled to one vote at any meeting of the Council.

(6) The Council President, or the person acting as Chair of the Council meeting shall not vote except to break a tie.

(7) A special meeting of the Council may be called either by the President alone, or shall be called upon the written request of one-third of the members of the Council. The request(s) shall include the subject(s) to be considered. At a minimum of three (3) days prior to a special meeting of the Council, notice in writing shall be issued to each Council member.

(8) No business other than the business for which the meeting has been called, shall be conducted at a special meeting.

22. **Annual General Meetings**

(1) The Council shall hold an Annual General Meeting of the Association which must be held in Nova Scotia at a time and place determined by the Council.

(2) The Executive Director must provide notice of an annual general meeting with the following information to every member at least 21 days prior to the meeting:

(a) details of the date, time and place of the annual meeting;
(b) a copy of the agenda; and
(c) a copy of the minutes of any preceding annual meeting

(3) A quorum at an Annual General Meeting of the Association shall be 35 voting members of the Association.

(4) The following matters must be considered at an Annual General Meeting:

(a) approval of the minutes of the previous Annual General meeting;
(b) the report of the President;
(c) the report of the Executive Director;
(d) a financial report, including the presentation of financial statements;
(e) any Resolutions determined by Council to be in order in accordance with Section 27 of the Bylaws, that are proposed by the members and delivered to the Executive Director prior to the mailing of the notice for the Meeting;
(f) the annual fees for active membership unless such fees have been otherwise approved at a special general meeting of the Association; and
(g) any other matters as determined by the Council.

23. Order of Business at Annual Meetings

(a) determination of quorum, through the Executive Director reporting on:
  (1) the number of members present at the meeting;
  (2) the number and category of members on the Register.
(b) review and approval of the Minutes of the last annual meeting and of any subsequent meetings of the Association;
(c) business arising out of the Minutes; (d) report of the President;
(e) Executive Director's Report;
(f) Financial Report;
(g) Report of Scrutineers;
(h) Elections, if required;
(i) Report of Committees;
(j) installation of officers;
(k) approval of Budget; and
(l) new business.

24. Special Meetings of the Association

(1) Special meetings of the Association may be called at any time at the request of two-thirds of the members of the Council present at any Council Meeting or at the written request of not less than 10 members of the Association.

(2) Thirty-five voting members shall constitute a quorum for the transaction of business at a special meeting of the Association.

(3) Notice of a special meeting shall be given at least 21 days prior to the date of the special meeting, indicating the time, place and business to be transacted at the special meeting. No business other than the business for which the meeting has been called, shall be conducted at a special meeting.

25. **Procedures at Council and Association Meetings**

(1) Except as these Bylaws otherwise provide, the most recent edition of Robert's Rules of Order governs the procedures of all Council and Association meetings.

(2) The Council may make rules for elections and voting provided they are not in conflict with these Bylaws.

(3) Any Council or Association meetings conducted pursuant to the Act, Regulations, or Bylaws, with the exception of the Annual General Meeting or Special Meetings of the Association, may be conducted by teleconference or other electronic means.

(4) The accidental omission to deliver notice of a meeting to or the non-receipt of a notice by any member or Council member entitled to receive notice does not invalidate proceedings at that meeting.

(5) The proceedings at meetings of the Council or Association may be recorded by the Executive Director for purposes of assisting in the preparation of the minutes of such meeting. In the event the proceedings are recorded, the recording shall only be used for purposes of the preparation of the minutes, and shall not be available for any other purpose unless otherwise determined by Council.

26. **Resolutions Proposed by Members in Advance of an Annual or Special Meeting**

(1) Any voting member may deliver a written notice to the Executive Director requesting the introduction of a resolution at least 45 days prior to the date of an Annual or Special meeting.

(2) Council shall review any proposed resolution to determine whether the resolution is consistent with the objects of the Association, within its jurisdiction, and appropriate and ready for discussion at an annual or special meeting.

(3) Where Council determines that the proposed resolution should form part of the agenda of an annual or special meeting, the Executive Director shall deliver notice and a copy of the resolution to each voting member.

(4) A proposed resolution approved by Council for consideration at an annual or special meeting shall be placed on the agenda for such meeting and voted on in accordance with the procedures set out in these Bylaws.

27. **Resolutions Introduced by Members at an Annual or Special Meeting**

(1) A voting member may propose a resolution that is not on the agenda of the annual general meeting from the floor of the annual general meeting if the Chair is satisfied that the resolution is consistent with the objects and purposes of the Association and within its jurisdiction.

(2) A resolution proposed from the floor at an annual general meeting that receives the Chair's approval pursuant to subsection (1) shall be added to the agenda of the Association's meeting and voted upon in the manner as set out in these Bylaws.

28. **Voting at Annual General or Special Meetings of the Association**

(1) Voting members are eligible to vote at an Annual General or Special Meeting of the Association.

(2) Voting members who are absent from the meeting room during the vote are deemed to have abstained.

(3) A vote on a matter presented at an Annual General or Special Meeting of the Association where a quorum is established, is passed by a majority of the voting body in attendance at the time the vote is taken.

(4) Prior to commencement of the Annual General meeting or a Special Meeting where voting is held, the Executive Director shall appoint three scrutineers, who may or may not be members of the Association, and who may or may not be the same scrutineers who have overseen the counting of ballots for elections prior to an Annual General meeting.

(5) The Executive Director shall oversee the work of the scrutineers.

(6) Scrutineers shall

(a) in the event of an election conducted at an Annual General meeting, open and count the ballots for the election;
(b) count votes on resolutions and motions during the meeting; and
(c) report to the person chairing the meeting.

(7) Scrutineers who are voting members are eligible to vote at the Annual or Special meeting of the Association where they are acting as scrutineers.

29. **Notices**

Any notices required to be sent pursuant to the Act, Regulations or Bylaws may be sent electronically, by mail, or by courier, and shall be deemed to be sent on the date such notices are transmitted or sent.

30. **Committees**

(1) In addition to committees established pursuant to the Act or the Regulations, Council may appoint committees to perform such duties as determined by Council.

(2) Unless otherwise prescribed by the Act or Regulations, committee appointments are for a term of one year, and may be renewed for such additional terms as determined by Council.

(3) Committee appointments are made by Council.

(4) The majority of the membership on the committee shall constitute a quorum for all committees, unless otherwise specified in the Act or the Regulations.

(5) Except as the Act, the Regulations, or these Bylaws otherwise provide, the most recent edition of Roberts Rules of Order shall govern the procedures at committee meetings.

(6) Any committee may conduct meetings by mail, electronic or such other means as determined by the Committee Chair. Notwithstanding the foregoing, the Hearing Committee, when conducting a hearing, must meet in person and cannot meet electronically except to deal with administrative or procedural matters.

(7) Each Committee Chair shall prepare and submit an annual report of its activities to the Council.

(8) A committee member may be removed by a majority vote of the Council.

(9) Expenditures by any committee shall be limited to those funds approved in the annual budget of the Association, unless further approval of Council has been obtained.

31. **Fees**

(1) Any changes to the annual fees for active membership shall be voted on at the annual meeting or at a special meeting of the Association.

(2) There shall be no annual fee charged either to a life member or to a retired member with 30 years or more as an active member.

(3) All other fees shall be determined by the Council.

(4) The following procedure applies for non-payment of annual fees:

(a) the Executive Director shall not later than the 1st day of November in each year notify each member in writing:

(i) that the annual fee for the new year is due and payable on the 1st day of January;

(ii) of the provisions of subsections (b) and (c);

(b) where a member has not paid the required fee by January 1st of any year, the member shall be required to pay a late fee determined by Council, in addition to the annual fee;

(c) the Executive Director shall, on or before the 15th day of January, notify any member whose fee for the current year has not been paid that unless the fee is paid on or before March 1st of that year, membership shall be suspended. In the case of an active member the member shall be unable to practice after March 1st. In order to lift any suspension pursuant to this clause, the member must pay any outstanding fees, pay a reinstatement fee as determined by Council, and meet all other requirements for renewal of membership as set out in the Act and Regulations.

(5) Despite the provisions of subsection (4), Council may make provision for payment of the annual fee by installments, together with a surcharge. The amount of the surcharge may be decided from time to time by Council. Council may also make guidelines respecting the collection of these installment payments, including the right of refusal of this privilege to any member. A default on any installment payment shall cause any outstanding payment(s) to be due and payable immediately.

32. **Life Members**

(1) Life membership may be granted to a member who has made an outstanding contribution to the Association.

(2) An outstanding contribution to the Association referred to in subsection (1) shall include at least one term on the Council in combination with two or more of the following:

(a) active service of not less than 15 years on one or more committees of the Association;

(b) service as President of the Association for one or more terms;

(c) contribution to the enhancement of the professional standing of the Association through good public relations with other professional organizations and the public at large;

(d) leadership in setting new directions in the field of land surveying or related disciplines;

(e) participation in the development of new techniques or equipment in surveying or mapping;

(f) significant contribution to the Association through research and publication of papers relating to land surveying and related disciplines.

(3) The granting of life membership shall follow nomination by a member of the Association, approved by 75 percent of the Council, and subsequent approval by a majority of members present at an annual meeting of the Association.

(4) At no time shall the number of life members exceed 25 except by unanimous approval of the Council and subsequent approval by a majority of the members present an annual meeting of the Association.

(5) Life members shall be entitled to:
- (a) be eligible for election, and if elected, hold office in the Association;
- (b) serve and be appointed as a member to any committee of the Association;
- (c) receive all official Association publications; and
- (d) attend, participate and vote at meetings of the Association.
- (e) subject to Section 11 of the Regulations, practice professional land surveying.

33. Retired Category of Membership

(1) A retired member is a person
- (a) who has resigned active membership in the Association;
- (b) who, at the time of registration was not in default of payment of any fee, levy or cost imposed under the Act, Regulations or Bylaws of the Association;
- (c) whose professional conduct or competence was not the subject of proceedings before any committee at the time of resignation;
- (d) whose license was not under suspension, conditions or restrictions at the time of resignation; and
- (e) who makes application to be a retired member.

(2) Retired members seeking reinstatement to active membership status are subject to the requirements of the Act and Regulations.

(3) Subject to Section 31(2) of the Bylaws, retired members shall pay such fees for membership as determined by Council.

(4) Retired members shall be entitled to:
- (a) Subject to successful participation in the Professional Development Program, vote, be eligible for election, and if elected, hold office in the Association;
- (b) serve and be appointed as a member to any committee of the Association;
- (c) receive all official Association publications;
- (d) attend, and participate at meetings of the Association; and
- (e) use the designation "NSLS." after their name.

34. Associate Members

(1) Associate membership may be granted to persons who are not qualified to practice professional land surveying in Nova Scotia but whose interests are closely associated with the surveying profession.

(2) Associate members shall be entitled to attend annual meetings and to receive all publications of the Association, but shall not vote in any elections, or on any business of the Association.

(3) Associate members shall pay such fees as determined by Council.

35. Honorary Members

(1) Honorary membership may be granted to persons who have made outstanding contributions to the advancement of the profession of land surveying.

(2) Honorary membership shall not be granted to persons who are members of, or who are eligible for membership in the Association.

(3) The granting of honorary membership shall be after nomination by an active member and unanimous vote of the Council, with subsequent election by a majority of voting members at an annual meeting.

36. Professional Development Program

(1) A professional development program will be established and administered by Council, and facilitated by the Professional Development Committee appointed by Council.

(2) The professional development program will set out the professional development credits required for active members, retired members who wish to be a voting member as defined in these Bylaws, and for those life members who practice professional land surveying. The professional development credits under subsection (2) shall be established by the Professional Development Committee and approved by Council.

(3) Members participating in the professional development program will accumulate credit points as determined by the Professional Development Committee, based on their participation in the following:

(a) Annual General meetings, special meetings, zone meetings, or meetings of Committees of the Association;

(b) land surveying related conferences, seminars or workshops organized by the Association or other groups approved by the Professional Development Committee;

(c) recognized credit or noncredit courses offered by education institutions approved by the Professional Development Committee; and,

(d) activity that is deemed to enhance the profession or the member's ability to practice professional land surveying, as approved by the Professional Development Committee.

(4) The Executive Director shall maintain a current record of professional development credits accumulated by each member who participates in the professional development program.

(5) The Professional Development Committee shall review the professional development program on an annual basis and present a report to Council.

(6) The Professional Development Committee may consider medical reasons or exceptional circumstances of a member as exemptions to this Program.

(7) Where a member fails to complete the required professional development credits within any reporting period, the following shall apply after being given a 30-day notice;

(a) In the case of an active member, membership shall be suspended for 30 days, notice shall be posted on the Association website for the duration of the suspension, and the member shall not be eligible to engage in the practice of professional land surveying;

(b) In the case of a life member who practices land surveying, a 30-day notice shall be posted on the Association website and the member shall not be eligible to engage in the practice of professional land surveying for 30 days;

(c) In the case of a retired member, the member will no longer be classified as a voting member.

(d) A member may appeal the suspension, pursuant to section 36 (6), which will halt the 30-day notice until appeal is deemed resolved by the Professional Development Committee.

(8) In order to lift any suspension imposed pursuant to subsection (7), the member must pay a reinstatement fee of 50% of an Active Member's annual dues and the member must complete the required professional development credits by the end of the calendar year.

(9) Where a member submits a completed Mandatory Professional Development Points Reporting Form after the reporting period deadline, the member must pay an administrative fee of 10% of an Active Member's annual dues.

(10) Council may:

(a) Make recommendations to and otherwise assist appropriate institutions with respect to the establishment of full-time or part-time courses or programs related to survey education;

(b) Make recommendations to and otherwise assist appropriate institutions with respect to the development of surveying techniques, equipment and standards;

(c) Arrange programs of continuing education in surveying, office practices, and related matters;

(d) Establish such other programs as may from time to time be appropriate for the further professional development and continuing good practice of members.

37. Employees

(1) Council shall appoint such employees as it considers necessary to conduct the business of the Association and shall prescribe the remuneration, benefits and conditions of employment.

(2) The employment of an individual appointed by Council shall only be terminated by Council.

(3) The remuneration, job description and conditions of employment shall be set out in writing.

38. Scholarships

The term and amounts of scholarships, bursaries and prizes shall be established by Council from time to time.

39. Practice Review Advisory Committee

(1) Further to Part IV of the Regulations, Council shall appoint a Practice Review Advisory Committee that shall be comprised of not less than three members. The members of the Committee may elect one from among them to serve as Chairman if necessary. At least two members of this committee shall be representative of members in private practice.

(2) The function of the Committee shall be to provide advice and assistance to the Practice Review Department with respect to practice issues and professional land surveying standards and it shall monitor the Practice Review Program.

(3) The Practice Review Advisory Committee shall also serve as ombudsman to members who may feel they have been treated unfairly by the Practice Review Department.

40. Code of Conduct and Conflict of Interest Policy

A Code of Conduct for Council members and Association volunteers and employees is set out in Schedule "A" to these Bylaws, and a Conflict of Interest policy for Council members and Association volunteers and employees set out in Schedule "B".

41. **Registration**

(1) Board of Examiners

In addition to roles and responsibilities defined in the *Land Surveyors Act* and Regulations, The Board of Examiners shall:

(a) Encourage educational institutions to develop and continuously update surveying and geomatics programs in accordance with the requirements of the Board;

(b) Determine and publish a syllabus for professional courses. Professional courses shall include:

i. Statute Law in Nova Scotia

ii. By-Laws, Standards of Practice, Code of Ethics and jurisdictional knowledge unique to Nova Scotia;

(c) Ensure that the professional courses are continuously reviewed and updated so that the candidate members are qualified at the current level of development of the land surveying profession;

(d) Set examinations for the professional courses as required;

(e) Set the fees for processing applications;

(f) Assign a Professional Survey Project to each candidate member, the objective of which is to ensure the Board that the candidate is capable of practicing professional land surveying.

(g) Prepare a 'Handbook', to be approved by Council which will assist and guide candidates through the process of Registration;

(h) Prepare an annual report to be presented to Council;

(i) Keep an accurate record of all article time served, correspondence, examination marks, and other relevant information, and provide a transcript of marks to the candidate member and to persons authorized by the candidate member.

(2) Articles

(1) Subject to Section 19 of the Regulations, candidate members shall enter into articles with a Nova Scotia Land Surveyor.

(2) No more than one candidate member at a time shall be articled to a Nova Scotia Land Surveyor. Under special circumstances that satisfy the Board, two candidates may be allowed.

(3) The information contained in Schedule "C" of these By-laws will be used by the candidate and the Nova Scotia Land Surveyor to ensure that the appropriate experience is attained, and will be used by the Board to determine whether the period of articles has been successfully completed.

(4) The Board, however, may reduce the required article time up to 50% based on a candidate's experience.

Schedule "A"

CODE OF CONDUCT FOR COUNCILLORS, VOLUNTEERS, AND STAFF

1.1 Councillors, volunteers and staff shall at all times act in compliance with all Association of Nova Scotia Land Surveyors (ANSLS) By-Laws and Policies.

1.2 Council expects ethical and businesslike conduct of its Councillors, volunteers and staff. Council works to set the policies and strategic direction for the ANSLS. Councillors, volunteers and staff shall exercise the degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

1.3 Councillors, volunteers and staff must be loyal to the ANSLS and adhere to the conflict of interest policy in the By-Laws. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups, individual land surveyors, or membership in other organizations. It also supersedes the personal and business interests of any Councillor, volunteers or staff.

1.4 Councillors, volunteers and staff shall respect the confidentiality applicable to the Council's deliberations or materials. Confidential or proprietary information must be safeguarded and shall not be disclosed externally. All Councillors, volunteers and staff shall sign confidentiality agreements.

1.5 Individual Councillors, and volunteers shall not exercise authority over the Executive Director or staff of the ANSLS.

1.6 Councillors, volunteers and staff are accountable to exercise the powers and discharge the duties of their office honestly and in good faith.

1.7 Council is committed to effective decision-making. Once a decision has been made, it becomes the position of the ANSLS.

1.7.1 Council will endeavour to make decisions by consensus. A consensus decision is one that can be supported by all councillors and staff, provided that all points of view have been reasonably considered. Where this is not possible, decisions will be made by majority vote unless otherwise required in the By-Laws.

1.7.2 Council will encourage and provide an atmosphere conducive to the respectful expression of different viewpoints and perspectives since a broad range of ideas increases the potential for more informed and effective decisions. Councillors and staff shall respect each other's contribution to the discussion and encourage each other to present their views.

1.7.3 Councillors, volunteers and staff have an obligation to ensure that their opinions and views are expressed appropriately.

1.7.4 Councillors, volunteers and staff have an obligation not to undermine the decisions of Council. Council decisions may be revisited in appropriate circumstances using accepted rules of procedure.

1.7.5 Councillors, volunteers and staff shall refrain from criticising in a public forum the actions or decisions of Council.

1.8 Councillors, volunteers and staff acknowledge and appreciate that time is at a premium for volunteers. Councillors, volunteers and staff shall strive to manage time effectively and agree to come prepared for meetings. Councillors, volunteers and staff will be familiar with council or committee meeting materials which are pre-circulated.

1.9 Should a member of Council obtain employment with the ANSLS, they must resign from Council.

Schedule "B"

CONFLICT OF INTEREST POLICY

1.1 Councillors, volunteers and staff will conduct all of their affairs to the highest standards of ethical and lawful behaviour.

1.2 Councillors, volunteers and staff shall not use their position with the Association of Nova Scotia Land Surveyors (ANSLS) for any improper purpose.

1.3 Councillors, volunteers and staff will avoid all situations in which their personal or business interests conflict or might conflict with their duties to the ANSLS.

1.4 Councillors, volunteers and staff who find themselves in an actual or potential conflict of interest shall so declare and absent themselves from both the discussion and votes on such matters.

1.5 Councillors, volunteers and staff who declare their actual or potential conflict of interest are included in determining a quorum.

1.6 Councillors, volunteers and staff who declare an actual or potential conflict of interest will be noted in the Minutes by name.

1.7 Councillors, volunteers and staff shall not accept gifts from current or prospective clients or suppliers.

Schedule "C"

TERMS OF REFERENCE FOR ARTICLES

General

The period of articles shall include 24 months of acceptable professional land surveying work experience based on the *Guidelines* and *Elements* stated below. The 24 months of experience assumes a minimum of 3300 hours that must be totaled, signed off by the Nova Scotia Land Surveyor and submitted to the Board. The Nova Scotia Land Surveyor only signs off on the articles when they feel that the candidate has acquired the appropriate level of experience to obtain active membership. For a minimum of 50% of the 24 months a Candidate shall be in a supervisory position or role. The objective of this work experience is to ensure that all candidates gain acceptable experience that is practical and varied, and to allow them to progress to the level of maturity required to make reliable professional judgments

Guidelines

1. Application of Theory
   The skillful application of theory is an important component of professional land surveying. Experience should include active participation in and supervision of:
   - (a) project research and analysis, including scope and operating conditions, safety and environmental issues, economic feasibility, technical merit;
   - (b) collection and assessment of field evidence;
   - (c) applying technical and legal solutions;
   - (d) making final project decisions in a practical and timely manner;
   - (e) delivering final product and managing finances/budget.

2. Practical Experience
   The Candidate may gain experience by:
   - (i) Attending work sites, locating and assessing evidence, taking measurements, setting out positions, dealing with clients, regulatory authorities and the public;
   - (ii) Conducting research at relevant locations, and applying statutes and regulations to projects;
   - (iii) Observing and participating in all record keeping requirements and practices including field notes and project files;
   - (iv) Reading and understanding the legal aspects of relevant contracts and ensuring the terms are followed;
   - (v) Achieving an understanding of professional and business ethics and applying this understanding in their business practices;
   - (vi) Gaining an insight into the importance of being part of a team, and participating in a team environment.

3. Management
   It is important that the candidate gain firsthand knowledge of management techniques by:
   - (i) Ensuring that all aspects of a project assigned to them are effectively managed including cost, time, human resources, material and equipment;
   - (ii) Accurately estimating project costs, resources and time,

(iii) Dealing effectively with issues as they arise during the course of a project such as cost overruns, resource changes, and project/company priorities;

(iv) Participating in the analysis of the collected information, the determination of conclusions and decisions on appropriate action to be taken.

4. Communications

The Candidate must learn to communicate (both oral and written) effectively with management, colleagues, clients, government regulators and the general public by:

a. Presenting project status reviews and reports to management and peers;
b. Actively participating in meetings;
c. Preparing daily correspondence, record keeping, descriptions and final project reports;
d. Becoming involved in Association activities.

5. Professional Practice

The Candidate should become familiar with the objects and purpose of the Association of Nova Scotia Land Surveyors and the societal role of Nova Scotia Land Surveyors by:

a. Understanding the responsibilities in providing professional services;
b. Understanding the benefits that the profession provides to the public;

Elements of Experience

The Candidate must gain experience in the following elements of professional land surveying using the associated minimum time (percentage) criteria. The Guidelines should be applied to these elements as applicable.

Element	Minimum Time Percentage
Boundary Retracement	20
Boundary Establishment	10
Technical Surveys (eg. Site, control, location certificates, etc)	10
Research and Analysis of Evidence	5
Preparation of Description of reports	5
Professional Development (eg. Client interaction, estimates, business management, etc)	5
Discretionary Practice (determined by the candidate and the member)	45
Total	100