

Appendix A

(Bylaws & Acts related to Licensure)

Bylaws

- 10.1 A candidate for admission to the Association shall obtain a baccalaureate degree from a Land Surveying program approved by the Board of Examiners or pass such examination as prescribed by the Board.
- 10.2 The Board of Examiners shall make a report to the Council at the last meeting of the Council preceding the Annual General Meeting. This report shall consist of a list of articulated pupils and sponsors.
- 10.3 Any Newfoundland Land Surveyor who falsely certifies as to the service under articles of a student when such service has not yet been actually and bona fide performed in the manner intended and required by the By-Laws is guilty of an offence under that Act.

Land Surveyors Act (1991)

Regulations

11. The council may make regulations
 - (a) respecting the examination of applicants for admission as articulated students or for registration as land surveyors;
 - (b) respecting the time and place of examination of applicants;
 - (c) prescribing the period of service by an articulated student or other applicant for registration as a land surveyor;
 - (d) prescribing requirements for registration and admission to practice as a land surveyor;
 - (e) respecting appeals to the council regarding a refusal of the registrar to enter a name on the register of land surveyors maintained under this Act;
 - (f) respecting the keeping and maintaining by the registrar of records and registers of land surveyors, partnerships and corporate bodies practicing land surveying in the province;
 - (g) respecting the academic qualifications and the experience required of applicants for registration as land surveyors and the evaluation of those qualifications and that experience by the council or a committee appointed by the council;
 - (h) respecting the eligibility of applicants generally for registration to engage in the practice of land surveying in the province and the name under which they may practice;

Articled students

17. A person shall not be admitted as an articled student with a land surveyor unless that person has passed examinations in subjects which the board prescribes.

Admission as articled student

18. (1) An applicant for admission as an articled student shall, before being examined as required by section 17

- (a) give 1 month notice to the board of his or her intention to be present for examinations; and
- (b) pay to the treasurer fees required for the examination and certificate.

(2) An applicant for admission as an articled student who complies with section 17 and subsection (1) shall be admitted as an articled student.

Offense

19. A land surveyor who falsely certifies as to the articling service of a student when that service has not actually been performed in the manner required by this Act, the regulations or the by-laws commits an offense.

Registrar

20. The council shall appoint a member of the council as registrar.

Registration

21. (1) Every person who

- (a) has completed a course of study in a land survey program approved by the board;
- (b) has passed examinations in subjects prescribed by the board;
- (c) has served an articling period under a practicing land surveyor or has completed practical field and other experience considered necessary by the board; and
- (d) has paid the necessary fees as required by the association is entitled to be registered as a land surveyor and to practice land surveying in the province.

(2) Every person who is entitled to registration under this section shall, before receiving a certificate of registration under section 23, take the following oath or affirmation:

"I, A.B., of _____, swear (or affirm) that I will faithfully and diligently, to the best of my ability discharge the duties of a land surveyor according to law and without favour, prejudice or partiality to any person." (In the case where an oath is taken, add "So help me God".).

Exception to S.21

22. Subject to the approval of the council, every person
- (a) who is registered as a land surveyor, with an association of land surveyors in a province or territory of Canada; or
 - (b) who is registered as a land surveyor, with an association of land surveyors in another country where qualifications are satisfactory to permit the practice of land surveying in the province; and
 - (c) who, where the council considers it necessary,
 - (i) successfully completes examinations set by the board, and
 - (ii) serves as an articulated student under a land surveyor for a period considered necessary by the council, shall be considered to have met the registration requirements of section 21.

Certificate of registration

23. (1) A person entitled to be registered under section 21 shall receive a certificate of registration in a form provided by the regulations.
- (2) The holder of a valid certificate of registration is entitled to engage in the practice of land surveying in the province.
- (3) Every certificate of registration issued under this section expires on March 31 following the date of issue unless revoked at an earlier date.

Offense

24. (1) A person who willfully attempts to obtain or obtains registration under this Act by making or producing a false or fraudulent representation or declaration either orally or in writing commits an offense.
- (2) A person who commits an offense under subsection (1) shall be refused registration or have his or her name removed from the registrar.
- (3) A member who knowingly assists a person under subsection (1) is subject to disciplinary action under sections 39 to 61.