

**Administrative Bylaws
Subsection 16(1)**

Title

- 1 These bylaws may be cited as *The Engineering and Geoscience Professions Administrative Bylaws, 1997*.

Definitions

- 2 In these bylaws:
- (a) "Act" means *The Engineering and Geoscience Professions Act*;
 - (b) **Repealed**;
 - (c) **Repealed**;
 - (d) "Executive Director" means the person appointed pursuant to section 19;
 - (e) **Repealed**.

ASSOCIATION

Location of head office

- 3 The head office of the Association shall be located in the City of Regina.

Seal

- 4 The seal of the Association shall be the seal whose imprint is affixed to these bylaws as Appendix A.

Execution of documents

- 5 Subject to section 6, documents to be executed on behalf of the Association shall be signed by the president and the Executive Director and sealed with the seal of the Association.

Banking and financial

- 6(1) The following employees and officers of the Association are authorized to approve financial commitments and authorize payments within the dollar range specified:

- (a) the Executive Director or his or her designate, amounts less than

\$6,000;

(b) the Executive Director, or the President, or the Vice-President, or the President Elect, or the immediate Past President, amounts between \$6,000 and \$15,000;

(c) the Executive Director or his or her designate, with the concurrence of any one of the President, Vice-President, President Elect or immediate Past President, amounts more than \$15,000.

(2) At each regularly scheduled meeting of the Council, the Executive Director shall provide the most current balance sheet and statement of revenue and expenditure.

Fiscal year

7 The fiscal year of the Association is the calendar year.

Audit

8(1) The Council shall appoint a chartered accountant to be the auditor of the Association.

(2) The auditor shall annually, or more frequently as required by the Council, audit the books and accounts of the Association and shall, annually after the completion of the fiscal year, furnish a statement of the Association's financial affairs, which shall be presented at the annual meeting of the Association.

ELECTED COUNCILLORS

Number and composition

9 For the purposes of subsection 9(2) of the Act, the total number of councillors to be elected to the Council is 11, including:

- (a) the president;
- (b) the president-elect;
- (c) the immediate past president;
- (d) the vice-president; and
- (e) **Repealed;**

- (f) **Repealed;**
- (g) **Repealed;**
- (h) **Repealed;**
- (i) seven members-at-large.

9.1 The reduction to 11 elected Councillors will take place through attrition but retaining staggered terms of Councillors by electing a minimum of two members-at-large Councillors each year until Council size is reduced to 11 elected Councillors, beginning with the 2022 Council elections.

Term of office

10(1) For the purposes of subsection 9(7) of the Act, each elected councillor holds office for the period of time specified below and until his or her successor is elected:

- (a) the president, president-elect, immediate past president and vice-president hold office for a term of one year;
 - (b) all other councillors hold office for a period of three years.
- (2) **Repealed.**
 - (3) **Repealed.**

PROCEDURES FOR ELECTION

Classification in electoral groups

- 11(1) Repealed.**
- (2) **Repealed.**

Eligibility for nomination

- 12(1)** Only members in good standing are eligible for nomination.
- (2) Only a person who has served for at least one full year, from the close of business at one annual meeting to the close of business at the next annual meeting, as a Councillor prior to the date on which he or she would take office is eligible for nomination to the office of president-elect.

- (3) **Repealed.**
- (4) **Repealed.**
- (5) **Repealed.**
- (6) **Repealed.**
- (7) Only members who are compliant with the requirements of the Association's Continuing Professional Development (CPD) Program as specified in the *Regulatory Bylaws* (Section 23.2 and Appendix 5) and as described in the CPD Program document approved by Council are eligible for nomination. Members who are in a CPD remediation position are not eligible.

12.1(1) Repealed.

- (2) **Repealed.**
- (3) **Repealed.**

12.2(1) Members-in-Training are only eligible to run for member-at-large positions.

Nominations

13(1) The Council shall appoint a nominating committee consisting of the immediate past-president, who shall chair the committee, and at least two other members of the Association.

- (2) The nominating committee shall, wherever possible, nominate:
 - (a) for president, the person holding the office of president-elect;
 - (b) one person for president-elect;
 - (c) at least two persons for vice-president; and
 - (d) at least two persons for each vacancy on the Council to be filled by election.
- (3) **Repealed.**
 - (3.1) At least 95 days prior to the date fixed by Council as polling day,

applications from members to be considered by the nominating committee shall be submitted.

(3.2) At least 45 days prior to the date fixed by Council as polling day, the nominating committee shall submit its list of nominees to the Registrar.

(4) **Repealed.**

(5) **Repealed.**

(6) All applications must be accompanied by the written consent of the applicant.

(7) Nominees will be selected by the nominating committee, using procedures approved by Council.

Eligibility to vote

14(1) All members are entitled to vote for all positions on Council, except for the position of Past President.

(2) **Repealed.**

(3) **Repealed.**

(4) **Repealed.**

(5) **Repealed.**

Conduct of election

15(1) Council shall prescribe the form of the ballot, which shall contain instructions to vote as set out in these bylaws, on which the names, city/town of residence and professional designation of all nominees shall be placed in the alphabetical order of the surnames of the nominees.

(2) The Registrar shall, at least 20 days before the date fixed by the Council as polling day, or as soon as possible in the case of a member registered after that day, mail or deliver to each member a ballot together with two envelopes, one of which shall be marked "Ballot" and the other of which is addressed to the Registrar with provision to insert the name and address of the member voting.

(3) The member shall:

(a) vote for the required number of candidates to fill each vacancy, as indicated on the ballot, by marking an "X" opposite the name of the

candidate of the member's choice;

(b) place the completed ballot in the envelope marked "Ballot" and seal the envelope;

(c) place the sealed ballot envelope in the envelope addressed to the Registrar and insert his or her name and address on that envelope in the space provided; and

(d) mail or deliver the ballot to the Registrar.

(4) In order to be counted ballots must reach the Registrar by 5:00 p.m. on the date fixed by Council as polling day.

(5) The Registrar shall appoint at least two scrutineers and any candidate for election is entitled to have a scrutineer present when the ballots are counted.

(6) At the close of the poll, the Registrar or his or her designate shall certify the eligibility of each voter by initialling the envelope addressed to the Registrar and shall deliver the envelopes to the scrutineers who shall count the votes and report the result of the vote to the Registrar.

(7) In the case of a tie vote for any office, the president shall cast the deciding vote.

15.1(1) Notwithstanding section 15, a member may vote electronically as prescribed by such terms and conditions established by Council from time to time and such vote shall be received and treated by the Association as having the same force and effect as if sent by letter ballot pursuant to section 15.

(2) Any form of electronic ballot shall contain instructions to vote, and the names, city/town of residence and professional designation of all nominees shall be placed in the alphabetical order of the surnames of the nominees.

(3) At least 20 days prior to the date fixed by the Council as polling day, the Registrar shall give the members of the Association notice that electronic voting shall commence on the 20th day before the date fixed by the Council as polling day.

(4) In order to be counted, electronic votes must be received by 5:00 p.m. on the date fixed by Council as polling day.

15.2 When an engineer or geoscientist is required to be elected to maintain compliance with subsection 9(3) of the Act, the engineer or geoscientist with the highest number of votes, as the case may be, will be elected to Council.

OFFICERS AND EMPLOYEES

President

16 The President shall perform all the duties imposed on the president by the Act and the bylaws and generally supervise the affairs of the Association and the Council.

President-elect

17 The President-elect shall have all of the powers of the president in the absence of the latter and shall fill the office of president if the president resigns or is incapacitated.

Registrar

18 The registrar shall perform the duties imposed on the registrar by the Act and the bylaws and all other duties incidental to the office of registrar.

Executive Director

19(1) The Council shall appoint an Executive Director.

(2) The Executive Director shall perform the duties imposed on the Executive Director by the Act and the bylaws and shall:

- (a)** wherever possible, attend all meetings of the Association and the Council;
- (b)** keep proper minutes of the meetings, send out all notices on behalf of the Association, the Council and any committees of the Association or the Council;
- (c)** conduct all correspondence;
- (d)** keep the Association's seal and records;
- (e)** under the direction of the Council, collect and receive, pay out or invest all monies due and payable to and by the Association;
- (f)** keep proper books of account in which are entered all monies received and paid out by the Association;
- (g)** prepare and submit to the annual meeting of the Association the financial statement, duly certified by the auditor of the Association, of the annual revenues and expenditures of the Association;

- (h) furnish any other financial reports that may be requested by Council;
and
 - (i) perform all duties incidental to the office of Executive Director and any others that may be assigned to the office by the Council.
- (3) The Executive Director shall, at the expense of the Association, be bonded for the faithful performance of his or her duties with a surety company in an amount satisfactory to the Council.

MEETINGS

Council

- 20(1) The Council shall meet at the call of the president.
- (2) The president shall convene the Council to a meeting to be held within 14 days following the receipt by the president of the written request of four councillors.

Association

- 21(1) The annual meeting of the Association shall be held in the first six months of each year at a place in Saskatchewan determined by the Council.
- (1.1) Council may, when it determines that exceptional circumstances exist and with the approval of not less than three-quarters of the Councillors, set the date, time, format and place in Saskatchewan of the annual meeting at any time during each calendar year.
- (2) The business of the annual meeting shall include:
- (a) minutes of the last annual and all subsequent meetings of the Association;
 - (b) business arising out of the minutes;
 - (c) president's report;
 - (d) report of committees;
 - (e) audited financial report;
 - (f) new business;

(g) report of the scrutineers on the results of the voting.

(3) For the purposes of subsection 8(4) of the Act, notice of meetings of the Association shall be sent by ordinary mail, facsimile or electronic mail transmission to the address or facsimile number or electronic address shown in the records of the Association.

21.1 Repealed.

(4) When Council sets the date, format and place in Saskatchewan of an annual meeting or special meeting, the format of the meeting may be:

- (a) an in-person meeting of members; or
- (b) a meeting of members held in an electronic format; or
- (c) a combination of (a) and (b) above.

Quorum

22 A quorum for a meeting of the Association consists of the members present at the meeting.

Procedure at meetings

23 Repealed.

Proceedings at Virtual meetings

23.1(1) Repealed.

23(1) Unless otherwise provided, the procedure at all meetings of the Association and of the Council shall be governed by the procedures as follows:

- (a) for meetings pursuant to subsection 21(4)(a), Appendix E;
- (b) for meetings pursuant to subsection 21(4)(b), Appendix F;
- (c) for meetings pursuant to subsection 21(4)(c), Appendix E for those participating in the meeting in person, and Appendix F for those participating in the meeting in an electronic format; and

in cases not provided for, by the rules set out in *Procedures for Meetings and Organizations*, third edition, (M. Kaye Kerr and Hubert W. King, Toronto Canada: Carswell, 1996) or any subsequent editions.

COMMITTEES

Establishment

24 Where the Council establishes committees pursuant to subsection 14(1) of the Act:

- (a) the committees shall perform their duties under the direction of the Council;
- (b) a majority of committee members constitutes a quorum;
- (c) committee members may, in the discretion of the Council, be paid reasonable travelling expenses incurred in the course of their duties.

FEES

Membership

25(1) The annual membership fee payable for all members is \$85.00.

(2) A member who is 65 years of age or more or who was designated a life member pursuant to *The Engineering Profession Act*, as it existed on March 6, 1997, and who is retired is not required to pay the membership fee described in subsection (1).

Licences

26(1) The annual fee payable for an annual licence or restricted licence is \$365.00.

(2) The annual fee payable for a temporary licence is \$450.00.

(3) The annual fee payable for an annual licence as a member-in-training is \$265.00.

(4) A member who obtains licences as both a professional engineer and a professional geoscientist is required to pay only one licence fee.

(5) Any annual fee paid in respect of obtaining a licence as a member-in-training is subtracted from any annual fee required to be paid in respect of the same calendar year for a licence as a professional engineer or professional geoscientist.

Certificates of authorization

27(1) The annual fee payable for a certificate of authorization:

- (a) in the case of a holder who employs fewer than six professional engineers and professional geoscientists, is \$400.00; and
- (b) in the case of a holder who employs six or more professional engineers and professional geoscientists, is \$800.00.

Administrative fees

28(1) Subject to subsection (2), the processing fee payable for:

- (a) registration as a member-in-training is \$200.00;
- (b) registration as either a professional engineer or a professional geoscientist is \$300.00;
- (c) registration as an engineering or geoscience licensee is \$300.00;
- (d) a temporary licence is \$300.00;
- (e) repealed;
- (f) a certificate of authorization is \$325.00.

(2) Any processing fee paid in respect of obtaining registration as a member-in-training is subtracted from any processing fee required to be paid for registration as a professional engineer or professional geoscientist.

(3) The fee payable in respect of writing the "Principles of Professional Practice" examination and attending the Law and Ethics seminar is \$305.00, unless an individual requires special arrangements to be made to write the examination, in which case an additional fee of \$250.00 is payable.

(4) The fee payable in respect of a required assessment of academic credentials is \$200.00.

Reinstatement fees

29 If a person ceases to be a member by reason of his or her failure to pay any required fee prior to January 31 in any year, the fee for reinstatement as a member:

(a) where the application for reinstatement is made during the same calendar year, is an amount equal to the fees that should have been paid in that year plus a penalty in the amount of 15% of those fees;

(b) where the application for reinstatement is made in a subsequent calendar year, is an amount equal to the prescribed fees required for registration as a member.

General

30(1) All annual fees are payable on or before January 31 of the year to which they relate.

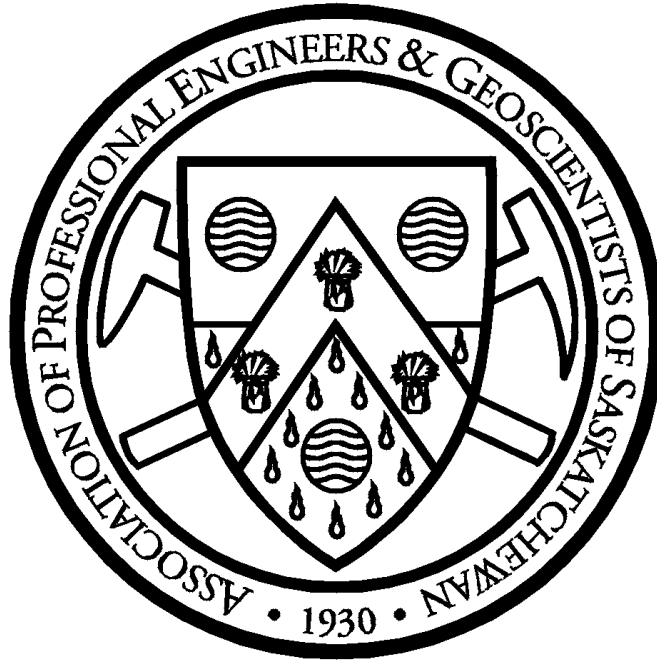
(2) Fees for certificates of authorization are subject to a 15% penalty for late payment.

(3) Any annual fee payable in the year of registration is pro-rated monthly based on the number of months remaining in the calendar year after the application has been approved, inclusive of the month in which approval occurs.

(4) Any taxes that are or may be levied on fees payable by members are in addition to the amounts specified in this section.

(5) The Council may, for cause, remit the whole or any portion of any fee or late payment penalty.

APPENDIX A
Seal of the Association
(Section 4)



APPENDIX B
Member-at-Large Electoral District Boundaries

Repealed.

APPENDIX C
Electoral Groups

Repealed.

APPENDIX D
Geoscience Electoral Districts
(Clause 9(h))

Repealed.

APPENDIX E
Procedures at Meetings
(Section 23)

Parliamentary Authority

Procedures for Meetings and Organization by M.K. Kerr & H.W. King, Carswell Legal Publications, Toronto, 1984, or later editions, shall govern the organization in all procedural matters not otherwise covered by *The Engineering and Geoscience Professions Act*, Bylaws, or these Rules and Procedures.

Voting Eligibility

Each member of the Association of Professional Engineers and Geoscientists of Saskatchewan is entitled to one vote at the annual meeting. Only those voting members present at the annual meeting and in possession of the designated “voting” identification card are eligible to vote during the sessions of the annual meeting.

Scrutineers

Scrutineers shall be appointed at the commencement of the annual meeting. If there are individuals present who do not have the right to vote, they should be encouraged to volunteer as scrutineers.

Rules of Debate

Limitation of Debate

The Chair shall exercise the responsibility of the Chair to limit the debate.

- Consideration of any item of business, whether introduced by motion or resolution shall be limited to 30 minutes.
- The chairperson shall warn the assembly that the question will be called within the next five minutes.
- Debate may be extended with permission of the assembly.

Speakers

Speakers shall use the microphones, state their name, place of residence and address the chair. The chairperson shall call speakers in the order in which they stand behind the microphones.

Motions

Motions must be made by a member and seconded by a member. To ensure accuracy, the chairperson will request that a motion be submitted in writing and be signed by the mover and seconder.

Each person except the mover of a motion may speak once to each motion.

The mover of a motion may speak twice:

- in making the motion, the mover shall identify the seconder of the motion, then continue to speak to the rationale and/or reasons for proposing this motion.
- a second time to close debate.
- at the request and on the invitation of the chairperson, the mover may correct misconceptions or offer explanation. This will not be considered speaking for the second time or closing debate.

The seconder shall speak immediately following the mover in order to formally second the motion and speak in support of it.

Amendments

Amendments must be introduced by motion, in accordance with the rules for motions set out above, and be voted on before the main motion is put to a vote.

The mover of an amendment may speak only at the time of proposing the amendment. Each person who speaks to an amendment shall be limited to a maximum of two minutes. No more than two amendments may be on the floor at the same time.

Resolutions and Motions

Resolutions and motions shall be decided by the majority (50% + 1) of votes cast, ignoring abstentions. Because abstentions are not “votes” they are not counted in the total votes cast. Therefore, the practical effect of an abstention is an indication of support for the prevailing side on the vote. While it is the duty of members who have an opinion on the question to express it by their vote, persons cannot be compelled to vote.

Abstentions shall not be counted or recorded but, in a conflict of interest situation, the name of the member who abstained shall be recorded at the member’s request.

Voting Procedure

The meeting room will be divided into at least three voting sections. One scrutineer shall be assigned to count the votes in each of the voting sections.

The assembly shall vote by show of hands, using the voter identification card.

In a situation where the chairperson cannot clearly determine a majority, the chairperson shall call for the scrutineers to count and request the assembly to vote again

APPENDIX F

Procedures at Electronic and In-Person/Electronic Combination Meetings
(Section 23)

Parliamentary Authority

Procedures for Meetings and Organizations by M.K. Kerr & H.W. King, Carswell Legal Publications, Toronto, 1984, or later editions, shall govern the organization in all procedural matters not otherwise covered by *The Engineering and Geoscience Professions Act*, Bylaws or these Rules and Procedures.

Voting Eligibility

Each member of the Association of Professional Engineers and Geoscientists of Saskatchewan is entitled to one vote at the annual meeting or special meeting of members. Only those members who have pre-registered to participate and vote, by a date and time established by Council and have logged into the secured electronic meeting, are eligible to vote at the annual meeting or special meeting of members.

Scrutineers

APEGS staff shall be appointed at the commencement of the annual meeting or special meeting of members to monitor the online electronic voting proceedings.

Rules of Debate

Limitation of Debate

The Chair shall exercise the responsibility of the Chair to limit the debate:

- Consideration of any item of business, whether introduced by motion or resolution shall be limited to 30 minutes;
- The Chair shall warn the assembly that the question will be called within the next five minutes; and
- Debate may be extended with the permission of the assembly.

Speakers

Speakers shall follow the electronic meeting engagement protocols as determined by Council and distributed prior to the annual meeting or special meeting of members.

Motions

All new business motions shall be submitted in writing to the Association office by a date and time established by Council, using the form provided by the Association. New business motions must be signed by the mover and seconder. New business motions may be signed in counterparts and delivered by electronic communications producing a printed or printable copy, each of which is deemed to be an original and such counterparts together shall constitute one and the same motion. Both the mover and the seconder must be present whether the meeting is held in electronic format (21(4)(b)) or combination in person/electronic (21(4)(c)) or the motion will be void. No new business motions from the floor will be accepted during a meeting held in only an electronic format. Each person except the mover of a motion may speak once to each motion.

Amendments

Amendments must be introduced by motion, in accordance with the rules for motions set out above and be voted on before the main motion is put to a vote. The mover of an amendment may speak only at the time of proposing the amendment. Each person who speaks to an amendment shall be limited to a maximum of two minutes. No more than two amendments may be on the floor at a time.

Resolution and Motions

Resolutions and motions shall be decided by a majority (50%+1) of votes cast, ignoring abstentions. Because abstentions are not “votes” they are not counted in the total votes cast. Therefore, the practical effect of an abstention is an indication of support for the prevailing side on the vote. While it is the duty of members who have an opinion on the question to express it by their vote, persons cannot be compelled to vote. Abstentions shall not be counted or recorded but, in a conflict-of-interest situation, the name of the member who abstained shall be recorded at the member’s request.

Voting Procedure

Voting shall be conducted electronically by those who have pre-registered and signed into the meeting, via the electronic means determined appropriate by Council. In a situation where the chairperson cannot clearly determine a majority, the chairperson shall call the question again and request those attending to electronically revote. If the meeting format is a combination of an in-person meeting and an electronic meeting pursuant to subsection 21.1(2)(c) of these bylaws, the votes from the in-person meeting and from the electronic meeting shall be combined to determine the outcome of the vote.

March 7, 1997

May 3, 1997

Amended December 5, 1997

Amended March 16, 2001

Approved by Council September 30, 2002 and Ratified by the Membership May 2, 2003

Amended April 30, 2004

Amended May 6, 2005

Amended May 5, 2006

Amended May 1, 2010

Amended May 7, 2011

Amended September 18, 2020

Amended May 1, 2021

Amended May 7, 2022