



2022 Draft By-law Proposals

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Proposal 1 – Self-Reporting in Another Jurisdiction

The addition of this by-law would require members who are registered with another regulatory body to inform Engineers Geoscientists Manitoba if they are disciplined or sanctioned in a way that limits, suspends, or terminates their registration by that other jurisdiction.

Though some engineering and geoscience jurisdictions do share their disciplinary decisions publicly, other jurisdictions have interpreted their privacy policies in a way that does not allow them to share these decisions. This new by-law will ensure that if there is a risk to the public involved, Engineers Geoscientists Manitoba will be aware and can take any appropriate actions to protect the public of Manitoba in a timely manner.

Current Wording	Proposed Wording
NEW	<p>15.9 Self-Reporting Discipline in Another Jurisdiction</p> <p>A practitioner must notify the Registrar, in writing, when:</p> <ul style="list-style-type: none"> a) the practitioner is disciplined or sanctioned by any professional, occupational or regulatory body relating to the practice of professional engineering and/or professional geoscience in any jurisdiction and such discipline or sanction results in the restriction, limitation, suspension or termination of the practitioner’s ability to engage in the practice of professional engineering and/or professional geoscience; or b) the practitioner is convicted of a criminal offense or any other offence under any law or regulation of any country, province or state relating to the practitioner’s practice of professional engineering and/or professional geoscience. <p>The aforementioned written notice to the Registrar must be provided no later than thirty (30) days after the order, decision or agreement (as the case may be) relating to the discipline or conviction of the practitioner is made, and must provide particulars of the discipline or conviction as well as copies of any</p>

Current Wording	Proposed Wording
	<p>documents relating to the discipline or conviction of the practitioner.</p> <p>The Registrar may request from the practitioner any additional information or documentation relating to the discipline or conviction, and the practitioner must provide any such information or documentation within ten (10) days of receipt of the Registrar's request.</p>

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Proposal 2 – Counting of Votes and Scrutineers

This by-law change will update the wording regarding the role of the Scrutineers during by-law voting and Council election voting. This does not change the actual process, but instead ensures that the by-law matches the actual practices that have been in place since switching to an electronic voting system in 2011.

The wording still accounts for any paper ballots that may be received.

Current Wording	Proposed Wording
<p>4.7 Counting of Votes</p> <p>The counting of online votes and paper ballots shall be undertaken by the scrutineers, in accordance with the election rules and shall be supervised by the registrar.</p>	<p>4.7 Counting of Votes</p> <p>The <u>tabulation and</u> counting of online votes and paper ballots shall be undertaken <u>overseen</u> by the scrutineers, in accordance with the election rules, and shall be supervised by the registrar <u>secretary</u>.</p>
<p>16.6.10 Counting of Ballots</p> <p>The counting of the electronic and mail ballots shall be supervised by the scrutineers in accordance with a policy adopted by the council.</p>	<p>16.6.10 Counting of Ballots</p> <p>The <u>tabulation and</u> counting of the electronic and mail ballots shall be supervised <u>overseen</u> by the scrutineers in accordance with a policy adopted by the council.</p>
<p>16.6.11.1 Report of Scrutineers</p> <p>The written report of the scrutineers on <u>their count</u> of the ballots, in the form and containing <u>the information required</u> by <u>the council</u> and signed by each scrutineer, shall be delivered to the secretary no later than three days after the end of the voting period.</p>	<p>16.6.11.1 Report of Scrutineers</p> <p>The written report of the scrutineers on their count <u>the tabulation and counting</u> of the ballots, in the form and containing the information required by the council and signed by each scrutineer, shall be delivered to the secretary no later than three days after the end of the voting period.</p>

Proposal 3 – Registration Committee Appeals

This by-law change would move the appeal deposit amount for the appeals of a Registration Committee decision from the Manual of Admissions to the by-laws, as required by the Act. This aligns the wording with other appeal deposit language.

Current Wording	Proposed Wording
<p>8.2 Appeals</p> <p>The manual of admissions shall provide for and set out the process and requirements for an applicant to appeal a decision of registrar and any admissions-related committee, other than those of the registration committee.</p>	<p>8.2 Appeals</p> <p>The manual of admissions shall provide for and set out the process and requirements for an applicant to <u>A notice of appeal a pursuant to section 21(1.1) of the Act shall specify why the Registration Committee's decision of registrar and any admissions-related committee, other than those of the registration committee. was unjustified, and list all errors the person believes the Registration Committee made when making its determinations. The notice of appeal shall also be accompanied by a cash deposit of \$500.00.</u></p> <p><u>Council's written decision on the appeal shall be limited in scope to the points raised in the notice of appeal. The decision must be consistent with a finding the Registration Committee could have made, and must include a determination as to whether any or all of the cash deposit should be returned to the person.</u></p>

Proposal 4 – Dues and Fees: Professional Liability Insurance

This change updates and clarifies the wording to reflect actual practices.

Current Wording	Proposed Wording
<p>10.1 Dues and Fees</p> <p>(b) Without limiting the generality of the foregoing, by resolution the council may set and/or impose:</p> <p>(iv) fees relating to the late payment of any fees or dues owing to the association and professional liability insurance.</p>	<p>10.1 Dues and Fees</p> <p>(b) Without limiting the generality of the foregoing, by resolution the council may set and/or impose:</p> <p>(iv) fees relating to the late payment of any fees or dues owing to the association-; and</p> <p><u>(v) fees relating to any program providing professional liability insurance to any or all members, interns or licensees that the association may, in the discretion of council, participate in.</u></p>

Proposal 5 – Investigation Committee Cautions

This change ensures that the Investigation Committee can take any action available to it as provided by the Act, after an investigated person rejects or fails to respond to an invitation to meet or does not accept the terms of a caution, including proceeding with the caution.

Current Wording	Proposed Wording
<p>15.3.6.2 Cautions</p> <p>Following receipt of the notice referred to in section 15.3.6.1, the investigated person shall have 14 days to accept the investigation committee’s invitation to meet or accept the terms of the caution, If the investigated person rejects or fails to respond to the investigation committee’s invitation to meet, or does not accept the terms of the caution, in each case within the aforementioned 14 day period, the investigation committee may take any other action available to it under 35(1) of the Act.</p>	<p>15.3.6.2 Cautions</p> <p>Following receipt of the notice referred to in section 15.3.6.1, the investigated person shall have 14 days to accept the investigation committee’s invitation to meet or accept the terms of the caution. If the investigated person rejects or fails to respond to the investigation committee’s invitation to meet, or does not accept the terms of the caution, in each case within the aforementioned 14 day period, the investigation committee may take any other action available to it under 35(1) of the Act.</p>

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