



2022 By-law Proposals

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Proposal 1 – NEW – Self Reporting in Another Jurisdiction

This new by-law will require members who have been disciplined or sanctioned by another jurisdiction to notify the registrar of Engineers Geoscientists Manitoba. Reporting will only be required in situations where the public may be at risk, as outlined by the by-law.

Though some other professional engineering and geoscientific jurisdictions do share disciplinary decisions, research has shown that not all jurisdictions share decisions.

This by-law will add transparency and aid in the Association’s end to protect the public.

Current Wording	Proposed Wording
NEW	<p><u>15.9 Self-Reporting Discipline in Another Jurisdiction</u></p> <p><u>A practitioner must notify the Registrar, in writing, when:</u></p> <ul style="list-style-type: none"> a) <u>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</u> b) <u>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.</u> <p><u>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 documents relating to the discipline or conviction of the practitioner.</u></p> <p><u>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.</u></p>

Proposal 2 – Counting of Votes and Scrutineers

This change will update and clarify the wording surrounding the counting of votes and the role of the scrutineers to reflect actual practices.

Current Wording	Proposed Wording
<p>4.7 Counting of Votes</p> <p>a) 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>a) 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 their count 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>	<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 change moves the deposit amount for appeals of a Registration Committee decisions from the Manual of Admissions to the By-laws. This aligns it 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 – Investigation Committee Cautions

This change will update and clarify the wording to reflect actual practices and maintains the powers of the Investigation Committee as dictated in *The Engineering and Geoscientific Professions Act*.

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>

Proposal 5 - Voting

This change was suggested by the membership and updates and clarifies the wording around voting to reflect current practices.

Current Wording	Proposed Wording
<p>4.4.3 Voting</p> <p>Regardless of whether voting online or by mail;</p> <ul style="list-style-type: none"> a) each intern and professional member shall vote for each candidate for election as an elected councillor by voting in descending order of preference; b) each professional member shall cast votes only for those candidates who are professional members; and c) each intern shall cast votes only for those candidates who are interns, all in accordance with the election rules. 	<p>4.4.3 Voting</p> <p>Regardless of whether voting online or by mail, <u>if an intern or professional member chooses to vote</u>;</p> <ul style="list-style-type: none"> a) each intern and professional member <u>they</u> shall vote for each candidate for election as an elected councillor by voting in descending <u>cast their vote by ranking the candidates by their</u> order of preference; b) each professional member shall cast votes only for those candidates who are professional members; and c) each intern shall cast votes only for those candidates who are interns, <p>all in accordance with the election rules.</p>