



**CONSTITUTION AND BYLAWS**

**April 5, 2001**

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**CONSTITUTION**

1. SINGULAR AND GENDER

In this Bylaw, unless the context otherwise requires, words denoting the singular number or the masculine gender shall include the plural number or the feminine gender, and vice-versa.

2. LANGUAGE

In the event of any inconsistency between the English language text of this Bylaw and the French language text of this Bylaw, the English language text shall apply.

3. HEADINGS

The headings contained herein are for convenience of reference only and do not affect the interpretation of this Bylaw.

4. NAME

The Organization shall be known as “The Association of Certified Engineering Technicians and Technologists of Prince Edward Island”.

5. OBJECTIVES

The objectives of the Association are:

- 5.1 To obtain recognition of persons in Industry and Business employed directly or indirectly as practicing members of Applied Science or Engineering Technology and related professions in all their respective branches;
- 5.2 To establish examinations and prescribe such tests of competence that may be expedient to qualify for membership;
- 5.3 To certify all members and issue a Certificate of Membership that will be recognized and respected by Industry and Business;
- 5.4 To assist members and their employers respecting matters relating to the business or occupation of a member or members of the Association;

- 5.5 To co-operate with other organizations having similar or allied objects and, without limiting the generality hereof, to join, associate or affiliate with such organizations upon such terms and conditions as may be mutually desirable;

- 5.6 To provide information and exchange of materials, techniques and ideas.

6. COLLECTIVE BARGAINING

Notwithstanding any provisions herein, the Association shall not have as one of its objects the power to regulate, within the Province of Prince Edward Island or elsewhere, relations between its members of any of them and their employers through collective bargaining, nor shall it have the power to join, associate with, affiliate with or take into membership any local or provincial organization or association of employees or provincial branch of a national or international organization or association of employees, having as one of its objects the regulation within the Province of Prince Edward Island or elsewhere of relations between employers and employees through collective bargaining.

7. POLITICS

The Association shall not support or affiliate with any political party or candidate for Public Office.

8. DISCRIMINATION

All persons who meet the criteria set out in this document are eligible for consideration for membership.

9. OPERATION

The operations of the Association are to be carried out principally in the Province of Prince Edward Island.

10. CODE OF ETHICS

The Members of the Association will uphold the ethical standards set out in this document.

**BYLAWS**

11. REPEAL

All previous Bylaws of the Association of Certified Engineering Technicians and Technologists of Prince Edward Island (ACETTPEI) under the name Prince Edward Island Society of Certified Engineering Technologists (PEISCET) are hereby repealed.

Such repeal shall not affect the previous operation(s) of any bylaw so repealed or affect the validity of any act done or right, privilege, obligation or liability acquired or incurred under, or the validity of any contract or agreement made pursuant to any such bylaw prior to its repeal. All officers and persons acting under any bylaw so repealed shall continue to act as if appointed under the provisions of this Bylaw, and all resolutions of the ACETTPEI with continuing effect passed under any repealed bylaw shall continue to be good and valid except to the extent inconsistent with this Bylaw and until amended or repealed.

12. AMENDMENTS TO BYLAWS

12.1 PROPOSED

Proposed additions to, amendments to or rescission of the Bylaws shall first be considered and approved by the Council of the Association of Certified Engineering Technicians and Technologists of Prince Edward Island. The approved proposal shall then be submitted to the voting members by extraordinary resolution at a general meeting of the Association.

Notice of any proposed addition, amendment or rescission shall be sent to all Members entitled to attend such a meeting at least thirty (30) days prior to the date thereof.

An extraordinary resolution is passed by not less than two-thirds ( $\frac{2}{3}$ ) majority of such members in good standing and entitled to vote as are present in person at any general meeting of the Association of which notice specifying the intention to propose the resolution as an extraordinary resolution has been duly given.

No alteration or amendment to the Constitution or Bylaws of the Association passed at any such meeting shall require confirmation of any subsequent meeting of the Association.

13. DEFINITIONS

In this Bylaw of the ACETTPEI, unless the context otherwise specifies or requires, the following expressions shall have the following meanings:

13.1 “Act” means the Canada Corporations Act, R.S.C. 1970, c. C-32, as from time to time amended and every statute that may be substituted therefor and, in the case of such substitution, any reference in the Bylaws to provisions of the Act shall be read as references to the substituted provisions therefor in the new statute or statutes;

13.2 “Association” means the Association of Certified Engineering Technicians and Technologists of Prince Edward Island;

13.3 “Council” means the Council of the Association;

13.4 “Registrar” means the Registrar of the Association;

13.5 “President” means the President of the Association;

13.6 “Vice-President” means the Vice-President of the Association;

13.7 “Good standing” means having paid all prescribed fees within six (6) months after the beginning of the fiscal year of the Association and not currently under suspension;

13.8 “Letter Ballot” means the printed form mailed or delivered to a Member offering the opportunity to vote in any election or on any matter to be submitted to the Members;

13.9 “Certification Board” means a board consisting of a minimum of three (3) Members appointed by this Association pursuant to this document and having the powers and duties set forth in this document;

13.10 “Elected Member/Councillor” means a member in Good Standing, duly elected by the Members to serve on Council;

13.11 “Applied Science” means the use of scientific findings, principles and practices to deal with practical problems and issues, based on actual experience and used to solve actual problems;

13.12 “Extraordinary Resolution” means a resolution that amends the Bylaws.

- 13.13 “Engineering Technology” means the use of engineering principles and practices to deal with practical problems and issues, based on actual experience and used to solve actual problems;
- 13.14 “Ex-officio” means an appointment by the Board, to the Board, or to any committee of the Board, without voting privileges;
- 13.15 “Majority” means more than half of the eligible voting individuals who are present and who cast a vote either for or against a motion; abstentions are not counted in the tally;
- 13.16 “Officers” means the following individuals elected or appointment to positions of the ACETTPEI - President, Immediate Past President, Vice President(s), Secretary, Treasurer and such other individuals appointed by council.

14. MEMBERSHIP

14.1 SCOPE

Any person currently studying in or having completed an accredited program or an equivalent course of training, or who is working in a field of Applied Science or Engineering Technology and who has satisfied the Council as to their eligibility to become a Member of the Association shall be considered for admission to the Association providing the person meets the requirements outlined hereunder.

14.2 CLASSES OF MEMBERSHIP

There shall be seven (7) classes of Membership: Certified, Honorary, Life, Student, Associate, Temporary and Retired.

14.2.1 *Certified Membership*

14.2.1.1 Shall apply to persons whose qualifications and experience meet the required standards as established by the Association;

14.2.1.2 Candidates for Certified Membership shall submit an application, together with such fees and subscriptions as may be determined by the Council, to the Registrar, which will submit the application to the Certification Board;

14.2.1.3 Candidates for Certified Membership shall be required to have successfully completed a Law and Ethics exam to the standards accepted by the Certification Board;

14.2.1.4 Only Certified Members in good standing shall be afforded all the rights and privileges of the Association, including the right to attend meetings, make motions, vote and hold office;

14.2.1.5 Certified Members in Good Standing shall be entitled to display the Certificate, to use the designation for their certification, as established by the Certification Board, after their name, and to wear the Association ring.

14.2.2 *Honorary Membership*

14.2.2.1 May only be granted by the Council of the Association;

14.2.2.2 Shall apply to persons who:

- (1) would not be eligible for membership, and
- (2) through their efforts further, in a substantial manner, the purposes and objects of the Association, or
- (3) make a significant contribution to the furtherance of technology in Prince Edward Island by leadership, example or technical achievement,

14.2.2.3 Honorary Members' names shall be placed in the Register without the requirement of the payment of any fee, charge or levy;

14.2.2.4 Honorary Members shall not have the right to vote, hold office or use a designation of certification after their name, but may attend meetings and speak.

14.2.3

*Life Membership*

- 14.2.3.1 May only be granted by the Council of the Association;
- 14.2.3.2 May be conferred on a Certified Member who has retired from the workforce, having been a Member in Good Standing for a period of at least ten (10) years;
- 14.2.3.3 Shall apply to Members who, through many years of consistent efforts and dedication, exemplify the highest degree of involvement and achievement on behalf of the Association;
- 14.2.3.4 Shall be free of any fee, charge or levy and shall continue for the life of the Member;
- 14.2.3.5 Shall have all the rights and privileges afforded a Certified Member.

14.2.4

*Student Membership*

- 14.2.4.1 May be granted to any person who is a student of a technical program deemed appropriate by the Certification Board;
- 14.2.4.2 They shall be afforded the right to attend meetings only and to speak, but may not make motions, vote, hold office or use a designation of Certification after their name;
- 14.2.4.3 They shall pay annual fees as set by Council.

14.2.5

*Associate Membership*

- 14.2.5.1 May be granted to a person employed in or who will obtain employment in a field closely related to the field of practice of Applied Science or Engineering Technology, but who lacks some of the requirements for certification.

The following are examples of individuals having the qualifications required for registration as an Associate member:

14.2.5.1.1 An individual who has the academic requirements for certification, but lacks some or all of the experience requirements,

14.2.5.1.2 An individual employed in an Applied Science or Engineering Technology related field who does not meet the academic requirements for certification, but who does have a combination of experience and academics which are in accordance with guidelines used by the Certification Board,

14.2.5.2 Associate members shall not have the right to vote, hold office or use a designation of Certification after their name, but may attend meetings and speak;

14.2.5.3 Associate members shall be entitled to serve, upon appointment, on committees of the Association in accordance with the Bylaws and rules.

14.2.6 *Temporary Membership*

14.2.6.1 Temporary Members shall be Certified Members in Good Standing with another Constituent Membership of the Canadian Council of Technicians and Technologists and who have complied with the requirements of the Bylaws and rules and have paid all required fees;

14.2.6.2 Temporary Members shall not have the right to vote or hold office, but may attend meetings and speak and use the designation for their certification after their name;

14.2.6.3 No Temporary Member shall be entitled to have their name entered in the temporary register for a period exceeding two (2) consecutive years.

14.2.7 *Retired Membership*

14.2.7.1 May only be granted by the Council at the request of the Member;

14.2.7.2 May be conferred on any Certified Member in Good Standing who has permanently retired from the active workforce, yet wishes to retain membership;

14.2.7.3 Retired Members shall have the right to attend meetings, to vote, to speak, to make motions, to hold office and to use the designation for their certification after their name;

14.2.7.4 Retired Members shall be required to pay any fee, charge or levy at a rate as set by Council.

14.3 APPLICATION PROCESS

14.3.1 Candidates for membership in the Association shall submit an application, together with such entrance fees as may be set by the Council.

14.3.2 All applications shall be forwarded to the Certification Board. Certification and level shall be determined by the Certification Board.

14.3.3 If the applicant meets the criteria for membership, the Registrar shall submit a recommendation to Council for ratification.

14.3.4 Applicants recommended for certification by the Certification Board shall be considered by Council and then shall only be admitted to Membership upon ratification by the Council.

14.3.5 Upon acceptance, each person shall be notified by the Association's office and advised of the membership fee required for admission to the Association.



- 14.3.6 Upon receipt of the required membership fee, the Association's office shall issue a certificate indicating the new Member's certification and level as established by the Certification Board. The Certificates issued shall, at all times, remain the property of the Association.
- 14.3.7 The Registrar shall return to each unsuccessful candidate a written notice clearly explaining the reasons for rejection of their application and an indication as to the re-application process.
- 14.4 RECEIPTS
- All Members in Good Standing shall be issued receipts after payment of dues.
- 14.5 COMPLIANCE
- All Members shall comply with the provisions of this Constitution and all amendments and additions hereto and with such regulations as may be made hereunder, from time to time, by the Council and approved by the Association, and shall in all things endeavor to carry out the objects of which the Association was established.
- 14.6 WITHDRAWAL
- 14.6.1 Any Member may withdraw from the Association by delivering to the Council written notice to that effect.
- 14.6.2 When a Member withdraws from the Association, that person shall return the Certificate of Membership to the Registrar.
- 14.6.3 When a Member withdraws from the Association, that person shall cease using the designation of Certification.
- 14.6.4 When a Member withdraws from the Association, that person shall cease wearing the ring denoting Certification.
- 14.7 SUSPENSION
- Any Member may be suspended or expelled from the Association by a resolution of the Council for:

- 14.7.1 Non-payment of annual membership dues, charges, fees, fines or assessments one (1) year in arrears.
- 14.7.2 Misconduct, negligence, unethical practices.
- 14.7.3 Any other reason which the Council shall deem not to be in the best interests of the Association.
- 14.7.4 Any Member suspended, resigned or expelled may be reinstated within a period of one (1) year from the date of expulsion by paying all outstanding dues and assessments. After the twelve (12) month period, it would be required that such a reinstatement could be made and approved by the Council.
- 14.7.5 Any Member suspended or expelled may apply by notice in writing, delivered within thirty (30) days after such suspension or expulsion, to have the decision of the Council reconsidered. Council shall, within a reasonable time after receipt of such notice, reconsider its decision. The applicant may appear before Council at the time of reconsideration or Council may require the applicant to appear at the time of such reconsideration.
- 14.7.6 If a Member is suspended or expelled from the Association, that person shall return the Certificate of Membership to the Registrar.
- 14.8 REINSTATEMENT
- Any person may be reinstated within three (3) years of holding a valid membership, upon payment of reinstatement fees as set by Council.
- A period greater than the three (3) years from the holding of a valid membership would require a new member application, upon payment of application fee.
- 14.9 CLAIMS
- Any person, for any cause whatsoever, ceasing to be a Member shall cease to have any claim or interest in the assets, funds or property of the Association.

15. MEETINGS

15.1 TIMING

The date and place of the annual meeting of the Association shall be determined by the Council to be no later than one hundred twenty (120) days after the end of the fiscal year.

15.2 NOTIFICATION

Written notice of the annual meeting and all special general meetings shall be mailed to all Members at the mailing address as shown on the Register at least seven (7) days prior to the date of the meeting. It shall clearly set forth the place, date and hour of the meeting. Non-receipt of such notice by any Member shall not invalidate the proceedings of or any resolution passed at the meeting.

15.3 ITEMS OF BUSINESS

The following items of business shall be dealt with at the annual meeting:

- 15.3.1 The reading and confirmation of minutes of the previous annual meeting and any special general meetings held during the year.
- 15.3.2 Business arising from the minutes.
- 15.3.3 Report of the President.
- 15.3.4 Report of the Registrar.
- 15.3.5 Other reports of representatives and committees.
- 15.3.6 Auditors' report.
- 15.3.7 Election of Auditors.
- 15.3.8 Announcement of election of officers and elected members of the Council.
- 15.3.9 New business.

15.3.10 Appointment of the Nominating Committee.

15.3.11 Installation of new officers and elected members of the Council.

15.4 SPECIAL GENERAL MEETINGS

Special general meetings of the Association may be held when considered necessary by the Council or on written request to the Registrar signed by not fewer than ten (10) Members of the Association who have the right to vote. Any such request will set forth the purpose for which the meeting is to be called. Written notice of the calling of a special general meeting shall clearly state the intended purpose of the meeting, and no other business than that stated in the request will be transacted.

15.5 QUORUM

At the annual meeting and all special general meetings of the Association, a quorum shall consist of fifteen (15) Members in Good Standing present in person who have the right to vote. If, within one-half (½) hour after the appointed time for holding the meeting, the quorum is not present, the meeting shall adjourn until a quorum can be arranged.

15.6 MEMBER VOTING PRIVILEGES

Each Member present, in Good Standing who has the right to vote, shall have one (1) vote.

15.7 MAJORITY VOTE

At the annual meeting or special general meetings of the Association, all questions shall be decided by a majority vote cast by the Members present, except as provided elsewhere in these Bylaws. All voting shall be by a show of hands. In the event of a tie vote, the Chairperson shall be entitled to the deciding vote.

16. COUNCIL

16.1 MAKEUP OF COUNCIL

The affairs of the Association shall be managed by a Council consisting of a President, Vice President, Immediate Past President and a minimum of four (4) Councillors.

16.2 APPOINTMENTS OF COUNCIL

Appointed positions shall be considered advisors to the Council.

The Council shall appoint as required:

16.2.1 *Registrar*

The Registrar shall be appointed from the Members in Good Standing. The term of the Registrar shall be at the discretion of the Council.

16.2.2 *Secretary*

The Secretary shall be appointed from the Members in Good Standing. The term of the Secretary shall be at the discretion of the Council.

16.2.3 *Treasurer*

The Treasurer shall be appointed from the Members in Good Standing. The term of the Treasurer shall be at the discretion of the Council.

16.2.4 *C.C.T.T. National Director*

The C.C.T.T. National Director shall be appointed from the Members in Good Standing who are preferably former Council members. The term of office for the C.C.T.T. National Director shall be at the discretion of the Council.

16.2.5 *C.T.A.B. Representative*

The C.T.A.B. Representative shall be appointed from the Members in Good Standing who are preferably former Council members. The term of office for the C.T.A.B. Representative shall be at the discretion of the Council.

16.3 REMOVAL

Any appointment of the ACETTPEI Council may be removed at any time by resolution of the Council, approved by at least two-thirds ( $\frac{2}{3}$ ) majority vote of all Council members having the right to vote at any meeting.

16.4 TERMS OF OFFICE

16.4.1 The President and Vice President shall be elected annually by the Members by secret letter ballot in accordance with these Bylaws.

16.4.2 At each annual meeting the Elected Members shall be elected by the Membership for a period of two (2) years.

16.4.3 When a vacancy occurs in the Council, the remaining Members thereof shall:

16.4.3.1 If the vacancy occurs in the office of the President, the Vice President shall fill that vacancy for the remainder of the term;

16.4.3.2 For any other vacancy, appoint a Member to fill that vacancy, and the Member so appointed shall hold office for the remainder of the term of the Elected Member in whose place he was appointed.

16.5 BALLOT

Except for vacancies in the Council, all members of the Council shall be elected by secret letter ballot in accordance with these Bylaws and take office at the time of each annual meeting.

16.6 LENGTH OF TERM

No Officer or Elected Member of the Council shall hold the same office for more than three (3) consecutive terms.

16.7 DUTIES OF THE OFFICERS

16.7.1 *President*

The President shall, if present, preside as the Chair at all meetings of the ACETTPEI and, in the event of a tie vote on any question, shall have a deciding vote. In the absence of the President, the Vice President shall act as the Chair of the meeting. If neither the President or the Vice President are present, the persons who are present shall choose one (1) of their number to Chair the meeting.

The President, or their designate, shall sign all instruments and documents which require a signature and shall perform duties incident to the office and shall have such other powers and duties as may from time to time be assigned by the Board.

16.7.2 *Vice President*

The Vice President, as determined by the Board, in the absence of the President, shall possess all the powers and shall perform all the duties of the President and shall have such other powers and duties as may from time to time be assigned by the Board.

16.7.3 *Elected Members*

Elected Members will serve on the Council, assist in the operation of the Association and act as Chairperson of any committee formed by the Council.

16.7.4 *C.C.T.T. National Director*

The C.C.T.T. National Director will attend all meetings of the Council, the annual meeting and all special general meetings. The Director will assist in the operation of the Association and act as the liaison between the Association and the Canadian Council of Technicians and Technologists (C.C.T.T.).

16.7.5 *C.T.A.B. Representative*

The C.T.A.B. Representative may attend all meetings of the Council, the annual meeting and all special general meetings. The Representatives may assist in the operation of the Association and act as the liaison

between the Association and the Canadian Technology Accreditation Board (C.T.A.B.).

16.7.6 *Registrar*

The Registrar shall act as Chairperson of all meetings of the Certification Board and shall represent the Certification Board at all annual meetings and special general meetings of the Association. In the event of a tie vote in any question at any meeting of the Certification Board, the Registrar shall have a deciding vote.

The Registrar will also be entrusted with the official custody of the ACETTPEI's corporate seal, members' records and shall maintain the ACETTPEI Membership Register.

16.7.7 *Secretary*

The Secretary shall perform and be responsible for all duties required by law or this Bylaw to be performed by the Secretary of the ACETTPEI.

The Secretary shall have charge of the minute books of the ACETTPEI and the documents referred to in the Act. The Secretary shall record and maintain minutes of all meetings of the Council, the annual meeting and all special general meetings.

16.7.8 *Treasurer*

The Treasurer shall be responsible for all duties relating to the overall finances of the ACETTPEI. The Treasurer shall receive all monies payable to the Association and make all disbursements authorized by the Council. The Treasurer shall be responsible for the preparation and maintenance of financial records which clearly show the source of all income and the true nature of all disbursements.

The Treasurer is responsible for chairing the Finance Committee of the ACETTPEI, if one is appointed by the Council.

16.8 REMUNERATION

Officers or Elected Members shall not be entitled to any remuneration for their services. The Registrar and/or Secretary and/or Treasurer may receive a salary or honorarium, if so decided by the Council.

**16.9 REIMBURSEMENT**

Reasonable out-of-pocket expenses, when properly substantiated, may be reimbursed to any Member of the ACETTPEI, at the discretion of the Council, providing:

- 16.9.1 The Member has prior approval to act on behalf of the Association away from their usual place of residence.
- 16.9.2 The Member has been requested to attend a Council meeting.
- 16.9.3 The Member is currently serving in a position that requires attendance at Council Meetings.

**16.10 CONFLICT OF INTEREST**

Any Member or Appointment of the Council who is in anyway directly or indirectly interested in a contract or arrangement or proposed contract or arrangement with the ACETTPEI shall make the disclosure required by the Act and, except as provided by the Act, no such Member or Appointment of the Council shall vote on or participate in discussion on any resolution to approve any such contract or arrangement.

**16.11 INDEMNITIES**

Every Member or Appointee of the ACETTPEI Council who has undertaken or is about to undertake any liability on behalf of the ACETTPEI and their heirs, executors and administrators, and estate and effects, respectively, shall from time to time and at all times, be indemnified and saved harmless, out of the funds from the ACETTPEI from and against:

- 16.11.1 All costs, charges and expenses whatsoever which such member or appointee of the Council sustains or incurs in or about any action, suit or proceeding which is brought, commenced or prosecuted against the member or appointee for or in respect of any act, deed, matter or thing whatsoever, made, done or permitted by the member or appointee in or about the execution of the duties of their respective ACETTPEI office or in respect of any such liability.

- 16.11.2 All other costs, charges and expense which the member or appointee sustains or incurs in or about or in relation to the affairs thereof, except such cost, charges or expenses as are occasioned by their own willful neglect or default.

**17. MEETINGS OF THE COUNCIL****17.1 FREQUENCY**

The Council shall meet at the call of the President or on a request in writing to the President signed by not less than five (5) members of the Council. In any event, the Council will meet at least once every three (3) months for a minimum of nine (9) meetings between annual meetings of the Association.

**17.2 COUNCIL CALLED MEETING**

If the President does not proceed to cause a meeting of the Council to be held within fourteen (14) days of his receipt of a request in writing from not less than five (5) members of the Council, the said members may themselves convene a meeting, but any meeting so convened shall be held not more than two (2) months after the date of the deposit of the request with the President. Any meeting convened by at least five (5) members of the Council, under the provisions of this section, shall be convened in the same manner, as nearly as possible, as that in which meetings are convened by the President.

**17.3 LOCATION**

The time and place of the meetings of the Council shall be set by the President, and notice of the meetings shall be sent to all members of the Council at least seven (7) days prior to the meeting. Notwithstanding this requirement, a meeting of the Council may be held on shorter notice if at least six (6) members of the Council, one (1) of whom is the President, are present and waive notice of calling of a meeting.

**17.4 COUNCIL QUORUM**

A quorum of the Council shall consist of four (4) members.

**17.5 ABSENCE**

If any Elected Member absents himself, without reasonable excuse, from three (3) consecutive meetings of the Council of which he received due notice, the Council may declare the seat vacant.

18. ELECTIONS

18.1 PROCEDURES

- 18.1.1 At each annual meeting, the President, Vice President and one-half (½) the Elected Members shall be elected.
- 18.1.2 A Nominating Committee shall be appointed at the annual meeting to serve for the ensuing year. The Nominating Committee shall consist of three (3) Members, one (1) of whom shall be the retiring President, who shall be Chairperson. The Council shall fill any vacancies which may occur in the Nominating Committee.
- 18.1.3 Not less than sixty (60) days prior to the annual meeting, the Nominating Committee shall submit to the Secretary a list of nominees for Councillors.
- 18.1.4 Nominations submitted shall have the consent of the nominee.
- 18.1.5 Elections shall be conducted by letter ballot. The ballot shall provide for the write-in of alternate candidates.
- 18.1.6 The names of all persons for office shall be placed on the letter which shall be mailed to the Members by the Secretary not later than thirty (30) days prior to the annual meeting.
- 18.1.7 Each Member in Good Standing is entitled to vote for as many candidates as there are vacancies to be filled or for a lesser number. Letter ballots should be returned to the Secretary postpaid.
- 18.1.8 The poll shall close at five o'clock in the afternoon (5:00 p.m.) of the seventh day prior to the annual meeting, and no ballot received after that time shall be considered.

- 18.1.9 At least two (2) days before the annual meeting, the President shall appoint three (3) Members not running for office to act as a Ballot Counting Committee.
- 18.1.10 The Ballot Counting Committee shall meet the day prior to the annual meeting and shall receive the letter ballot from the Secretary. The Ballot Counting Committee shall then count and record the votes cast for each nominee.
- 18.1.11 The candidate for President and the candidate for Vice President, respectively, receiving the highest number of votes for each such office shall be elected to the respective offices.
- 18.1.12 The two (2) candidates for Councillors receiving the highest number of votes shall be elected to the Council.
- 18.1.13 The results of the poll, which shall not otherwise be disclosed, shall be handed in a sealed envelope to the Chairperson of the annual meeting, together with the letter ballots and tally sheets in a separate and sealed package. At the annual meeting, the sealed envelope shall be opened by the Chairperson, and the results of the poll shall be announced by the Chairperson.
- 18.1.14 In the case of equality of votes for any office or Elected Member, the Chairperson of the annual meeting shall cast a deciding vote.
- 18.1.15 Any objection to the poll, as announced, will be valid only if made immediately after the announcement; a proper request for recount will then be in order. If such a request is then supported by ten (10) Members of the Association, the Chairperson shall immediately appoint a Ballot Recounting Committee of five (5) Members which shall forthwith recount all the ballots. Candidates may be present or represented at such recounts.
- 18.1.16 On completion of the recount, the results shall be communicated in writing to the Chairperson who shall announce them to the annual meeting immediately. The results, as announced, following a recount shall be final and binding.
- 18.1.17 Following the announcement of the poll or of the recount, as the case may be, the ballots and tally sheets shall be destroyed.

19. FEES

19.1 ANNUAL ASSESSMENT

Operations of the Association will be financed through annual assessment of all Members, together with any other income which may accrue to the Association. An appropriate fee for Members will be established annually by the ACETTPEI Council.

19.2 EXISTING BUDGET

In the event that the budget is not approved, the budget last approved by the Annual General Meeting of the Members shall remain in effect for purposes of calculating the annual assessment.

19.3 OTHER FEES

19.3.1 *Application Fees*

Application fees shall be established from time to time by the Council and approved at any annual or special general meeting if at least two-thirds ( $\frac{2}{3}$ ) of those voting are in favour and are members in Good Standing.

19.3.2 *Registration Fees*

Registration fees shall be established from time to time by the Council and approved at any annual or special general meeting if at least two-thirds ( $\frac{2}{3}$ ) of those voting are in favour and are members in Good Standing.

19.3.3 *Annual Dues*

Annual dues shall be established from time to time by the Council and approved at any annual or special general meeting if at least two-thirds ( $\frac{2}{3}$ ) of those voting are in favour and are members in Good Standing.

19.3.4 *Reinstatement*

Reinstatement fees shall be current and one (1) year previous dues.

19.3.5 *Reclassification*

Reclassification fees shall be fixed by the Council and may vary from time to time and shall be non-refundable.

19.3.6 *Examination*

Examination fees shall be set by the Council and may vary from time to time and shall be non-refundable.

20. FINANCIAL

## 20.1 SIGNING AUTHORITY

The signing of all banking and legal documents on behalf of the Association shall require two (2) signatures, the Secretary or Treasurer and the President. In the absence of one (1) of the signing authorities, an alternate may temporarily be appointed by the Council.

## 20.2 SERVICES

The Council may undertake to perform such services, enter into contracts, or otherwise take steps to generate income for the operation of the Association, so long as said services remain consistent with this Bylaw.

## 20.3 BANKING

The ACETTPEI's bank accounts shall be kept in such chartered bank, trust company or other firm or corporation carrying on a banking business as the Council may by resolution from time to time determine. All cheques, drafts or orders for the payment of money and all notes and acceptances and bills of exchange shall be signed by such officer or officers in such a manner as the Council may from time to time designate by resolution. All monies or valuables or either of them received by or on behalf of the Association shall be forthwith passed over to the Treasurer and deposited with a financial institution.

## 20.4 DISBURSEMENT

All disbursements of the funds of the Association shall be made by cheque, except for a petty cash account; and there shall be a record kept showing the amount of each cheque, or cash paid, the payee and a clear description of the reason for the disbursement.

## 20.5 AUDITS

20.5.1 The accounts and books of the Association shall be examined once each year and their accuracy ascertained and certified by the Audit Committee comprised of three (3) Certified Members. The Council shall appoint one (1) of the three (3) as Chairperson. The Audit Committee shall hold office for a one (1) year term following their appointment or until their successors are appointed.

20.5.2 The Council shall present to the annual meeting a complete financial report which includes the financial statement, duly certified by the Associations' auditors.

20.5.3 Audit Committee members may serve for a maximum of two (2) consecutive terms.

## 20.6 PROPERTY

The Association, with the approval of Fifty-one Percent (51%) of all members in Good Standing who have the right to vote may:

20.6.1 Acquire and take by purchase, donation or otherwise, real and personal property having a real or assessed value exceeding Two Thousand Five Hundred Dollars (\$2,500.00)

20.6.2 Sell, exchange, mortgage, lease, let, improve and develop acquired real and personal property having a real or assessed value exceeding Two Thousand Five Hundred Dollars (\$2,500.00)

20.6.3 Erect and maintain any necessary buildings having a real or assessed value exceeding Two Thousand Five Hundred Dollars (\$2,500.00).

## 20.7 BORROWING

The Association may, with the approval of a resolution passed by not less than three-fourths ( $\frac{3}{4}$ ) of the members at the general meeting of which twenty-one (21) days' prior written notice specifying the intention to propose the resolution has been duly given, borrow or raise or secure the payment of money in such manner as may be approved by the said resolution.

## 20.8 FISCAL YEAR

The fiscal year of the Association shall end on the 31<sup>st</sup> day of December in each year, and the Treasurer shall forthwith prepare financial statements reflecting the financial status of the Association at that date.



21. CERTIFICATION BOARD

21.1 MAKEUP

A Certification Board shall consist of a minimum of three (3) members of the Association appointed by the Council, one (1) of whom shall be the Registrar, serving as Chairperson.

21.1.1 Members of the Certification Board shall not serve on the Council during their term of office.

21.1.2 The Certification Board shall be paid properly authenticated travel, subsistence and meeting expenses by the Association.

21.1.3 The terms of the members of the Certification Board shall be at the discretion of the Council.

21.2 DUTIES

The Certification Board shall determine and advise the Council on:

21.2.1 The academic experience and other qualifications of all applicants for admission.

21.2.2 The classifications and reclassifications of applicants or members.

21.2.3 The standards of any procedures for classification and reclassification.

The Certification Board shall:

21.2.4 Examine the acceptability of courses and programs which are offered by various schools and institutes.

21.2.5 Set suitable examinations or prepare syllabi of study for certain technologies, the technologies to be considered as being related to the profession of Applied Science or Engineering Technology.

21.2.6 Set the procedure of equating experience to academic achievement.

21.2.7 In the performance of such duties, shall have the authority to consult with any person or persons in order to properly assess the qualifications of an applicant, or any other matter.

22. CLASSIFICATIONS

22.1 ACCEPTED

ACETTPEI accepts the C.C.T.T. Disciplines of Registration, with sub-disciplines within each discipline, for certification purposes.

ACETTPEI accepts the national Designations of Certification as recognized and protected by the C.C.T.T.

ACETTPEI may also maintain Designations of Certification other than those of the C.C.T.T. for use as provincial designations.

22.2 APPEAL

22.2.1 *Causes*

The decision of the Council to:

- (a) suspend a member;
- (b) expel a member;
- (c) reject an applicant for Certification;
- (d) reject a member's application for reclassification to a higher level;
- (e) declare an Elected Member's seat vacant;

may be appealed to the Appeal Board.

22.3 APPEAL BOARD

22.3.1 *Makeup*

The Appeal Board shall consist of three (3) Past Presidents of the Association who are members in Good Standing, not presently serving on the Council. The most recent Past Presidents available shall serve.

22.3.2 *Process*

22.3.2.1 An Intention to Appeal must be submitted in writing to the Association within thirty (30) days of the disputed decision. The Appeal Board shall meet within thirty (30) days after the Appeal is received.

22.3.2.2 The Applicant and the Council, or their representatives, shall appear in person before the Appeal Board.

22.3.2.3 The Applicant will submit with the Intention to Appeal a certified cheque, payable to the Association, in the amount of the current year's dues. If the Appeal Board rules in favour of the Applicant, it shall be refunded. Otherwise, it shall remain the property of the Association.

22.3.2.4 The ruling of the Appeal Board will be final and binding on both parties.

23. ASSOCIATION SEAL

23.1 CUSTODY

The Council of the Association shall adopt a seal for the use of the Association. The said seal shall at all times remain in the custody of the Registrar and shall only be affixed to the conveyances and other deeds and documents requiring that the seal be affixed thereto in the presence of any two (2) witnesses. The witnesses may be any other member of the Council or the Registrar.

24. EXECUTION OF INSTRUMENTS

The Council may, from time to time by resolution, appoint any officer or officers, on behalf of the ACETTPEI either to sign instruments in writing generally or to sign specific instruments in writing. The corporate seal may, when required, be affixed to any instruments in writing. The term "instruments in writing" as used herein shall, without limiting the generality thereof, include contract documents, deeds, mortgages, hypothecs, leases, charges, conveyances, transfers and assignments of property (real or personal, immovable or movable), agreements, tenders, releases, receipts and discharges for the payment of money or other obligations, conveyances, transfers and assignment of shares, stocks, bonds, debentures or other securities.

25. CERTIFICATION OF DOCUMENTS

A copy of any document issued by the ACETTPEI may be certified by any officer of the ACETTPEI, under the seal of the ACETTPEI, as being a true copy of the original document for all purposes.

26. RULES, REGULATIONS AND POLICIES

The Council of the ACETTPEI may create policies to deal with the conduct and operation of the ACETTPEI and the administration of the ACETTPEI business and/or committees. Except where specifically indicated otherwise in this Bylaw, the Council policies require a two-thirds ( $\frac{2}{3}$ ) majority vote for passage and may not be inconsistent with the Act or this Bylaw. These policies may be amended from time to time as the Council deems expedient.

27. MINUTES OF MEETINGS OF THE ACETTPEI

Minutes of all proceedings at all meetings of the ACETTPEI must be entered into the books kept for that purpose.

Any such minutes, if purporting to be signed by the Chair of the meeting at which the proceedings were had, or by the Chair of the next following meeting, are evidence of the proceedings once they are approved by resolution of the Council.

Where minutes, in accordance with this section, have been made of the proceedings of any meeting of the ACETTPEI, then, until contrary is proved, the meeting shall be deemed to have been duly called and held and all proceedings had thereat to have been duly had and all appointments shall be deemed to have been duly made.

28. BOOKS OF THE ACETTPEI

The ACETTPEI shall cause a book or books to be kept by the Secretary who shall be charged with that duty, wherein shall be kept recorded:

- 28.1 A copy of the Letters Patent and all copy(ies) of all Bylaws of the ACETTPEI.
- 28.2 The names, alphabetically arranged, of all persons who are or who have been members of the ACETTPEI.
- 28.3 The address or record of all members as far as can be ascertained.
- 28.4 The names, addresses of all persons who are or who have been members of the Council, as far as can be ascertained, with several dates at which each became or ceased to be such member.

29. PRIORITY

29.1 PRECEDENCE OF ORDER

In case of any conflict of interpretation, the following documents shall have precedence in the order shown:

- The Canada Corporations Act, and any Amendments thereto
- Provincial Law
- The ACETTPEI Bylaw
- Any ACETTPEI Council Policies in force that are not inconsistent with the Act or this Bylaw
- The Rules of Order adopted by the Council.