

## **BY-LAW NO. 3 – CERTIFICATE OF REGISTRATION**

### **By-Law No. 3**

A By-law relating to the Certificate of Registration of the Association of Professional Geoscientists of Ontario as approved by Council on September 7, 2001 and as amended on October 16, 2001 and as amended on June 3, 2005.

#### **BE IT ENACTED**

as a By-law of the Association of Professional Geoscientists of Ontario (hereinafter called the "Association") as follows:

#### *APPLICATION*

1. The Registrar shall provide an application form for a Certificate of Registration for the purpose of the Act and Registration Regulation.
2. An applicant shall apply for a Certificate of Registration in the manner stipulated in the Registration Regulation.

#### *CERTIFICATE*

3. The Registrar shall issue to each member a Certificate of Registration (the "Certificate") in a form approved by Council, signed by the President and Registrar indicating:
  - (a) the name of the holder;
  - (b) the date of registration;
  - (c) the registration number;
  - (d) the professional category in which the member is registered; and
  - (e) that the person is entitled to engage in the practice of professional geoscience in the Province of Ontario.
4. The Certificate shall be prominently displayed in the member's place of business.
5. Every holder of a Certificate shall be required, from time to time, to submit a statement of currency of professional standards and other criteria approved by Council.
6. In the event that there is a change in the professional category in which the member is registered, the Certificate, if unexpired, shall be surrendered by the member and a new Certificate shall be re-issued by the Registrar.
7. In the event that a Certificate is lost or damaged, upon written request by the member to the Registrar and payment of the fee as set out in By-Law No. 2, the Registrar shall issue a replacement Certificate provided the member is in good standing.

#### *REINSTATEMENT*

8. An applicant who has been previously registered as a member of the Association within the past five (5) years may reapply for registration under section 5 or 13 of the registration regulation to the Registrar.
9. An applicant for reinstatement within 5 years of termination, under section 5 or 13 of the registration regulation shall submit the application for registration form, and shall pay the application fee and any outstanding annual membership dues as set out in By-Law No. 2.

#### *CHANGE OF CATEGORY*

10. A holder of a Certificate who desires to change a current category of membership within the Association shall submit a request in writing to the Registrar for a change of current category of membership.
11. A practising, temporary or limited member who desires that their current category of membership be changed on retirement to non-practising shall notify the Registrar in writing.
12. A practising, temporary or limited member in good standing who has retired from active practice and has paid the annual membership dues as set out in By-Law No. 2 shall use the term "professional geoscientist (Non-practising)" and the designation "P.Geo. (Non-practising)".
13. A non-practising member is entitled to attend meetings and functions of the Association, receive publications of the Association and to participate in benefits offered by the Association from time to time. A non-practising member shall not vote on the affairs of the Association or hold office.

#### *DUES RELIEF*

14. The registration of a member who is granted relief from dues shall not be revoked or suspended due to a temporary inability to pay annual membership dues. Upon resumption of active practice within the geoscience profession, the member shall inform the Registrar in writing, including payment of any deferred dues and fees.

#### *SEAL*

15. Upon submission to the Registrar of the order form for a seal and the payment of the cost, every holder of a Certificate shall be issued a manual seal and/or an electronic seal.

#### *OTHER ASSOCIATIONS*

16. The Registrar may cooperate with the Registrar and/or registration officials in each of the other provincial and territorial Associations in establishing and implementing information exchange and transfer procedures for applicants who are registered with such Associations or for members of the Association who wish to transfer into or be recognized by those Associations.

## **SCHEDULE "A" - The Professional Geoscientists Seal**

### A.1 Definition

The seal shall be defined as:

- a) "manual seal" meaning the authentication of a document by affixing an impression to the document and signing and dating the document. A manual seal may be an embossing seal or a stamping seal.
- b) "electronic seal" meaning the specific electronic means of authenticating a record or ensuring that it is opened only by the intended addressee.

### A.2 Practising member seal

Every holder of a practising member certificate of registration from the Association may have a professional geoscientist seal bearing a design approved by Council.

The practising member seal shall include:

- a) the words "professional geoscientist" and "Ontario" in English, or the words "geoscientifique professionnel" and "Ontario" in French;
- b) the surname and initials or given names of the practicing member; and
- c) the words "practicing member" in English, or the words "membre en exercice" in French.

The draft English and French designs of a valid practising member seal are shown in Schedule B (1)

### A.3 Temporary member seal

Every holder of a temporary member certificate of registration from the Association may have a seal bearing a design approved by Council, including:

- a) the words "professional geoscientist" and "Ontario" in English, or the words "geoscientifique professionnel" and "Ontario" in French;
- b) the surname and initials or given names of the holder of the temporary certificate of registration; and
- c) the words "temporary member" in English, or the words "membre temporaire" in French.

In addition, the practitioner may be required to submit the following:

- a) the date of expiry; and
- b) a statement of any limitations on the temporary certificate of registration that may affect the public.

The draft English and French designs of a valid temporary member seal are shown in Schedule B(2).

### A.4 Limited member seal

Limited member seals are only valid inside the organization of the holder's employer unless accompanied by the seal of a holder of a practising or temporary certificate of registration. Every holder of a limited member certificate of registration from the Association may have a professional geoscience seal bearing a design approved by Council and including:

- a) the words "professional geoscientist" and "Ontario" in English, or the words "geoscientifique professionnel" and "Ontario" in French;
- b) the surname and initials or given names of the holder of the certificate of registration; and
- c) the words "limited member" in English, or the words "membre restreint" in French;

In addition, the practitioner may be required to submit the following information:

- a) the name of the employer of the holder;
- b) a statement that the holder is limited to the supervised services within the practice of professional geoscience given in the limited certificate of registration; and
- c) a statement of the limitations of the limited certificate of registration that may affect the public.

The draft English and French designs of a valid limited member seal are shown in Schedule B (3).

#### A.5 Designated use of seal

A holder of a Certificate of Authorization may designate only holders of practising or temporary (but not limited) certificates of registration to assume responsibility for the work conducted under the Certificate of Authorization. Limited member seals are not valid outside of the organization of the holder's employer unless accompanied by the seal of a holder of a practising or temporary certificate of registration.

#### A.6 Security

The holder of a manual and/or an electronic seal shall ensure that the seal is stored in a secure place to prevent unauthorized use.

#### A.7 Suspension or revocation of certificate

Any person whose practising, temporary or limited certificate of registration, or who is designated on a certificate of authorization, is suspended or revoked shall surrender the seal and related certificate or certificates to the Association.

#### A.8 Application of the seal

Under the *Professional Geoscientists Act, 2000*, holders of practising, temporary or limited certificates of registration are required to stamp all final drawings, figures and/or reports that contain geoscience work done by the member, or for which the member is responsible.

When reports drawings or documents are finalized the final document is referred to as the "master". It can be either electronic or hard copy and it is unsigned.

An original is made from the master and is signed, sealed and dated by the geoscientist. This is called the "original". The original is always signed.

When copies are made from the "original", they are called "copies".

Clients may receive either an "original" document or "copies" of an "original".

It is usual for either the sole practitioner or the holder of the Certificate of Authorization (the company) to maintain the "master" document on file, either electronically or hard copy, and also to maintain a signed, sealed and dated "original" on file.

Draft copies of drawings, figures and/or reports will not be signed or sealed and they should clearly be marked as "draft" or "preliminary" or "for information only".

The holder of the Certificate of Authorization (the company) may designate holders of practising or temporary certificates of registration to assume responsibility for the work in the subject documents. Holders of limited certificates of registration may not assume this responsibility.

Professional geoscientists shall sign, date and apply their seals only to an "original" copy of the drawing, figure and/or report. The "original" document, retained by the member or the responsibility holder, is a copy of the "master" document.

An "original" report prepared by the professional geoscientist shall be signed, sealed and dated on the signature page of the document.

"Original" specifications or drawings separate from a bound report prepared by the professional geoscientist shall be signed, sealed and dated on the cover of the document.

The application of the seal shall be clear and legible on all copies of sealed documents. The normal signature of the professional geoscientist, certificate of registration number and date of sealing shall all be clearly shown within or immediately adjacent to the seal. The use of initials without a surname is not acceptable.

"Original" drawings, figures and/or reports encompassing more than one discipline of geoscience shall be signed, sealed and dated by the responsible and/or approving professional geoscientist. If more than one professional geoscientist is involved, APGO requires that each of the professional geoscientists seal the drawings, figures and/or reports for the portions related to their respective disciplines. However, if only one person is to seal the drawings, figures and/or reports, it should be the approving professional geoscientist, i.e., the one accepting the responsibility.

APGO requires that "original" drawings, figures and/or reports that encompass more than one geoscience discipline be signed and sealed by the responsible professional geoscientist for each discipline and the approving professional geoscientist. The responsibility for the integrity of a completed drawing, figure and/or report therefore rests with the professional geoscientist in each discipline involved.

#### A.9 Electronic sealing of documents

The application of geoscience seals to electronic documents (drawings, figures and/or reports) shall be conducted in accordance with the *Electronic Commerce Act*, S.O. 2000, c.17.

#### A.10 Legal considerations in the use of a seal

Preliminary documents, drawings, figures, specifications and reports shall not be signed or sealed. Such documents shall be clearly marked "Preliminary" and/or "For Information Only".

A document that has geoscience content generated by the professional geoscientist that is on a base of information obtained from another source, the other source shall be properly identified and referenced and the final document shall be signed or sealed by the professional geoscientist.

Only documents that have professional geoscience content shall be signed and sealed by a professional geoscientist.

If for a legally-required reason (such as fulfillment of the requirements of a regulatory agency) it is necessary to sign and seal preliminary documents, the guideline for signing and sealing final documents should be followed. In such an instance, signed and sealed preliminary documents should also be clearly marked "Draft" and/or "Preliminary" and/or "For Information Only".

Reports providing technical information and/or geoscientific direction to the user shall be signed and sealed by either the author and/or the approving professional geoscientist. Drawings and figures bound into reports may not be individually sealed, although this is recommended, provided the enclosed documentation is signed, sealed and dated on the signature page and a complete list of drawings and figures in the report is given in the table of contents.

**SCHEDULE "B"**

**MEMBER SEALS**

