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Part 1

Protection of the Public: Principles and Standards

Applicability

- 1.1** The Principles and Standards for the Protection of the Public apply to the following individuals and business organizations:
- (a) Registered Landscape Architects, Landscape Architects, and BCSLA Associates, and;
 - (b) a firm or corporation registered in British Columbia which includes the designations Landscape Architect, Landscape Architects, or Landscape Architecture in its name or promotional materials.

References to "Landscape Architect" in this Part include the above parties otherwise subject to all rights and restrictions described in Part 2.

Principles of the Profession

Duties to the Public

- 1.2** The Landscape Architect owes a duty to the governments of Canada, British Columbia and the local governments therein, to uphold the law and the public trust in the integrity of the profession of landscape architecture, and, insofar as not in conflict with such duties, also to those governments in other jurisdictions applicable to the Landscape Architect's work and practice. Under this public trust the Landscape Architect will always conduct herself or himself competently and with integrity.
- 1.3** The Landscape Architect has a duty to give due regard to the general public who will use the landscape architectural designs or other products of the Landscape Architect, and in so doing to uphold public health, safety and welfare in solutions which will improve built environments, and enhance the integration of built and natural environments for a sustainable, livable and imaginative future.
- 1.4** The Landscape Architect owes a duty to the public to uphold the public trust in the expertise and judgment of professionals, through continuing education in the art, science and skills of landscape architecture, the thoughtful consideration of the social, environmental and economic impact of their professional activities, and the exercise of learned and uncompromised professional judgment.

Duties To The Client

- 1.5** The Landscape Architect has a duty to provide clients and employers with impartial professional judgment and undivided loyalty, with due regard to the Principles and Standards of the Profession.
- 1.6** The Landscape Architect will use due skill, care and diligence to, maintain current competency in his or her fields of consultation; recognize personal and professional limitations; obtain relevant facts, and; consider relevant principles, before providing professional services.



- 1.7 The Landscape Architect will exercise independent professional judgment and uncompromised evaluation in professional practice. The Landscape Architect should disclose to clients and employers any interest and circumstance which may influence whether or not a client will retain, or an employer will hire or retain, the Landscape Architect's services. The Landscape Architect will not act where there is a conflict of interest between the Landscape Architect and a client or employer, without the client's or employers express consent.

Duties To The Environment

- 1.8 The Landscape Architect must have due regard to the duties of a steward for the quality of environments, and to better integrate built and natural environments. The practice of landscape architecture must conserve and improve the quality of environments through planning and design, with expertise in physical interventions on sites, for a more sustainable, livable and imaginative future.
- 1.9 Landscape Architects will use the due skill and care of leaders in understanding ecosystem principles, and in the application of human and natural ecology in landscape architectural solutions, for the long-term health of the natural environment, and the long-term health and welfare of the public in built environments which celebrate the human experience.
- 1.10 The Landscape Architect has an obligation to use duty of care as a leader in environmental design through due diligence in continuing education, including the assessment of emerging technologies and research. *[Amended: May 3, 2008]*

Duties To The Profession

- 1.11 The Landscape Architect should always conduct himself or herself with candor, fairness, courtesy and respect, as the conduct of one reflects on all Members of the profession. This obligation includes contacts with all those associated with the profession and practice of landscape architecture, including associates, clients, contractors, consultants, employees, and the general public.
- 1.12 The Landscape Architect will assist the Society in maintaining the Bylaws of the Society. The Landscape Architect will advise the Society, without fear or favour, of apparent dishonest or unprofessional conduct of another Landscape Architect. *[Amended: May 3, 2008]*
- 1.13 The Landscape Architect will assist the Society in promoting the integrity of professional practice through open, honest, clear, considerate and accurate communication, and organized practice.

Duties To Oneself

- 1.14 The Landscape Architect has duties to herself or himself, to take pride in professional practice, to be honest and fair in assessing their own strengths, and to take time for family and friends.



Practice Standards and Education

- 1.15** The Board will establish and maintain standards of practice for Landscape Architects, to assist Landscape Architects on issues arising from the practice of landscape architecture. Standards may be approved by the Members by Special Resolution for greater certainty.
- 1.16** The Board may establish a Practice Standards Committee and delegate any or all authority and responsibility for standards of practice and the interpretation of the Principles and Standards of the profession of landscape architecture in British Columbia to such Committee.
- 1.17** The Board may take any steps they consider advisable to promote and improve the standard of practice by Landscape Architects, including:
- (a) establishing, maintaining or supporting a system of professional education for,
 - i. professional training,
 - ii. mandatory continuing education, and
 - iii. remedial education.
[Amended: May 3, 2008]
 - (b) granting scholarships, or other assistance to persons engaged in a program of landscape architectural education; and
 - (c) providing funds or other assistance to produce or maintain educational and professional reference materials,
 - (d) the Board may further require that participation in professional continuing education, as well as professional training and remedial education, be a mandatory requirement to maintain membership in good standing in the Society, and that loss of good standing for breach of mandatory education requirements may be remedied on conditions approved by the Board. *[Amended: March 8, 2003]*

Compliance

Good Standing

- 1.18** Every Landscape Architect must comply with the Act, other applicable legislation and laws, Bylaws, Principles, Standards and Policies of the BCSLA to remain in good standing with the Society. A loss of good standing may be subject to reinstatement on conditions approved by the Board in the following circumstances:
- (a) loss of Membership rights through a complaint, inquiry or hearing process, subject to re-qualifying or meeting other conditions to restore good standing; or
 - (b) failure to pay in full dues and assessments within sixty (60) days of the invoice date, subject to meeting all conditions for payment including all related costs and charges, or special approval from the Board.
 - (c) failure to comply with mandatory continuing education requirements, subject to procedures outlined in the mandatory CE Policy. *[Amended: May 3, 2008]*



Inquiry or Complaint

1.19 Anyone may,

- (a) make an inquiry to the Registrar, to clarify the Principles and Standards of Landscape Architects, on a no-names basis, and/or
- (b) deliver a written complaint to the Registrar alleging:
 - (i) breach of the Act, Bylaws, Principles or Standards of the Society by a Landscape Architect, Associate or firm;
 - (ii) unprofessional conduct, or;
 - (iii) incompetent practice.

A complaint must include a brief outline of facts relevant to the allegation.

1.20 Information received by a Director from any source that indicates that a specified Landscape Architect's or Associate's conduct may constitute a discipline violation must be treated as an internal complaint, in the nature of a self-regulating spot-check of standards, for at least preliminary consideration.

1.21. The Society cannot comment upon the business, contractual or other legal claims or legal relationships among parties. The Society may only assess whether a breach of the Act, Bylaws, Principles or Standards has occurred. Investigations and reviews of a complaint by the Society must be limited to the context of the status of the Landscape Architect in the Society, and the principles and standards required for professional conduct and good standing. All responses or comments by the Society, its officers and staff, must be so qualified or limited.

Confidentiality of Complaints

1.22 No Member, Director, officer, staff, consultant or contractor of the Society is permitted to disclose any information or records that form part of a complaint, or the Registrar's, Credential Committee's, Bylaw and Standard's Committee, Board or Board of Examiners' investigation or review of a complaint, except for,

- (i) the purpose of complying with legal duties, or with these Bylaws;
- (ii) the existence of a complaint against a Landscape Architect or Associate, its subject matter and its status if,
 - (1) the identity of the Landscape Architect has already been disclosed to the public, and
 - (2) the complaint has become generally known to the public; and
- (iii) the existence of a complaint against the Society, its subject matter and status.

1.23 Confidential information in this Part includes,

- (a) the name of the party who initiated the complaint;
- (b) such details of the matter including project or other parties names, which ought reasonably be considered private or confidential if the disclosure would likely breach the confidentiality of the complainant's identity, and;

- (c) all business and personal information of a complainant and all other parties which is not likely in the public realm.

All confidential information will be held in strict confidence, and not disclosed or left available for unauthorized use except for the limited purposes in paragraph 1.22 . Confidential information may be held and discussed in strict confidence by the Registrar and Committee personnel, and for the limited extent necessary to allow the Landscape Architect or Associate whose conduct is questioned to adequately respond, also in strict confidence, to the complaint. *[Amended: May 3, 2008]*

1.24 It is in the public interest that Landscape Architects who have been subject to an inquiry and hearing and found in breach of Professional Principles or Standards, be cited by the Society in notices to Members in sufficient detail to identify,

- (a) the identity of the Landscape Architect or Associate, by name, community of primary residence; and date of admission into the Society;
- (b) the date of compliance hearing, and the names of those hearing the matter;
- (c) the names of legal counsel, if any;
- (d) a summary of facts on a no-names basis to identify the general nature of the conduct and complaint; and
- (e) a summary of the result, including any disciplinary action.

For greater certainty, such publication will be strictly subject to the condition that the name and business and personal details of the complainant, and specific details of projects and other parties, will be not be disclosed and must be held as private and confidential.

Preliminary Consideration and Investigation of Complaints

1.25 The Registrar must consider, or delegate to a Director for preliminary consideration, every complaint received. The preliminary consideration of a complaint will assess whether the complaint or matter,

- (a) is outside the jurisdiction of the Society;
- (b) is frivolous, vexatious or an abuse of process, or;
- (c) does not allege facts that, if proved, would reasonably constitute a discipline violation.

Following a preliminary consideration, the Registrar or delegatee may decline to investigate a complaint on written notice to the complainant, with a copy to the Bylaws and Standards Committee.

1.26 The Registrar may, and if directed by the instruction of the Bylaws and Standards Committee must, investigate a complaint. The preliminary investigation will include,

- (a) contacting the Landscape Architect named in the complaint, and;
- (b) contacting the complainant or other parties,

to clarify basic relationships and context. The Registrar may delegate responsibility for an investigation to a Director.



- 1.27** The Registrar must deliver to the Landscape Architect named in the complaint a copy of the complaint or, if that is not practicable, a summary of it, subject to,
- (a) delaying notification of the Landscape Architect if the Registrar considers it necessary for the effective investigation or if likely to decline further investigation, and
 - (b) the authority to decline to or defer identifying the complainant or the source of the complaint if in doing so would not likely prejudice the Landscape Architect's rights to fully respond.
- 1.28** The Registrar may require the Landscape Architect, to whom a copy or summary of the complaint has been delivered, to respond in a timely way, in writing. The response must be signed personally, or by a director of a firm or corporation if the complaint is about an authorized business, or by counsel for the Landscape Architect or business. The response must be delivered to the Registrar as soon as practicable and, in any event, by the date set by the Registrar which will be not less than fourteen (14) days from the receipt of the notice of complaint to the Landscape Architect.
- 1.29** After receiving a response from the Landscape Architect, the Registrar should report to the complainant, and may deliver to the complainant a copy of the response or a summary of it, subject to concerns for private or confidential information. The Registrar may allow both parties to clarify any significant points. The preliminary investigation could conclude with a summary of the information and complaint, and a summary of the response by the Landscape Architect.

Complaint Information System

- 1.30** The Registrar will provide a system to,
- (a) manage all confidential records and evidence of a complaint and complaint process, and
 - (b) maintain a public registry of complaints indicating the date of initial receipt by year; the general categories of complaints; the disposition as declined jurisdiction, dismissed following preliminary investigation, referred to Committee inquiry, referred to Practice Review, or referred to disciplinary review, and; the resolution by preliminary consensual process, panel decision, or appeal.

Preliminary Resolution

- 1.31** The Registrar or either party at any time may attempt to resolve or expedite reviews through a consensus of relevant facts and/or issues of a complaint, through meetings of the Registrar and the parties, to,
- (a) clarify the Society's Principles and Standards,
 - (b) allow for the admission of specified conduct or other facts by the Landscape Architect and/or the complainant,
 - (c) allow for the withdrawal of specified allegations by the complainant, and/or
 - (d) propose undertakings of the Landscape Architect of disciplinary conditions, and/or remedial actions for personal, professional or business practice.

The Registrar may choose, or may decide following an application from either party, to refer all or any issue or matter to third-party mediation, or other informal and independent means of achieving consensus, except that the mediation must be strictly limited to matters of professional status with the Society.



- 1.32** After investigating a complaint, the Registrar may take no further action if he or she is satisfied that the complaint,
- (a) is not valid or its validity cannot be reasonably established on the professional burden of proof of a fair and reasonable preponderance of credible evidence;
 - (b) does not disclose a breach of professional conduct serious enough to warrant further action, or
 - (c) has been resolved.
- 1.33** The Bylaws and Standards Committee may decide to further review or inquire after the implications of the Landscape Architect's conduct, independently of the initial complaint and any preliminary resolution, through either a Practice Review or Disciplinary Review process, or both.
- 1.34** The Registrar must advise both the complainant and the Landscape Architect in writing, with a copy to the Bylaws and Standards Committee, of the status following a decision on whether to refer the matter on, or take no further action. Such notice must include,
- (a) summary notes of the reason for the decision, and
 - (b) summary instructions on the expected process for further Committee inquiry, or how to apply for a review of the decision to take no action.

Committee Inquiry

- 1.35** Unless the Registrar decides that no further action is required, the Registrar must refer the complaint and preliminary investigation report to,
- (a) the Credentials Committee, if the complaint is related to Membership qualifications, education or continuing education, or Membership application processes, and/or
 - (b) the Bylaws and Standards Committee, for all other matters.
- 1.36** A complainant may apply to the Bylaws and Standards Committee for a review of a decision to take no action by the Registrar. Such application must be made within thirty (30) days after the decision is communicated to the complainant unless delayed due to outstanding circumstances beyond the control of the complainant and such delay is accepted by the Chair of the Bylaws and Standards Committee.
- 1.37** Under either a referral from the Registrar or an application from the complainant, the Bylaws and Standards Committee must review the documents obtained, collected or produced by the Registrar's preliminary investigation, and may instruct the Registrar to seek preliminary resolution of facts or matters, and/or make or provide for further inquiries of the complainant, the Landscape Architect or any other person.

The Bylaws and Standards Committee has the authority to do any one or more of the following when considering a complaint:

- (a) decide that no further action be taken on the complaint or a review of the Registrar's decision;
- (b) make recommendations on professional practice standards to the Landscape Architect, if carrying out of the recommendations should improve the Landscape Architect's practice;

- (c) require the Landscape Architect to meet and discuss the circumstances of the complaint with a Director or counsel designated by the Committee, who must then report to the Committee;
- (d) find that there are reasonable grounds to believe that the Landscape Architect is practicing in an incompetent manner and order a Practice Review of the Landscape Architect's practice;
- (e) require a Disciplinary Review of facts, grounds and disciplinary responses to alleged breaches of Professional Practice Principles or Standards, and;
- (f) reconsider a preliminary action or response based on more complete information, and require one or more additional inquiry steps or disciplinary responses.

Practice Review

1.38 The purpose of a Practice Review is to assess the quality management systems and controls of a Landscape Architect's practice, including document control, time management and information management systems, with a view to improving systems for the professional practice of landscape architecture.

1.39 A Practice Review will be undertaken on,

- (a) the instructions of the Bylaws and Standards Committee at any time in response to a complaint;
- (b) at the request of a Landscape Architect in response to a complaint, or;
- (c) at any time at the request and cost of a Landscape Architect for continuing education credit and a review of professional quality control systems.

1.40 Practice Review will include the following process:

- (a) the Registrar will name two (2) or more qualified persons to conduct the Review;
- (b) after consulting with the Landscape Architect and the Practice Reviewers, the Registrar or Executive Administrator will set a date, time and place for the Practice Review;
- (c) the Landscape Architect and other Landscape Architects in the firm, agency or corporation of the practice under review, must co-operate in good faith, provide full and honest disclosure, answer all inquiries and provide the Practice Reviewers with all information, files or records in the Landscape Architect's possession or power as reasonably requested; and
- (d) after completing a Practice Review, the Practice Reviewers must deliver to the Bylaws and Standards Committee and to the Landscape Architect a written report of their findings and recommendations.

1.41 A Practice Review in a complaints process will conclude with the Bylaws and Standards Committee's, consideration of,

- (a) the Practice Reviewers' report;
- (b) the preliminary inquiry report of the Registrar, and;
- (c) other applicable information.

The Bylaws and Standards Committee will render a decision in a timely way, and may, decide that no further action be taken; or recommend that the Landscape Architect do one or more of the following:

- (i) undertake not to practice in specified areas of landscape architecture;
- (ii) satisfactorily complete a remedial program of study;
- (iii) satisfactorily complete one or more examinations of professional subjects, as specified by the Committee or its designate;
- (iv) obtain a psychiatric or psychological assessment or counselling, or both, and, if the Committee requests, provide a report on that assessment or counselling to the Committee;
- (v) obtain a medical assessment or assistance, or both, and if the Committee requests, provide a report on that assessment or assistance to the Committee;
- (vi) practice in a setting approved by the Committee, including under the supervision of a Landscape Architect approved by the Committee; and/or
- (vii) take other steps intended to improve the Landscape Architect's practice or otherwise protect the public interest.

1.42 An interim Practice Review decision by the Committee may include,

- (a) requests for further information;
- (b) one or more dates for compliance, and/or;
- (c) extend the date(s) for compliance, on application by the Landscape Architect or the Registrar.

1.43 On receipt of a Practice Review decision from the Committee, the Registrar will,

- (a) include a copy as part of the Landscape Architect's professional conduct record;
- (b) deliver a copy of the Committee's practice recommendations to the Landscape Architect;
- (c) provide a notice of the conclusion of the Practice Review to the complainant, such notice is not to include or refer to any records, reports and recommendations as these are confidential to the Society and Landscape Architect, and;
- (d) provide a report in six (6) months on the manner in which the Landscape Architect has carried out recommended changes to his or her practice, or failed or refused to do so.

Personal Review *[Amended: May 3, 2008]*

1.44 The purpose of a Personal Review is to assess the Landscape Architect's conduct and personal performance in one or more specific circumstance(s), with possible personal consequences for the individual's future conduct, remedial or other action, and status in the Society. *[Amended: May 3, 2008]*

1.45 The Bylaws and Standards Committee may order a Personal Review of the Landscape Architect's conduct under a complaint inquiry, or with the consent of the Landscape Architect, to establish appropriate remedial actions if any. The Committee may only order a Personal Review following a preliminary Committee inquiry. The Committee will include in its directions, instructions for the Registrar to proceed with,



- (a) an informal conduct review meeting between the respondent Landscape Architect and the Personal Review Panel, if material professional misconduct, misappropriation of funds or property, or professional incompetence was not likely involved, and/or;
 - (b) a citation to the respondent Landscape Architect for a disciplinary hearing.
[Amended: May 3, 2008]
- 1.46** A Personal Review must proceed in a manner consistent with standards of simplicity, fairness and expediency, to provide an effective balance of the rights of the public, the profession and the individual Landscape Architect. *[Amended: May 3, 2008]*
- 1.47** On receipt of directions for a Personal Review Panel from the Bylaws and Standards Committee, the Registrar must name a panel of three (3) qualified persons to conduct the Review in accordance with the principles of fundamental justice. The Panel must have access to legal counsel to advise on due process, or must include a Member of the Law Society of British Columbia who can advise on procedural matters.
[Amended: May 3, 2008]
- 1.48** The Committee may include interim conditions on,
- (a) the practice of the Landscape Architect, including those available under a Practice Review, and/or;
 - (b) if the Committee has directed the Registrar to issue a citation, the Committee may include a recommendation that the Board suspend the Landscape Architect pending conclusion of the hearing, if the Committee considers that the continued practice of the Landscape Architect will, on the balance of probabilities, be dangerous or harmful to the public.
- 1.49** Subject to obligations of confidentiality, the Registrar will promptly provide the respondent Landscape Architect with summary notice of the misconduct alleged and the Committee's directions. The respondent may apply to vary or appeal any interim conditions, and the Registrar will provide such hearing within seven (7) days of receipt of the respondent's written request.
- 1.50** After consulting with the Landscape Architect and the Personal Review Panel, the Registrar will set a date, time and place for a pre-disciplinary hearing conference to consider,
- (a) the possibility of admissions of fact to facilitate the hearing;
 - (b) the discovery and production of documents or other evidence;
 - (c) the simplification of the issues, and
 - (d) amendments to the allegations in the citation.
[Amended: May 3, 2008]
- 1.51** Disciplinary hearings may be attended by,
- (a) witnesses or consultants for the respondent Landscape Architect, the complainant or the Society, subject to undertakings to respect the confidentiality of information disclosed, limits on recording and the respondent's and Society's rights to protect certain information through non-public sessions, at the discretion of the hearing Chair;

- (b) both the respondent and the Society may have legal counsel present at both the pre-hearing conference and the disciplinary hearing, and
- (c) the complainant, and one other person chosen by the complainant, may attend the disciplinary review subject to the obligation to respect the respondent's confidential information, and at the discretion of the hearing Chair.

1.52 The disciplinary hearing will include,

- (a) the hearing of evidence from both Personal Review Panel counsel and the respondent such that each allegation in the citation must be proved by a fair and reasonable preponderance of credible, clear and convincing evidence.
- (b) submissions on appropriate penalties and/or remedial action from Personal Review Panel counsel and the respondent on each adverse verdict and considering such factors as,
 - (i) the good, or bad, faith at the time of adverse conduct,
 - (ii) the good, or bad, faith attempts to mitigate consequences or damages from the adverse conduct,
 - (iii) the co-operative, or un-cooperative and unprofessional, conduct during the complaint process,
 - (iv) evidentiary problems,
 - (v) the lack of history, or history, of previous complaints; and
 - (vi) any other mitigating, or aggravating, factors.
- (c) following a verdict adverse to the respondent, the panel must invite submissions from the respondent or counsel as to appropriate penalties on each or all adverse findings of,
 - (i) professional reprimand,
 - (ii) fines not to exceed \$5,000,
 - (iii) costs of the hearings and investigations,
 - (iv) temporary or extended suspension from the Register of the Society,
 - (v) conditions on the practice of the respondent,
 - (vi) a remedial program for the knowledge or skills of the respondent, and/or
 - (vii) expulsion from the Society.

[Amended: May 3, 2008]

1.53 On the reasonable belief that a Landscape Architect has committed a disciplinary violation, the Committee may order that the Landscape Architect, and other Landscape Architects in the firm, agency or corporation, answer any inquiries of the disciplinary panel, and provide the designated reviewers with all information, files and records in the Landscape Architect's possession or power as reasonably requested. The Committee will treat all such responses and information as confidential.

1.54 All disciplinary hearings and proceedings must be recorded and such records will be held as confidential information of the Society.

1.55 On receipt of the disciplinary hearing report from the panel, the Registrar will attend to,

- (a) including a copy of the report in the Society's professional conduct record of the Landscape Architect;
- (b) delivering a copy of the panel's decision to the Board, the Bylaws and Standards Committee and the Landscape Architect, and;
- (c) providing a compliance report in six (6) months on the manner in which the Landscape Architect has complied with the decision, or failed or refused to do so.



- 1.56** A respondent Landscape Architect may appeal a decision,
- (a) of a Personal Review Panel, to the Board, by delivering notice of the application to appeal to the Registrar within thirty (30) days of the respondent's receipt of the Panel's decision, and
 - (b) of the Board, to a court of competent jurisdiction, according to the then current and applicable law.
- [Amended: May 3, 2008]*

Remedial Program

- 1.57** A remedial program may be recommended or required by the Bylaws and Standards Committee, to improve the Landscape Architect's knowledge and skill in the practice of landscape architecture, including, but not limited to, one or more of the following:
- (a) a professional continuing education course;
 - (b) a specialized remedial education course offered by a professional organization;
 - (c) a course offered by an educational institution;
 - (d) a program of mentoring or supervision by a principal Landscape Architect approved by the Committee; and/or,
 - (e) confirmation to the Registrar in writing from the Landscape Architect of the completion of the remedial program to the satisfaction of the Committee.
- 1.58** To form part of a remedial program, a course or program must be approved by the Credentials Committee or its designate.

Preliminary Resolution, Practice Review and Disciplinary Hearing Costs

- 1.59** The Bylaws and Standards Committee may order that a Landscape Architect pay to the Society the costs of a preliminary inquiry, preliminary investigation, Committee inquiry, preliminary resolution, practice review, disciplinary hearing or action, or remedial program ordered or allowed under these Bylaws, including all reasonable costs of a review panel, transcripts and records administration, and legal counsel for the Society.
- 1.60** A Landscape Architect who is ordered by the Bylaws and Standards Committee to pay such costs must pay in full by the date set by the Committee, unless varied or extended by the Board on appeal or application of the Landscape Architect.

Failure to Comply

- 1.61** A Landscape Architect who has not paid the full amount owing for such costs when due, or who has not complied with a decision of the Registrar, Credentials Committee, or Bylaws and Standards Committee, is not in good standing and is not entitled to use the title, stamp or other benefits of Membership in the Society until fully complying with all conditions, or a formal appeal has been filed, or the Board orders otherwise.
- 1.62** The Board will be entitled to pursue all legal remedies to enforce compliance hereunder.

Part 2

Members, Associates and Affiliates

- 2.1** The following are the categories of Members of the Society:
- (a) Registered Landscape Architects, as defined below,
 - (b) Landscape Architects, as defined below,
 - (c) Retired Landscape Architects, as defined below.
- 2.2** The following are categories of non-voting Associates of the Society:
- (a) BCSLA Student, as defined below,
 - (b) BCSLA Intern, as defined below,
 - (c) BCSLA Associate, as defined below.
- 2.3** The following are categories of non-voting Affiliates of the Society:
- (a) BCSLA Honorary, as defined below,
 - (b) BCSLA Affiliate, as defined below.

Use of Title and Stamp: Registered Landscape Architect

- 2.4** Every person who is a Registered Member in good standing of the Society is entitled to use the designation “Registered Landscape Architect”; no person who is not a Member in good standing of the Society may assume or use that designation in any manner or represent that he or she is entitled to do so.
- 2.5** A Landscape Architect must apply to the Board to use the title “Registered Landscape Architect” or “Landscape Architect” or; “Landscape Architects” or “Landscape Architecture” in a firm or company name registered in British Columbia for a landscape architecture practice employing one or more Landscape Architects. The Board may allow such use of the title, subject to a written agreement of terms and conditions set by the Board, and duly entered into by the Landscape Architect. Use of the title by the subject firm or company may continue only on strict compliance with the terms and conditions of such agreement.
- 2.6** The Registrar will provide each Registered Landscape Architect with a professional stamp or seal, the impression of which will contain,
- (a) the name of the Registered Landscape Architect;
 - (b) the designation “Registered Member, British Columbia Society of Landscape Architects”, and;

(c) the registration number of the Registered Landscape Architect, from the Registrar of Members.

2.7 The Registered Landscape Architect will use an original impression of the stamp or seal, together with the Registered Landscape Architect's signature and date, on all original drawings and specifications from his or her practice for use in the Province as documents of record, appeal permit or construction, or to evidence professional review or opinion, and as otherwise required or deemed prudent by the Registered Landscape Architect; no Registered Landscape Architect shall affix his or her stamp or seal, or sign, any drawings or specifications that:

(a) the Registered Landscape Architect has not prepared; or

(b) the Registered Landscape Architect's staff, contractors or consultants have not prepared under the Registered Landscape Architect's supervision.

2.8 All stamps issued by the Registrar remain property of the Society; and must be returned to the Registrar by registered mail when a Registered Landscape Architect ceases to be a Member of the Society.

Registered Landscape Architects

2.9 A Registered Landscape Architect is a person admitted into Membership of the Society in accordance with the requirements of these Bylaws and the Act, including qualification by education, examination and experience, payment of fees and annual fees when due, and compliance with the requirements of professional conduct and standards.

2.10 The Board may designate outstanding Registered Members as "Life Members" of the Society, with special privileges including a waiver from annual fees, subject to maintaining exemplary conduct and the following criteria:

(a) the Member has been a Member in good standing of the Society for twenty-five (25) years, or

(b) the Member has been engaged in the full-time practice of landscape architecture, in good standing, for twenty-five (25) years and

(c) retired from the profession.

[Amended: May 3, 2008]

Landscape Architects

2.11 A Landscape Architect may be:

(a) one who chooses to withdraw from active practice in the field of landscape architecture, but wishes to retain his/her professional status;

(b) full-time employee in the public sector or private industry, working in primarily management, policy, administrative or co-coordinating roles; or

(c) a full-time faculty, lecturer or writer working primarily in teaching or research.

2.12 A person who satisfies one of the above working conditions may apply to be admitted as a Landscape Architect Member of the Society by providing to the Registrar,

- (a) a completed BCSLA Admission Program application, including a written release of relevant information to the Society;
- (b) proof of academic qualification, either:
 - (i) successful completion of a bachelor or masters program in landscape architecture, at an accredited university under the Council of Landscape Architectural Registration Boards of North America, or
 - (ii) approval of the Credentials Committee of the Society, under such process of documentation, interview and verification as the Committee may see fit and at the cost of the Applicant, to ascertain other academic qualifications;

and including an official transcript of the Applicants grades at each faculty or school of landscape architecture or equivalent program;

- (c) proof of applicable employment for a continuous period of not less than two (2) years;
 - (d) other documents that the Credentials Committee may reasonably require;
 - (e) payment in full of application fees and dues as specified from time to time by the Board, and,
 - (f) an undertaking to the Society not to engage in the practice of landscape architecture in areas which relate to preparation of construction documents, and responsibilities related to construction administration, except in limited consulting under the direction of a Registered Member, and only if not in conflict with professional obligations related to the relevant employment. *[Amended: May 3, 2008]*
- 2.13** The Registrar may approve a person for Landscape Architect Membership, initiate an inquiry for the application, or refer the application to the Credentials Committee for review. A Landscape Architect will not be required to enroll in and complete the Admissions Program, however, must provide evidence of professional training and continuing professional education.
- 2.14** The Board may designate outstanding Members as “Life Members” of the Society, with special privileges including a waiver from annual fees, subject to maintaining exemplary conduct and the following criteria,
- (a) the Member has been a Member in good standing of the Society for twenty-five (25) years, or
 - (b) the Member has been engaged in the full-time practice of landscape architecture for twenty-five (25) years. *[Amended: May 3, 2008]*
- 2.15** A Member approved for Landscape Architect status will not represent himself or herself as a Registered Landscape Architect. A Landscape Architect will not use a stamp or seal of the profession.

Retired Landscape Architect

- 2.16** A Retired Member is a Landscape Architect who retires from practice, and who satisfies one of the following criteria:
- (a) maintained Membership in good standing with the Society for twenty-five (25) years, or
 - (b) engaged in the full-time practice of landscape architecture for twenty-five (25) years.
- 2.17** Any Landscape Architect who satisfies one of the above conditions may apply to the Registrar for Retired Member status, and must include an undertaking to the Society not to engage in the practice of Landscape Architecture except in limited consulting under the direction of a practicing Member, and applicable fees as the Board may establish from time to time. *[Amended: May 3, 2008]*
- 2.18** The Board may designate outstanding Members as “Life Members” of the Society, with special privileges including a waiver from annual fees, subject to maintaining exemplary conduct and the following criteria:
- (a) the Member has been a Member in good standing of the Society for twenty-five (25) years or,
 - (b) the Member has been engaged in the full-time practice of landscape architecture for twenty-five (25) years.
- 2.19** A Member approved for retired status will represent himself or herself as a Retired Landscape Architect. A Retired Landscape Architect will not use a stamp or seal of the profession.

Associates

- 2.20** The following are the categories of the Associates of the Society:
- (a) **BCSLA Student:** An individual who is registered in an accredited post-secondary school Landscape Architecture program of study, may apply for recognition as an Associate of the Society, and upon acceptance by the Board and payment of all fees when due, the individual is entitled to use the designation “BCSLA Student”.
 - (b) **BCSLA Intern:** An Intern is an Associate who has been accepted by the Board into the admission program for Membership in the Society, and on such acceptance the applicant is entitled to use the designation “BCSLA Intern”.
 - (c) **BCSLA Associate:** An individual may apply for recognition as an Associate of the Society who,
 - (i) has completed a degree in landscape architecture that is approved by the Board; or
 - (ii) has been employed for six (6) years in the field of Landscape Architecture to the approval of the Board; or
 - (iii) has an equivalent combination of degree and employment in an allied discipline,

Upon acceptance by the Board and payment of all fees when due, such individuals are entitled to use the designation “BCSLA Associate”, receive all general communications of the Society, attend general meetings as a non-voting Associate, attend continuing education programs and sessions at BCSLA rates, and benefit from information

resources of the Society available to Members. BCSLA Associates are bound by the Principles and Standards of the Society, and the Bylaws as applicable.

Affiliates

2.21 The following are categories of Affiliates of the Society:

- (a) **BCSLA [Honorary Member]:** Any individual may be nominated for consideration by the Board of the designation “BCSLA [Honorary Member]”, and such honor if awarded by the Board will include the waiver of fees and such other privileges as the Board sees fit, in recognition of outstanding community activity related to the Principles or Practice of landscape architecture.
- (b) **BCSLA Affiliate:** Any individual, organization, institution, or business with an affiliation to the Principles and Practice of landscape architecture may apply for recognition as an Affiliate of the Society.

Upon acceptance by the Board and payment of all fees when due, such individuals are entitled to use the designation “BCSLA Affiliate”, receive all general communications of the Society, attend general meetings as a non-voting Associate, and attend continuing education programs and sessions at BCSLA rates.

Admissions Program

2.22 The Board will provide a program for the admission of new Members, which includes requirements of education, experience and an examination of standards. The Board has established the Credentials Committee under Part 3 of these Bylaws, further to the resolution of the Board of Examiners to delegate its obligations to implement and administer regular and special examinations and standards.

2.23 The BCSLA Admissions Program will include the following components:

- (a) an academic requirement of a degree in landscape architecture that is approved by the Board;
- (b) Intern training courses or professional education courses
- (c) Work experience under a Qualified Mentor for a minimum of two (2) years, and
- (d) an approved landscape architecture registration examination, including regional expertise requirements.

An alternative stream in outstanding circumstances will allow an individual who has been employed for six (6) years under approved Principals in the field of landscape architecture to be considered without a formal degree, however, substantial professional education coursework must have been completed in addition to intern training and standard course requirements. *[Amended: May 3, 2008]*

2.24 A person with academic qualifications may apply to be enrolled in the Admissions Program of the Society. For such application the individual must deliver to the Registrar the following:

- (a) a completed BCSLA Admissions Program application, including a written release of relevant information to the Society
- (b) proof of academic qualification, either,

- (i) successful completion of a bachelor or masters program in landscape architecture, at an accredited university under the Council of Landscape Architectural Registration Boards of North America, or
 - (ii) approval by the Credential Committee of the Society, under such process of documentation, interview and verification as the Committee may see fit and at the cost of the applicant, to ascertain other academic qualifications,
- and including,
- (iii) an official transcript of the applicant's grades at each faculty or school of landscape architecture or equivalent program
 - (iv) a BCSLA Intern Agreement in a form approved by the Credentials Committee, executed by the applicant and his or her prospective principal;
 - (v) other documents or information that the Credentials Committee may reasonably require, and
 - (vi) fees specified from time to time by the Board.
- 2.25** The Registrar must consider an application for enrolment in the Admissions Program by a person meeting the accredited educational qualifications, and may contact or authorize any person to conduct an investigation concerning an applicant seeking enrolment under other academic qualifications. The Registrar may enroll an applicant without conditions, or refer the application to the Credentials Committee.
- 2.26** The Credentials Committee, upon receiving an enrolment referral from the Registrar, will consider the application and,
- (a) enroll the applicant as an Intern without conditions; or
 - (b) enroll the applicant as an Intern with conditions if the applicant consents to those conditions in writing, or;
 - (c) order a hearing.
- 2.27** An Intern must pass all sections of the registration examinations within five (5) consecutive years from the date of his/her enrolment in the Admissions Program. *[Amended: March 5, 2005]*
- 2.28** An Intern must complete the intern period of employment under a Principal as continuous term, subject to,
- (a) continuing education courses, an annual vacation, and special circumstances authorized by the Credentials Committee including leaves of absence for illness, maternity or paternity, which do not, in the aggregate, extend the total term to more than five (5) consecutive years; and
 - (b) the option of a secondment to a second principal for not more than six (6) months of the Intern's employment term; an Intern may apply to the Credentials Committee, to have experience under an authorized principal in another jurisdiction credited as a secondment.
- 2.29** An Intern who has not attained Registered Membership at the end of the five (5) year allotment or who fails to satisfy any other requirement of the Board of Examiners may not apply to re-enroll in the Admissions Program until the earlier of:

- (a) two (2) years from the date of expiry of the five (5) year allotment, or

(b) a date allowed by the Credentials Committee.
[Amended: May 3, 2008]

- 2.30** The Society will hold as confidential information all examination results and information provided to the Society for admission through applications or reciprocity subject to authorized release to the owner, confidential review to improve the future processes of policies of the Society, and obligations of the Society at law.

Admission and Register of Members

- 2.31** An Intern may deliver to the Registrar an application for admission to Membership. Such application must include,
- (a) a declaration from the applicant of successful completion of the Admissions Program described in Bylaws 2.23 above,
 - (b) a declaration from the applicant's Principal(s) of such completion;
 - (c) all applicable fees; and,
 - (d) such other documents and records as the Board may from time to time require.
- 2.32** For acceptance and admission as a Member, completion of the Admissions Program and application process, every person must,
- (a) be presented to the Board of Examiners, either personally or by video-conference at the applicants choice and expense, and
 - (b) take an oath, in a form approved by the Board of Examiners, to the Principles and Standards of the Profession.
- 2.33** The Registrar must maintain the Register of Members in electronic or paper form, and must enter the date of admission, the full names and community of residence of all persons admitted as Landscape Architects.

Reciprocity

- 2.34** An applicant from another jurisdiction in Canada, Mexico or the United States seeking enrolment in the Admissions Program must deliver the following to the Registrar,
- (a) a petition for admission, including, as applicable, a reduction in employment term or reciprocity for examinations passed which are equivalent to those administered by the Board of Examiners;
 - (b) a certificate of character references;
 - (c) a certificate of standing from each body regulating the profession of landscape architecture in the jurisdiction(s) in which the applicant is or has been a member;
 - (d) proof of academic qualifications;
 - (e) a declaration from a Principal who satisfies the standards required by the Credentials Committee, describing the experience of the applicant; and
 - (f) payment in full of all fees, including admission fees, and other reasonable assessments.

The Registrar may recommend the applicant for Admissions Program, and a reduction in the employment term or waiver of examination sections, or other conditions, or may recommend the application for review by the Credentials Committee.

- 2.35** An applicant from another jurisdiction other than those in North America, seeking enrolment in the admissions program, must deliver the following to the Registrar:
- (a) a petition for admission;
 - (b) a certificate of character references;
 - (c) a certificate of standing from each body regulating the profession of landscape architecture in each jurisdiction in which the applicant has been a member;
 - (d) proof of academic qualifications directly from the learning institution;
 - (e) a declaration from a Principal who satisfies the standards required by the Credentials Committee, describing the experience of the applicant;
 - (f) payment in full of all fees, including investigation fees for an extra-jurisdictional review, admission fees, and other reasonable assessments; and
 - (g) proof of satisfactory training and knowledge of the English language, and any other information and documents requested by the Credentials Committee.

Membership Information

Bylaws

- 2.36** Each Member is entitled to a copy of the current Constitution and Bylaws of the Society and the Society will provide such copy without charge on the Member's admission into the Society.
- 2.37** The Registrar will maintain a reference copy of these Bylaws, as amended from time to time and registered with the Registrar of Companies. Such copy will be located at the Society's office and will be open for inspection by the Members on reasonable notice during reasonable office hours.

Certificates

- 2.38** The Registrar may approve the form of certificates, which confirm status as a Member or Life Member.
- 2.39** Each Member is entitled to one (1) copy of a Certificate of Membership from the Society; additional copies will be provided by the Society at reasonable cost to the Member.

Declarations

- 2.40** A Registered Landscape Architect must complete and deliver an annual practice declaration to the Registrar, in the form approved by the Registrar.
- 2.41** Every Member must provide prompt notice to the Registrar of any changes in primary business and primary residential address, and if providing facsimile or e-mail transmission contact details, the Member must also provide prompt notice to the Registrar of any changes to facilitate effective communications and notice delivery.

**Notices**

- 2.42** A notice from the Society will be delivered if given to a Member personally and in writing, or,
- (a) by mail to him/her at his/her business or residential street address on the records of the Society; or,
 - (b) by facsimile transmission to a facsimile number appearing on the records of the Society; or,
 - (c) by e-mail transmission to the e-mail address appearing on the records of the Society.
- 2.43** Each Member shall be solely responsible for providing the Society with a current street address, facsimile number and e-mail address as applicable.
- 2.44** A notice shall be sent by mail, facsimile, or e-mail shall be deemed to have been given on the third day following that on which the notice was posted and/or transmitted.

Cessation of Membership

- 2.45** A person shall cease to be a Member of the Society:
- (a) on resigning by written notice to the Registrar and returning his/her stamp by registered mail to the address of the Society; or
 - (b) upon being a Landscape Architect not in good standing for sixty (60) consecutive days following notice from the Registrar that the time has lapsed on all grounds for appeal for failing to pay annual membership dues or any other subscription or debt due or owed to the Society, or;
 - (c) upon death.

Reinstatement

- 2.46** A Registered Landscape Architect who has been granted a change in status may be reinstated to their previous status on application to the Registrar, if
- (a) within three (3) years of the date of the application the Member pays his or her current dues and administration fees; or
 - (b) after three (3) years of the date of the application the Member pays his or her current dues and administration fees and provides a declaration of character and work history, and fulfils such other requirements as may be determined by the Board of Examiners. *[Amended: March 5, 2005]*
- 2.47** A former Member who has ceased to be a Member by resignation may be reinstated as a Member by the Registrar upon payment of current dues and administration fees if within three (3) years of resignation and upon fulfillment of such other requirements as may be determined by the Board.
- 2.48** A former Member who has ceased to be a Member for non-payment of dues may be reinstated as a Member by the Registrar upon payment of all outstanding dues and penalties assessed by the Board if within three (3) years of being struck from the Register, and upon fulfillment of such other requirements as may be determined by the Board.

- 2.49** Unless fully exonerated, a former Member who ceased to be a Member for reasons of:
- i) professional misconduct,
 - ii) incompetence,
 - iii) non-compliance of the mandatory Continuing Education Policy, or
 - iv) other disciplinary action,

may not apply to be considered for conditional reinstatement by the Board of Examiners for two (2) years from the date on which he/she ceased to be a Member. Following such period, the individual may apply for reinstatement by delivering the following to the Registrar,

- (a) an application for reinstatement form
- (b) a declaration of character references and work history, and a written consent for release of relevant information to the Society, and
- (c) required fees and charges, including all costs those related to any inquiry or hearing.
[Amended: May 3, 2008]

Credentials Hearing

- 2.50** An individual may apply for a credentials hearing before the Credentials Committee, to review any aspect of the BCSLA Admissions Program or Reciprocity requirements, which the applicant has failed to satisfy in the normal course.
- 2.51** An individual may apply for such a hearing by providing a written application to the Registrar, including a summary of the circumstances and such documents as the individual feels relevant. The Registrar must review the application and refer it to the Committee for instructions, unless the Registrar decides that the application is frivolous or without reasonable grounds for success. An individual may appeal an assessment of frivolous or groundless application directly to the Committee, by including a deposit as security of costs as established by the Committee.
- 2.52** When a hearing is authorized by the Committee, the Committee must set an amount to be deposited by the applicant as security for costs. Such costs will include estimated administration and hearing costs, and the cost of legal counsel for the Society. The hearing cannot commence until the security for costs has been deposited with the Registrar. Such security will be returned if the individual is successful in establishing admission or enrollment qualifications
- 2.53** At a credentials hearing, the onus is on the applicant to satisfy the Committee, or a panel struck by the Committee for such hearing, that the applicant has met the requirements of the Act and the Bylaws for Membership. The Committee or panel must reject an application for enrolment or admission if it considers that the applicant's qualifications are deficient.
- 2.54** An applicant may appeal a rejection to the Board of Examiners. The Board of Examiners will provide a final hearing of all matters related to the Admission Program, in accordance with the Disciplinary Hearing process provided in Part 1 of these Bylaws, as adapted to review the competence and credibility of persons applying for Membership or reinstatement, and on receipt of security for payment of costs by the applicant.
- 2.55** In outstanding, the Committee or Panel may impose, vary or remove conditions related to the applicant's application or status.
- 2.56** All proceedings and evidence at a Credentials Hearing must be recorded and a copy retained by the Registrar. All such information will be held as confidential information,



subject to confidential review to improve future process or Policies of the Society, and obligations of the Society at law.

Requalification

2.57 A Landscape Architect, Retired Landscape Architect, or former Registered Landscape Architect may apply to the Registrar for re-qualification to practicing Landscape Architect status, under the following circumstances:

- (a) If less than five (5) years has elapsed since the applicant has not engaged in the practice of landscape architecture or equivalent practice, or passed the Admission Program, the Registrar must not approve the application for requalification unless the applicant passes a re-qualification examination; or
- (b) If less than seven (7) years but more than five (5) years has elapsed since the applicant has not engaged in the practice of landscape architecture or equivalent practice, or passed the Admission Program, the Registrar must refer the application to the Credentials Committee.

2.58 When an application is referred to the Credentials Committee, the Committee may require as a condition of granting re-qualification one or more of the following,

- (a) passing the re-qualification examination;
- (b) successful completion of one or more training course(s), or the Admission Program;
- (c) written undertakings to do any or all of the following:
 - (i) practice landscape architecture in British Columbia following re-qualification;
 - (ii) practice only under conditions approved by the Committee, for a period of two (2) years following re-qualification;

and such other conditions the Committee reasonably sees fit.

Part 3

Administration of the Society

General Meetings of Members

- 3.1** General meetings of the Society may be held at such time and place, in accordance with the *Society Act*, as the Board determines or otherwise in accordance with these Bylaws.
- 3.2** Notice of a general meeting will be given in writing to Members in good standing shown on the Register at the time of calling the meeting, by the Registrar or any Director, and will,
- (a) specify the place, the day and the hour of the meeting, and in the case of special business, the general nature of the business to be transacted;
 - (b) be sent to the Members' addresses appearing on the books of the Society, and
 - (c) be sent four (4) weeks prior to the annual general meeting; and, two (2) weeks prior to an extraordinary general meeting.
- 3.3** The accidental omission to give notice of a general meeting to, or the non-receipt of a notice by, any of the Members entitled to receive notice does not invalidate proceedings at that meeting. Notices of general meetings may also be provided to Associates and Affiliates, who may attend as non-voting observers.

Annual General Meetings (AGM)

- 3.4** An annual general meeting shall be held at least once every calendar year, within six (6) months of the fiscal year end, and no later than eighteen (18) months from the previous year's annual general meeting.
- 3.5** At each annual general meeting the Members will,
- (a) elect by majority vote, the Executive Officers and the Directors of the Society as provided herein;
 - (b) consider reports of the affairs of the Society and;
 - (c) transact such other business as may properly be brought before the meeting.

Extraordinary General Meetings

- 3.6** Each general meeting, other than an annual general meeting, is an "extraordinary general meeting". An extraordinary general meeting of the Society may be called by resolution of the Board, or on the requisition of any two (2) Directors, or on the requisition of ten percent (10%) or more of the voting Members of the Society.
- 3.7** A requisition will state the purpose of the extraordinary general meeting, be signed by the requisitionists, and be delivered or sent by registered mail to the address of the Society. The requisition may consist of documents in like form each signed by one or more requisitionists.
- 3.8** An extraordinary general meeting convened by requisition will be convened in the same manner, as a meeting convened by the Board. If within twenty-one (21) days after the



date of the delivery of the requisition, the Board does not convene an extraordinary general meeting, the requisitionists may convene an extraordinary general meeting to be held within four (4) months after the date of the delivery of the requisition.

General Meeting Procedure

- 3.9** Unless these Bylaws provide otherwise, procedures at general meetings of the Society will accord with the most recent edition of Robert's Rules of Order.
- 3.10** The President of the Society, the President-Elect, or in the absence of both, one of the Directors present will preside as Chair of a general meeting.
- 3.11** The Members present will choose one of their number to be Chair if at a general meeting there is no President, President-Elect, or other Director present or willing to act as Chair within fifteen (15) minutes after the time appointed for holding the meeting.
- 3.12** A quorum is twenty (20) Members who are present at the general meeting and entitled to vote.
- 3.13** A general meeting may be conducted by video conferencing or like communications from a series of locations across the Province, which allows attendees to see and hear each other. A minimum of ten (10) confirmed Members for attendance will be required for a conferencing location in the Greater Vancouver or Greater Victoria regions, or a minimum of five (5) confirmed Members for a location in other regions of the Province. Such conferencing locations will be paid for by the Society, at the discretion of the Board or requisitionists. A Member participating at any location connected under this section is present for the calculation of a quorum and all voting and business of the meeting.
- 3.14** If a quorum is not confirmed by notices of intentions to attend within seven (7) days of an annual general meeting, the meeting shall stand adjourned to the same day of the following week, at the same time and place (if possible); if at the adjourned meeting, a quorum is not present within thirty (30) minutes from the time appointed for the meeting, the meeting is terminated.
- 3.15** No business, other than the adjournment or termination of the meeting, will be conducted at a general meeting at a time where a quorum is not present.
- 3.16** If at any time during a general meeting no quorum is present, then business may be suspended for a maximum of thirty (30) minutes until there is a quorum present or the meeting will be adjourned or terminated.

Special Business

- 3.17** Special business is that which requires a Special Resolution of seventy-five percent (75%) of the voting Members to pass, and includes,
- (a) all business at an extraordinary general meeting except the adoption of the rules of order;
 - (b) all amendments or alterations to the Bylaws of the Society, and;
 - (c) all business that is transacted at an annual general meeting except,
 - (i) the adoption of rules of order;
 - (ii) the consideration of financial statements;
 - (iii) the report of the auditor, if any;
 - (iv) the appointment of the auditor, if required;



- (v) the reports of Directors;
- (vi) the election of the President-Elect;
- (vii) the election of Directors;
- (viii) such other business as, under these Bylaws, is to be transacted at an annual general meeting; and
- (ix) business brought under consideration by the Report of the Directors issued with the notice convening the meeting.

Adjourned Meetings

- 3.18** A general meeting may be adjourned from time to time and from place to place, but no business will be transacted at an adjourned meeting other than the business left unfinished at the meeting from which the adjournment took place.
- 3.19** Where a meeting is adjourned for thirty (30) days or more, notice of the adjourned meeting will be given.
- 3.20** If a meeting is adjourned for less than thirty (30) days it will not be necessary to give any notice of the adjournment or of the business to be transacted at an adjourned meeting other than by announcement at the meeting, which such adjournment is taken.
- 3.21** Except as provided in this Bylaw, it is not necessary to give notice of an adjournment or of the business to be transacted at an adjourned general meeting.

Voting

- 3.22** Only Registered Landscape Architects and Landscape Architects in good standing at a meeting of Members are entitled to vote. Each such Member is entitled to one vote. Associates or Affiliates may not vote at general meetings.
- 3.23** Voting for the election of the Directors shall be by secret ballot.
- 3.24** Voting for all other business transacted at an annual general meeting shall be by show of hands unless a secret ballot is requested and approved by a majority of those present and entitled to vote.
- 3.25** The Board may provide for the election of Directors by mail or electronic ballot, and the Board shall have the power to submit any other question affecting the business of the Society to the Membership at large for consideration on the ballot. The ballot must be designed for certification of the right to vote, and for confidentiality of voting. For example, a mail-in ballot could be marked and placed in an envelope, and then the ballot envelope placed in a second envelope, which also contains a voting declaration certifying good standing and the sole vote of the signatory. Voting by mail or electronic ballot for the election of Directors and the officers, and general resolutions affecting the business of the Society, will be passed by a majority of the votes cast. Special Resolutions on other matters, which may be included separately.
- 3.26** All resolutions passed at an annual general meeting shall be passed by ordinary Resolution of a majority of the quorum (fifty percent plus one (50% +1), except Special Resolutions which require a vote of seventy-five percent (75%) to pass.

Board of Directors

- 3.27** The Board shall consist of twelve (12) Directors:
- (a) five (5) Executive officers:

- (i) a President;
 - (ii) a President-Elect
 - (iii) a Past-President
 - (iv) a Treasurer, and
 - (iv) a Registrar, and
- (b) six (6) Directors-at-Large
- (c) one (1) voting Director of the Board will be appointed as the British Columbia representative to the Canadian Society of Landscape Architects Board of Directors for a two (2) year term. *[Amended: May 3, 2008]*

Directors' Powers

- 3.28** The Directors may exercise all such powers and do all such acts and things as the Society may exercise and do, subject to federal and provincial legislation and laws, the *Act*, these Bylaws and, except where contradictory or inconsistent with the foregoing, the policies of the Society which are made from time to time by the Society in general meeting.
- 3.29** No policy, resolution or bylaw, even if made by the Society in a general meeting, can have retrospective effect to invalidate a prior act of the Directors that would have been valid if that policy had not been made.
- 3.30** The Directors shall have the power to allow designated persons or classes of persons who are not Members to attend meetings, and otherwise participate in a non-voting manner in the affairs of the Society.
- 3.31** The Directors may delegate any, but not all, of their powers to the President or to such committees as they think fit.

Election of Directors

- 3.32** The President-Elect will be elected annually by a majority vote of the Members immediately prior to the election of the Directors at the annual general meeting, or if by mail or electronic ballot, announced immediately prior to the announcement of the results of the voting for Directors.
- 3.33** The President-Elect shall be elected at each annual general meeting for a term of,
- (a) three (3) years;
- The term includes one (1) year as President-Elect, one (1) year as President and one (1) year as Past President. *[Amended: May 3, 2008]*
- 3.34** The office of President will be assumed by the current President-Elect at the annual general meeting following the election of the new President-Elect.
- 3.35** The Registrar and Treasurer will be elected at every other annual general meeting Directors to serve a term of two (2) years.
- 3.36** A total of three (3) Directors-at-Large will be elected at each annual general meeting, such Directors to serve a term of two (2) years.

Insurance and Indemnification

- 3.37 The Society may provide indemnification and/or insurance for Directors acting in good faith in accordance with the Act, Bylaws and Principals and Standards of the Profession, through a Special Resolution of the Members.

Board Vacancies *[Amended: May 3, 2008]*

- 3.38 If a Director resigns from office or otherwise ceases to hold office, the remaining Directors may elect by simple majority a Member to fill the vacancy until the next AGM. *[Amended: May 3, 2008]*
- 3.39 A Director so-elected will hold office until the conclusion of the next following annual general meeting or a special meeting called for that purpose and is eligible for re-election at that meeting.
- 3.40 Where a Director tenders a resignation to be effective at a future date, the Board may choose to elect a successor to take office prior to the effective date of the resignation. *[Amended: May 3, 2008]*
- 3.41 No act or proceeding of the Board is invalid only by reason of there being less than the prescribed number of Directors in office.

Removal of a Director

- 3.42 The Members may by Special Resolution remove a Director before his/her term of office expires and may elect by Ordinary Resolution a successor to complete the term of office

Reimbursement

- 3.43 No Director will be reimbursed for being or acting as a Director.
- 3.44 Directors will be reimbursed for all expenses necessarily and reasonably incurred while engaged in the affairs of the Society.

Regular Meetings of Directors

- 3.45 The Board will meet regularly at least nine (9) times per year at such times as they think fit.
- 3.46 A quorum of the Board will be not less than a majority of the Board.
- 3.47 A minority of the Board, in the absence of a quorum, may adjourn the meeting but may not transact any business.
- 3.48 The President will Chair meetings of the Board unless:
- (a) he/she is not present within thirty (30) minutes after the time appointed for holding the meeting at which time the President-Elect will act as Chair; but
 - (b) if neither is present the Directors may choose one of their numbers to be Chair at that meeting.
- 3.49 Meeting minutes will be taken and copies distributed to each Director prior to the next regular meeting of the Directors.



Resolutions

- 3.50** No resolution passed at a meeting of Directors or committee of Directors need be seconded.
- 3.51** The Chair of a meeting may move or propose a resolution.
- 3.52** A resolution in writing, circulated and signed by all the Directors and placed in the minutes of the Directors is as valid and effective as if regularly passed at a meeting of Directors.
- 3.53** Questions arising on any resolution of the Directors and committee of Directors shall be decided by a majority of votes.
- 3.54** In the case of an equality of votes the Chair does not have a second or casting vote.

Authority to Contract and Use of Seal

- 3.55** The Board, except where otherwise provided by these Bylaws, will authorize any Officer(s) or agent(s), to enter into any contract, execute any instrument in the name of and on behalf of the Society.
- 3.56** The authority so granted may be general or confined to a specific instance.
- 3.57** Unless as authorized by the Board, no officer, agent or employee will have any power or authority to bind the Society in any contract or engagement; or,
- (a) to pledge its credit; or,
 - (b) to enter it liable for any purpose or to any amount.
- 3.58** The Society Seal will be in circular form, and shall have inscribed thereon:
- (a) the name of the Society;
 - (b) the date of its registration (April 20, 1964); and,
 - (c) the words "Province of British Columbia"
- 3.59** The Society Seal will be in the custody of the Registrar or Executive Administrator at the Society's principle business office. The seal will be affixed only when authorized by resolution of the Directors; and then only in the presence of the person prescribed in the resolution or if no person is prescribed, in the presence of the President or Registrar.

Executive Officers

- 3.60** The President will preside at all meetings of the Society and of the Board, and as the chief executive officer of the Society and shall, subject to the control of the Board, have the authority and responsibility for the direction and control of the business and affairs of the Society.
- 3.61** The President-Elect will carry out the duties of the President during his/her absence and will perform such other duties, as the Board prescribes, including:
- (a) Chair of the Annual Conference and Annual General Meeting Committee; and,

(b) Chair of the Public and Professional Relations Committee.

3.62 The Past-President's duties include:

- (a) Chair of the Nominations Committee;
- (b) Chair of the Board of Examiners.
[Amended: May 3, 2008]

3.63 The Registrar's duties include the general management and administration of the affairs of the Society, including:

- (a) keeping, or cause to be kept, the Members Register for the Society, and a Register of Associates and Affiliates;
- (b) being responsible for annual certification of Membership;
- (c) procuring all Members' stamps and have charge of their distribution and be responsible for their issue.
- (d) setting and holding Admissions Program examinations, and representing the Society on the Council of Landscape Architecture Registration Boards.
- (e) presenting to the Board of Examiners all Applicants for Membership.
- (f) being responsible for conducting the correspondence of the Society.
- (g) being responsible for issuing notices of meetings of the Society and the Directors of the Society.
- (h) being responsible for keeping minutes of all meetings of the Society and the Directors.
- (i) being responsible for custody of all records and documents of the Society except those required to be kept by the Treasurer, and
- (j) being responsible for the Seal of the Society.

The Registrar will generally be assisted in these duties by an Executive Administrator and such other assistance as the Registrar sees fit and as approved by the Board. In a short-term absence of the Registrar the Directors shall appoint another person to act as required.

3.64 The Treasurer will:

- (a) be responsible for keeping such financial records, including account books, as are necessary to comply with the Society Act;
- (b) be responsible for rendering financial statements to the Directors, Members and others when required; and
- (c) the Treasurer will generally be assisted in these duties by the Executive Administrator and such other assistance as the Treasurer sees fit and as approved by the Board.

Board Committees

- 3.65** There will be six (6) core Committees of the Board, each to have not less than one (1) Director and two (2) Members where practicable. *[Amended: March 5, 2005]*
- 3.66** The Board will appoint the Chair and other Committee Members, for two-year (2-year) terms and will announce such appointments to the general Membership; the Board will replace Committee Members who resign, at the Board's discretion.
- 3.67** The Core Committees are:
- (a) The Credentials Committee will be Chaired by the Registrar, and will,
 - a. evaluate, and implement and administer a training course and examinations for all Interns;
 - b. evaluate and administer standards for passing the landscape architect registration examinations for Interns;
 - c. review, investigate and report to the Board of Examiners on all aspects of education, including:
 - i. the training course for Interns;
 - ii. continuing professional education; and
 - iii. remedial professional education, and;
 - d. provide the forum of preliminary review for all matters related to the competence and credentials of Landscape Architects, including providing or ordering a hearing, and may, with the consent of the person concerned, vary or remove conditions or limitations or, without such consent, recommend the individual to the Board of Examiners for acceptance, reinstatement or non-acceptance of Membership status.
 - (b) The Public and Professional Relations Committee will be Chaired by the President-Elect and will consider and make recommendations on,
 - a. all matters of advertising and communications with the public, contractors, and commercial entities, and
 - b. communications and reference resources for the profession, including printed or electronic distribution of information to membership, an annual Membership directory, and the BCSLA Manual of Professional Conduct. *[Amended: May 3, 2008]*
 - (c) The Finance Committee will be Chaired by the Treasurer and will, consider and make recommendations on all financial matters of the Society, including fees, audits, assessments and budget matters, and financial records. The selection, appointment and overseeing of auditors must be made by an independent Director. *[Amended: May 3, 2008]*
 - (d) The Nominations Committee will be Chaired by the Past President and will, assemble, consider or make recommendations on nominees for,
 - a. nominees for Executive or Director positions,
 - b. Life Members or BCSLA Distinction recognition,
 - c. Design Panels, Commissions and other governmental bodies seeking representation from Landscape Architects, and;
 - d. such other positions as the Board may from time to time request.
 - (e) The Bylaws and Standards Committee will be Chaired by the President and will review and consider,
 - a. all matters relating to these Bylaws, their interpretation and amendment;



- b. all matters relating to the Compliance processes herein,
 - c. and will review the Bylaws and Standards for clarification, updating and amendment, and make recommendations to the Board not less than every three (3) years.
- (f) The Continuing Education Committee will,
- a. oversee the mandatory Continuing Education Program,
 - b. maintain and regularly update the Continuing Education Policy,
 - c. respond to concerns and suggestions from the Membership with respect to the Continuing Education Program, and;
 - d. offer Continuing Education events from time to time, as budget and volunteer resources allow. *[Amended: March 5, 2005]*
- 3.68** Special or Ad Hoc Committees of the Board may be appointed for specific purposes by the President on resolution of the Board for specific projects and periods of time.
- 3.69** Each Committee shall keep full minutes of all meetings and will file a copy of them with the Registrar at the following Board meeting.

Committee Statements

- 3.70** Committees will:
- (a) report to the Board through their respective Chairs; and,
 - (b) may communicate verbally with related local bodies that are a logical contact for the respective committees.
- 3.71** All written communications outside of the Society will be sent to the Registrar for final preparation and review.
- 3.72** Provincial government or crown corporations may only be contacted on non-policy matters appropriate to the respective Committee.
- 3.73** All other government, industry and professional organization contacts and communications on behalf of or attributable to the Society must be coordinated in advance with the Registrar or the Board.

Executive Administrator

- 3.74** The Board will employ an Executive Administrator to assist the Executive officers with the business of the Society, as directed by the Board, and including:
- (a) assisting the Board and Board Committees in scheduling and communications;
 - (b) administering or providing administration for minutes, records and reports of the Board and Board Committees;
 - (c) preparing annual budgets for the Society administration, and
 - (d) administering or providing administration for publications and communications of Board matters to the Members;
 - (e) providing a point of first contact for public and parties interested in the Society, and



- (f) maintaining current and correct accounts, books and records for the Society at its principal place of business including maintaining confidential records under the direction of the Bylaws and Standards Committee.

FINANCIAL

Fiscal Year

- 3.75** The fiscal year of the Society shall begin on the first (1st) day of January and end on the thirty-first (31st) day of December.
- 3.76** The Finance Committee shall prepare a tentative budget for the coming fiscal year, which shall be submitted to each Director prior to November.

Budget Submission to Members

- 3.77** The Board will consider and approve the proposed budget, and this budget shall be submitted to the Members of the Society four (4) weeks prior to the annual general meeting.
- 3.78** The budget will show in detail the anticipated income and expenditures of the Society for the coming fiscal year.

Spending Limits

- 3.79** Following the adoption of the annual budget, the authority of the Board shall be limited to appropriations set forth therein, with a contingency amount of ten percent (10%) of the annual budget available to the Board at its discretion, and except in the case of an unforeseen emergency in which case the Board may call an Extraordinary General Meeting. *[Amended: March 5, 2005]*

Financial Authority and Funds

- 3.80** All cheques, drafts or other orders for payment of money, notes or other evidences of indebtedness, issued in the name of, or payable to the Society, shall be signed or endorsed by,
- (a) the Treasurer; and,
 - (b) such persons and in such manner as shall be determined by resolution of the Board.
- 3.81** The Board will manage and conduct the financial affairs of the Society, and may;
- (a) retain such portion of the funds of the Association as the Board deems to be required for current purposes on deposit in a chartered bank or scheduled trust company in British Columbia;
 - (b) borrow money for the purposes of the Society, and charging assets of the Society as security; and,
 - (c) invest such of the funds of the Society not deemed by the Board to be required for current purposes, in investments and securities approved by the Board.

Financial Statements

- 3.82** The Directors will cause to be sent to the Members, no later than six months after the close of the fiscal year, a balance sheet as of the closing date of such year, together with a financial statement of income and profit or loss for such year.
- 3.83** The financial statement will be certified by an auditor in good standing with either the Canadian Institute of Chartered Accountants, or the Certified General Accountant Association of British Columbia

Professional Dues and Assessments

- 3.84** A schedule of annual fees will be resolved and presented by the Board to the Members for ratification at each annual general meeting. The amount of such fees may vary between categories of Members, and categories of Associates and Affiliates, and in particular will note the following:
- No Membership fees are due or payable by Life Members or BCSLA Honorary Members.
- (a) All amounts payable to the Society will be due and payable annually, as determined by the Board. Dues for new Members shall be pro-rated on a quarterly basis.
 - (b) The Board will establish fines and penalties. Interest will be calculated monthly in advance, at not less than one-and-a-half percent (1.5%) per annum.
 - (c) Receipts for all payments to the Society will be issued by the Executive Administrator on behalf of the Treasurer.
- 3.85** The Board may from time to time propose special assessments from the Members for special projects or financial purposes. Such assessments must be considered and approved by the Members at a general meeting.

General Conditions

Definitions

- 3.86** In these Bylaws, and related policies of the Society:
- (a) "Act" means the *Architects (Landscape) Act, [RSBC 1996] Chapter 18* of the Province of British Columbia;
 - (b) "Associate" means those individuals authorized in these Bylaws, at 2.20, to be Associates of the Society;
 - (c) "Board" means the Board of Directors of the Society;
 - (d) "Board of Examiners" means the body described in Section 8 of the *Act*
 - (e) "Landscape Architect" means a Member in good standing under these Bylaws;
 - (f) "landscape architecture" means the planning and design of natural, rural and urban exterior environments, to integrate human and natural systems, and including: site planning and development, and; the design of spaces, sequential experiences and

elements in landscapes, but excluding the architecture of buildings or engineering of built works;

- (g) "landscape architectural practice" means the art and business of performing, or offering to perform, professional landscape architecture services including management of the same, and including historical, aesthetic, functional, ecological, safety, health and economic considerations;
- (h) "Member" means a Registered Landscape Architect or Landscape Architect with respect to the administration of the Society;
- (i) "Principal" means a Registered Landscape Architect, Landscape Architect, or other professional approved by the Credentials Committee to supervise the professional experience of an Associate;
- (j) "Principles" mean the Principles of the Profession as described in Part 1 of these Bylaws.
- (k) "Registrar" means the Registrar of the Society;
- (l) "Society" means the British Columbia Society of Landscape Architects (BCSLA);
- (m) "Society Act" means the *Society Act* of the Province of British Columbia;
- (n) "Special Resolution" means a resolution of the Members requiring seventy-five percent (75%) of the eligible votes cast to pass;
- (o) "Standards" means the Standards of Professional Conduct authorized by Part 1 of these Bylaws:
- (p) "Qualified Mentor" means a Registered Landscape Architect, Landscape Architect, or other allied professional with experience, qualifications and knowledge in the area they are mentoring. *[Amended: May 3, 2008]*

Public Statements

- 3.87** No statements, whether verbal or in writing, except with prior approval of the Board and in accordance with this Bylaw shall be attributed to the Society, its officers; or, its Committees.
- 3.88** All public statements, press releases, or other communications with media organizations must be sent to the Registrar and approved by the President before release.
- 3.89** All inter-provincial or national communications must be sent under the signature of the President or the Past-President except as follows:
 - (a) correspondence on registration that may be handled by the Registrar or administrative staff as appropriate;
 - (b) administrative matters from:
 - a. the Registrar to other Offices; or,
 - b. as directed by the President;
 - c. other special designated matters or committees where the Board has appointed a Member to act.

3.90 Where the Board has appointed a Member to act, the Member will:

- (a) report to the Board; and,
- (b) keep the President informed of all significant communications.

Society Administration

3.91 The Board, Registrar, Executive Administrator, and all others involved with the administration of the Society and Member services will work through principles of:

- (a) accessibility of appropriate information, both in a timely way and through the use of plain language and consideration for special communication needs;
- (b) clarity, through policies and procedures which are organized and understandable;
- (c) cost effectiveness, through the use of best practices with a long-term perspective;
- (d) courtesy, through respect for those who contact the Society;
- (e) efficiency, through streamlined procedures, coordinated services, avoiding duplication and employing appropriate assistance and technology;
- (f) expertise, through understanding the objects, principles and standards of the Society, the scope of the profession, and the context of issues and concerns of Members and the public;
- (g) fairness, through performance in an impartial, equitable, lawful, unbiased and just manner;
- (h) quality, through the production of accurate, relevant, and dependable records, statements and materials;
- (i) timeliness, through performance which reflects best practices of response and being on time, on schedule.

Bylaws

3.92 The Board will provide for the review, amendment and consolidation of the Bylaws of the Society at least once every three (3) years. The Bylaws will not be altered or amended except by a Special Resolution of the Members.

3.93 These Bylaws have been duly passed by Special Resolution of the Members on May 3, 2008 and as otherwise amended. These Bylaws will be in force as of the date filed with the Registrar of Societies.

END OF BYLAWS