THE COLLEGE BYLAWS

September 28, 2026

COLLEGE OF
APPLIED BIOLOGISTS
Professional Accountability

www.cab-bc.org

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Part 1 – Interpretation

Definitions

"Act" means the *Professional Governance Act*, S.B.C. 2018, c. 47.

"Board" means the College's Board as established pursuant to section 23(1) [*board of regulatory body*] of the Act.

"Board Chair", means the Chair of the Board of the College as referenced in section 23(2) [*board of regulatory body*] of the Act.

"Board Member" means a member of the College's Board elected or appointed under section 26 or 27 of the Act.

"Chief Executive Officer" (or "CEO") means an executive director appointed by the Board pursuant to section 32(1)(a) [*officers and committees*] of the Act.

"Continuing Professional Development" means continuing education programs or requirements, or programs to assist registrants in dealing with professional or ethical issues, as referenced in sections 50.1 [*cancellation or suspension of registration*] and 57 [*standards of conduct and competence*] of the Act.

"College" means the College of Applied Biologists after April 1, 2022 and means the College of Applied Biology any time prior.

"Experimental Design" means designing conservation methods, protection methods, or management objectives related to the biological sciences that are not based on accepted standards, protocols, or guidelines.

"Guidance Document" means a document approved by the Board that provides technical direction on certain elements of the practice of applied biology.

"Good Standing" describes a registrant who has paid fees required in Schedule 2 and any additional fees or penalties associated with audits, practice reviews, investigations, or discipline hearings within two months of the deadline established by the Board; has complied with the Continuing Professional Development requirements pursuant to section 7-2; and has complied with mandatory training requirements established by the Board.

"Immediate Past Board Chair" means the most recent person to have served previously as Board Chair, or if that person is unable or unwilling to serve in the role of Immediate Past Board Chair, a registrant who previously served as Board Chair authorized by the Chair to serve in the role.

"Investigator" means an investigator as defined in section 68 [*investigators*] of the Act.

"Officer" means the Chief Executive Officer, the Registrar, and the Deputy Registrar.

"Policy" means a document approved by the Board that provides further context or direction in relation to the Act or other legislation, the Regulations, or the Colleges Bylaws.

“Professional Document” means a report, policy, assessment, plan, work product, or other record containing or comprising a professional opinion prepared, reviewed, amended, or approved by a registrant of the College.

“Registrant”, for the purposes of Part 9 of these Bylaws, includes a former registrant, pursuant to section 56 [*definition and application*] of the Act.

“Regulations” means regulations enacted pursuant to section 118 [*general power to make regulations*] of the Act.

“Seal” means the physical or electronic design and words specific to the College or a registrant that denotes their designation and number and is used to certify or authenticate a Professional Document from either the College or the registrant.

“Standard” means a document approved by the Board that provides technical and professional requirements for registrants or potential registrants.

Part 2 – Board Operations and Procedures

Division 1 – Duties of the Board

Board

2-1 (1) The Board must govern the affairs of the College in accordance with the Act, Regulations, and Bylaws.

(2) Pursuant to section 23(2) [*board of regulatory body*] of the Act, the Board must consist of:

(a) seven registrant Board Members, including the Board Chair and Board Vice Chair who are elected or appointed pursuant to Part 3, Division 2;

(b) four lay Board Members who are not registrants and are appointed pursuant to section 27 [*appointment of board members*] of the Act; and

(c) the Immediate Past Board Chair as a non-voting Board Member.

(3) The Board Chair must be the chair of all meetings of the Board. If the Board Chair is not present at a Board meeting, the Board Vice Chair must act as the chair, and in the absence of the Board Vice Chair, the Board Members present must choose one of their number to act as the chair at that meeting.

(4) The Board must elect a Board Member to serve as finance chair who oversees all aspects of the College finances.

(5) Pursuant to section 24(1) *[term limits]* of the Act, registrant Board Members must serve three-year terms.

(6) The registrant elected as Board Vice Chair serves a three year term on the Board as follows: first, a one year term as Board Vice Chair as a voting member; second, a one year term as Board Chair as a voting member; and third, a one year term as Immediate Past Board Chair as a non-voting member.

(7) The Board may approve Policies and Standards and must publish all Policies and Standards on a publicly available website.

Meetings Procedure

2-2 (1) The Board must meet at least four times in each calendar year.

(2) A Board meeting may be called by the CEO at the request of the Board Chair or any three Board Members.

(3) The CEO must send notice of a Board meeting by a Communication in a form approved by the Board at least three days prior to the meeting.

(a) The notice requirement for a Board meeting may be varied by a 2/3 majority vote of the Board.

(b) The omission to deliver notice of a Board meeting to, or the non-receipt of such a notice by, any person entitled to receive notice does not invalidate proceedings of that Board meeting.

(4) Questions arising at any meeting must be decided by a majority of votes of the Board Members present pursuant to the quorum requirements in section 29(2) [*required lay board members and quorum*] of the Act.

(5) A resolution of Board Member assented to and adopted in writing, although not passed at a Board meeting, is of the same force and effect as if it had been duly passed at a Board meeting. Such resolution must be recorded in the minutes of the

next regular Board meeting and must be effective as of the date stated on the resolution.

(6) The Board may meet either in person or via teleconference, videoconference, or such other electronic means it deems appropriate to conduct College business.

(7) The Board may meet in the absence of the public, or it may exclude any person who is not a Board Member from a meeting or any part of a meeting:

(a) for the purpose of considering or discussing any matter of a confidential or privileged nature;

(b) for the purpose of protecting the privacy of any individual whose personal information is being considered or discussed; or

(c) for any other reason that the Board considers necessary or appropriate.

(8) The CEO must ensure that minutes are taken at each Board meeting and made publicly available in a manner approved by the Board. These minutes must include:

(a) all appointments of Officers, Committees, and staff made by the Board;

(b) the names of Board Members present at each meeting of the Board and of any Committee of the Board; and

(c) all resolutions and proceedings of all Board meetings.

(9) The Board may adopt or establish additional rules or procedures consistent with the Act, Regulations, and Bylaws for the purpose of regulating the conduct of Board meetings.

(10) The Board Chair and CEO must sign minutes of all Board meetings.

Remuneration

2-3 (1) Board Members must not be remunerated for being, or acting as, a Board Member, but Board Members must be reimbursed for all expenses necessarily and reasonably incurred while engaged in the affairs of the College.

Division 2 – Officers

Chief Executive Officer

2-4 (1) The Board must appoint a Chief Executive Officer.

(2) The powers, duties, and functions of the Chief Executive Officer include:

(a) managing the overall operations and administration of the College;

(b) ensuring that the policies and directions of the Board are implemented;

(c) advising and informing the Board on the operation and affairs of the College; and

(d) fulfilling additional duties and responsibilities set out in these Bylaws or established through resolution of the Board.

Registrar and Deputy Registrar

2-5 (1) Pursuant to section 31(1) [*registrar and register for regulatory body*] of the Act, the Board must appoint a Registrar.

(2) The powers, duties, and functions of the Registrar include:

(a) maintaining the register of the College;

(b) ensuring that access is provided to records of the College, as required by law or authorized by the Board;

(c) accepting, on behalf of the College or the Board, notices and documents that are required or permitted to be given, served on, filed with, or otherwise provided to the College or the Board;
(d) keeping the corporate seal, if any, and having it affixed to documents as required;
(e) approving forms under these Bylaws; and
(f) fulfilling additional duties and responsibilities that are set out in these Bylaws or established through resolution of the Board.

(3) The Board may appoint one or more Deputy Registrars who has or have:
(a) the same powers and duties as the Registrar; or
(b) specific powers and duties assigned by the Board.

(4) The Registrar may request information from registrants if the Registrar is made aware of allegations that, if substantiated, indicates that a registrant:
(a) has engaged in the registrant's regulated practice in an incompetent manner; or
(b) is guilty of professional misconduct, conduct unbecoming a registrant, or a breach of the Act, Regulations, or these Bylaws.

Division 3 – Committees

Committee Members

2-6 (1) Only practicing registrants (as defined in 5-3(1)(a)) who are in good standing with the College are eligible to become registrant committee members.

(2) The Board may remove registrant committee members from those committees if they cease to be members of good standing with the College.

(3) The Board may remove any committee member if:
(a) the committee member:
i. contravenes a term of the oath of office required by section 28(1) [*oath of office*] of the Act;
ii. contravenes a provision of the Act, Regulations, or Bylaws;
iii. contravenes a provision of another provincial or federal enactment; or
iv. becomes bankrupt; and
(b) after reasonable notice to the committee member, the Board, by a resolution passed by a vote of at least 2/3 of the Board Members eligible to vote on the resolution, considers that the circumstance described in paragraph (a) is sufficiently serious to justify the committee member's removal.

(4) Committee members must not be remunerated for activities undertaken as Committee members, but must be reimbursed, in accordance with the Travel and Expense Policy, for all expenses incurred while engaged in the affairs of the College.

Diversity of Committee Members

2-7 (1) The Board must make reasonable efforts to ensure that committee members are diverse in accordance with the criteria identified in Policy 3 - 100.

Nomination Committee

2-8 (1) Pursuant to section 26 of the Act, the Board must appoint no more than six members, including a chair, to serve on the Nomination Committee.

(a) The chair of the Nomination Committee must be the Immediate Past Board Chair or, if the immediate Past Board Chair is unavailable a Board Lay Member.

(2) Each term will be one year and members may be reappointed.

(3) Members may not serve for more than two successive years.

(4) The Nomination Committee must include the following:

(a) one lay member not serving on the Board;

(b) subject to availability, a minimum of two registrants from a region outside the South Coast; and

(c) subject to availability, a minimum of one RBTech.

(6) The Nomination Committee must be established not less than five months before the annual general meeting is held.

(7) The powers and duties of the Nomination Committee are set out in Part 3, Division 1 of the College Bylaws.

(8) The Nomination Committee chair must be the chair of all meetings of the Nomination Committee. If the chair is not present at a Nomination Committee meeting, the committee members present must choose one of their number to act as the chair at that meeting.

Credentials Committee

2-9 (1) Pursuant to section 44 [*credentials committee*] of the Act, the Board must appoint up to nine members, including a chair, to serve on the Credentials Committee.

(a) The chair of the Credentials Committee must be selected in accordance with the merit-based principles set out in section 25(1) [*selection principles and criteria*] of the Act and section 5 [*selection principles*] of the Regulation.

(2) Each term will be for a maximum of three years and members may be reappointed.

(3) Members may not serve for more than six consecutive years.

(4) The Credentials Committee must include the following:

(a) up to three registrants currently serving as credentials assessors;

(b) up to three registrants not currently serving as credentials assessors; and

(c) at least one lay member not serving on the Board.

(5) Credentials Committee members must possess the knowledge and skills to develop policies, procedures, and guidelines regarding registration.

(a) The knowledge and skill requirements to serve on the Credentials Committee must be available on a publicly available website.

(6) The powers and duties of the Credentials Committee are set out in Part 5, Division 1.

(7) The Credentials Committee chair must be the chair of all meetings of the Credentials Committee. If the chair is not present at a Credentials Committee

meeting, the committee members present must choose one of their number to act as the chair at that meeting.

Audit and Practice Review Committee

2-10 (1) Pursuant to section 63 [*audits and practice reviews*] of the Act, the Board must appoint up to nine members, including a chair, to serve on the Audit and Practice Review Committee.

(a) The chair of the Audit and Practice Review Committee must be selected in accordance with the merit-based principles set out in section 25(1) [*selection principles and criteria*] of the Act and section 5 [*selection principles*] of the Regulation.

(2) Each term will be for a maximum of three years and members may be reappointed.

(3) Members may not serve for more than six consecutive years.

(4) The Audit and Practice Review Committee must include the following:

(a) two practicing registrants who have been appointed as an auditor or an audit assessor;

(b) two practicing registrants who have never been appointed as an auditor or an audit assessor; and

(c) one lay member not serving on the Board.

(5) The powers and duties of the Audit and Practice Review Committee are set out in Part 8, Division 1.

(6) The Audit and Practice Review Committee chair must be the chair of all meetings of the Audit and Practice Review Committee. If the chair is not present at an Audit and Practice Review Committee meeting, the committee members present must choose one of their number to act as the chair at that meeting.

Investigation Committee

2-11 (1) Pursuant to section 64 [*investigation committee*] of the Act, the Board must appoint up to 10 members, including a chair, to serve on the Investigation Committee.

(a) The chair of the Investigation Committee must be selected in accordance with the merit-based principles set out in section 25(1) [*selection principles and criteria*] of the Act and section 5 [*selection principles*] of the Regulation.

(2) Each term will be for a maximum of three years and members may be reappointed.

(3) Members may not serve for more than six consecutive years.

(4) The Investigation Committee must include the following:

(a) a minimum of four registrants; and

(b) at least one lay member not serving on the Board.

(5) The powers and duties of the Investigation Committee are set out in Part 9, Division 1.

(6) The Investigation Committee chair must be the chair of all meetings of the Investigation Committee. If the chair is not present at an Investigation Committee

meeting, the committee members present must choose one of their number to act as the chair at that meeting.

Discipline Committee

2-12 (1) Pursuant to section 75 [*discipline hearings*] of the Act, upon the issuance of a citation, the Board must appoint up to seven members, including a chair, to serve on the Discipline Committee.

(a) The chair of the Discipline Committee must be selected in accordance with the merit-based principles set out in section 25(1) [*selection principles and criteria*] of the Act and section 5 of the Regulation.

(b) The Board may resolve to maintain the Discipline Committee following the resolution of the citation that gave rise to its constitution for purposes including the resolution of another citation.

(2) Each term will be for a maximum of three years and members may be reappointed.

(3) Members may not serve for more than six consecutive years.

(4) The Discipline Committee must include the following:

(a) a minimum of two registrants; and

(b) at least one lay member not serving on the Board.

(5) The Discipline Committee chair must be the chair of all meetings of the Discipline Committee. If the chair is not present at a Discipline Committee meeting, the committee members present must choose one of their number to act as the chair at that meeting.

Part 3 – Nominations and Elections

Division 1 – Powers and Duties of the Nomination Committee

Mandate of the Nomination Committee

3-1 (1) The Nomination Committee chair and lead staff member are responsible for administering the nomination of registrants who are qualified to be nominated for election to the Board and for appointment as chairs of Committees in accordance with the process and selection principles referred to in section 25(1) [*selection principles and criteria*] of the Act, the Bylaws, and sections 5 and 6 of the Regulations.

(2) The Nomination Committee must ensure that the nomination process for election to the Board and for appointment as chairs of Committees is conducted through a fair, impartial, and transparent process in accordance with the process set out in section 6 of the Regulations.

Powers and Duties of the Nomination Committee

3-2 (1) The powers and duties of the Nomination Committee include the following:

(a) conducting an analysis of vacancies based on criteria in Policy 3 - 100;

(b) making reasonable efforts to contact potential nominees through a variety of mediums, including but not limited to:

i. college communications platforms;
ii. social media;
iii. personal contacts; and
iv. community advertising;

(c) making reasonable efforts to have at least one more nominee than the number required to fill the current or expected vacancies on the Board;

(d) making reasonable efforts to ensure that the nominees for the Board are diverse in accordance with the criteria identified in Policy 3 – 100;

(e) evaluating potential nominees based on the eligibility criteria identified in Policy 3 - 100 including:

i. leadership skills;
ii. strategic thinking;
iii. financial literacy;
iv. risk management;
v. governance experience;
vi. regulatory understanding;
vii. human resource management experience; and
viii. professional applied biology experience;

(f) advising the Board and the Registrar in writing of its nominees no later than eight weeks before the date set for the annual general meeting;

(g) ensuring that candidate information is available to registrants; and

(h) publishing a final report no later than three months after the completion of the election of the Board.

(2) The Nomination Committee must disqualify potential nominees who do not meet the eligibility requirements of Policy 3-100 and notify these potential nominees in writing of their disqualification.

Division 2 – Elections

Eligibility for the Board

3-3 (1) To be eligible to be a candidate for election to the Board as a registrant Board Member, a registrant must:

(a) be a Canadian citizen, or a permanent resident of Canada;
(b) be practicing and in good standing with the College;
(c) meet any additional requirements set out in Policy 3 – 100;
(d) complete the pre-nomination information request set out in Policy 3 – 100; and
(e) provide three references to the Nomination Committee, two of whom must be registrants in good standing, that support their candidacy.

(2) To be eligible to be a candidate for election to the position of Board Vice Chair, a registrant must:

(a) be a Canadian citizen, or a permanent resident of Canada;
(b) be practicing and in good standing with the College;
(c) have served a term on the Board within the previous five years; and
(d) meet any additional requirements set out in Policy 3 - 100.

(3) An incumbent registrant Board Member is not eligible to be elected to a registrant Board Member position with a successive term of office that would result in exceeding any applicable term limit under section 24 [*term limits*] of the Act.

Duties of the Registrar

3-4 (1) The Registrar must supervise and administer the election for Board Member positions and the conduct of the balloting process for elections by:

(a) providing notice of an election by preparing a secure and accessible balloting platform and making it available no later than six weeks prior to the annual general meeting to all registrants in good standing;
(b) distributing information about candidates to eligible voters in a Communication approved by the Board;
(c) ensuring that only registrants in good standing are given ballots;
(d) ensuring compliance with any rules or procedures governing the election process approved by the Board, including making any such rules or procedures publicly available;
(e) monitoring the balloting platform throughout the balloting period to ensure its integrity; and
(f) counting the ballots.

(2) As soon as the results of the election are known, the Registrar must inform the chair of the Nomination Committee.

Ballots

3-5 (1) Ballots for an election must indicate:

(a) which candidates are standing for election to which positions;

(b) if any candidates have been acclaimed for any positions; and

(c) the date and time specified by the Registrar for the return of ballots.

(2) The balloting period is the date from which the ballots are distributed by the Registrar and the date and time specified by the Registrar for the return of ballots. The balloting period must be 20 to 30 days long.

(3) Ballots may be in paper or electronic form.

Lay Member

3-6 (1) The Board may appoint a Board lay member who may be present, either physically or by electronic means, for the counting of the ballots.

Election Results

3-7 (1) The candidate who receives the greatest number of votes for the position they are seeking will be elected.

(a) In the event of a tie, the candidates that are tied will be presented for a run-off vote until one achieves the greatest number of votes.

(2) The elected Board Vice Chair automatically advances to the position of Board Chair upon the expiration of the previous Board Chair's term in that position in accordance with section 2-1.

(3) Should there be any vacancies, the position will be filled as outlined in Part 3, Division 2 [*organization of regulatory body*] of the Act.

(4) The elected candidates must take office immediately following the annual general meeting and hold office in accordance with section 2-1.

Elections to Fill a Vacancy

3-8 (1) Mid-term vacancies occurring in the first or second year of a three-year term, or more than one year from the end of any term, must be filled via general election in the following year for the remainder of the vacated term.

(a) The vacancy may be filled via appointment by the Board for a term continuing until the next general election.

(2) Mid-term vacancies occurring in the final year of a three-year term, or less than one year from the end of an appointed term pursuant to section 26(4) [*election of registrant board members*] of the Act, may be filled via appointment by the Board for the remainder of the vacated term.

Part 4 – General Meetings and Referenda

Voting Eligibility

4-1 (1) Only registrants who are in good standing and are entitled to vote pursuant to section 5-12 are eligible to vote.

General Meetings

4-2 (1) All general meetings will be convened under section 33 [*general meetings of regulatory bodies*] of the Act and must be held in British Columbia at a time and place determined by the Board.

(2) If, within 30 minutes from the time appointed for the general meeting, a quorum is not present, the meeting must stand adjourned to the place of, and a time just prior to, the next meeting of the College.

Annual General Meeting

4-3 (1) The College must fulfill the requirements of section 33 [*general meetings of regulatory bodies*] of the Act, including holding an annual general meeting at least once in a calendar year and not more than 15 months after the previous annual general meeting.

(2) At annual general meetings the following business must be conducted:

(a) review of the annual report;

(b) review of audited financial statements; and

(c) confirmation of election results.

Notice of a General Meeting

4-4 (1) General meetings may be convened either in person or via teleconference, video-conference, or such other electronic means as deemed appropriate by the Board.

(2) The Registrar must send the notice of each general meeting to the registrants at least 28 days prior to that meeting.

(3) Notice of the meeting must be sent by email to the email address last provided by the registrant.

(4) The omission to deliver notice of a general meeting to, or the non-receipt of such a notice by, any person entitled to receive notice does not invalidate proceedings of that general meeting.

(5) Notice of a general meeting must include:

(a) the time and place of the general meeting;

(b) general business to be discussed; and

(c) any resolutions proposed by the Board or registrants.

Proceedings at General Meetings

4-5 (1) The Board Chair must chair meetings of the College.

(a) If the Board Chair is unable or unwilling to act as chair, or not present within 30 minutes of the time appointed to hold the meeting, the Board Vice Chair must act as chair.
(b) In the absence of the Board Vice Chair, the Board Members present must choose one of their number to chair the meeting.
(c) If the Board Chair, Board Vice Chair, and all other Board Members are unable or unwilling to act as chair, or are not present within 30 minutes of the scheduled meeting time, the registrants must choose one of their numbers to act as chair.

(2) The chair may, with the consent of any meeting, and must if so desired by the meeting, adjourn the meeting from time to time and from place to place. No business may be transacted at any reconvened meeting other than the business left unfinished at any meeting from which the adjournment took place.
(3) When a meeting is adjourned for 30 days or more, notice of the reconvened meeting must be given as in the case of the original meeting. It is not necessary to give notice of the business to be conducted at a reconvened meeting.
(4) Meetings of the College must be conducted in accordance with procedures approved by the Board.
(5) No business, other than the adjournment or termination of the meeting, may be conducted at a meeting of the College at a time when a quorum is not present.
(6) If at any time during a meeting of the College there ceases to be a quorum present, business then in progress must be suspended until there is a quorum present or until the meeting is adjourned or terminated.
(7) A quorum is 30 registrants present at the meeting.
(8) A registrant in good standing present at a meeting of the College is entitled to one vote on any resolution.
(9) No voting registrant may be counted as present by proxy, or vote by proxy, at a general meeting.

Resolutions

4-6 (1) All resolutions must be received in writing by the Registrar 31 days prior to their presentation at a meeting.
(2) Resolutions may be submitted in writing or electronically.
(3) The mover of the resolution must provide a resolution package consisting of the written text of the resolution along with the names, original signatures, and registration numbers of the mover and seconder. Only resolutions with completed resolution packages may be placed on the agenda of a general meeting.
(a) The Registrar may refuse to place a resolution on the agenda if the Board would contravene section 34(4) [*implementing resolutions of general meetings*] of the Act if it were to implement the resolution.
(4) At a meeting of the College, the chair has one vote on any resolution. In the event of a tie, the resolution must be declared defeated.
(5) A vote of a general meeting may be taken in the manner determined by the Board, subject to the PGA, applicable regulations, and the Bylaws.
(6) Voting by proxy is not permitted.

Referenda

4-7 (1) Any referendum that is required under section 34 [*implementing resolutions of general meetings*] of the Act must be conducted as follows:

(a) The Registrar must supervise and administer all referenda by:

i. preparing a secure and accessible balloting platform and making it available to eligible voting registrants for a minimum of 28 days;

ii. ensuring that only registrants in good standing are given ballots;

iii. monitoring the balloting platform throughout the balloting period to ensure its integrity; and

iv. counting the ballots.

Ballots

4-8 (1) Ballots for a referendum must:

(a) be in a form approved by the Board, including paper or electronic forms;

(b) contain the text of the resolution; and

(c) indicate the date and time specified by the Registrar for the return of ballots.

(2) The date and time specified by the Registrar for the return of ballots must be no later than thirty days from the date they were originally issued.

(3) The accidental omission to deliver a referendum ballot, or the non-receipt of a ballot by any person entitled to a ballot, does not invalidate the referendum and its results.

Referenda Results

4-9 (1) As soon as practicable the results of the referendum are known, the Registrar must inform the CEO and the Board Chair.

(2) Results of the referendum must be communicated to all voting registrants within 7 days of the CEO and Board Chair being notified.

Part 5 – Registration

Division 1 – Powers and Duties of the Credentials Committee

5-1 (1) The Credentials Committee must:

(a) oversee the recruitment process for credentials assessors and make recommendations for appointment to the CEO;

(b) make recommendations to the Board regarding the development of fair, impartial, and transparent Standards, Policies, guidelines, and procedures for the credentials assessors, which the Credentials Committee must make available on a publicly available website; and

(c) oversee applications for Reviews on the Record made pursuant to section 5-11.

Division 2 – Credentials Assessors

5-2 (1) The CEO must appoint credentials assessors based upon recommendations from the Credentials Committee as per Policy 5 - 100.

(2) The credentials assessors must:

(a) be practicing registrants, as defined in 5-3(1)(a);

(b) be in good standing; and

(c) possess the knowledge and skills to assess applications for registration following the Bylaws, Standards, Policies, and guidelines approved by the Board.

(3) Upon request by the Registrar, a credentials assessor must provide an opinion on an application for registration.

(4) Credentials assessors must assess applications in accordance with Policy 5-200.

Division 3 – Registration Process

Categories of Registration

5-3 (1) A person may apply to be registered in one of the following categories:

(a) practicing registrant, which includes the following:

i. Registered Professional Biologist ("RPBio");

ii. Registered Biology Technologist ("RBTech");

iii. Applied Biology Technician ("ABT"); and

iv. Applied Biology Limited Licensee;

(b) in-training registrant, which includes the following:

i. Biologist in Training ("BIT");

ii. Registered Biology Technologist in Training ("Trainee RBTech"); and

iii. Applied Biology Technician in Training ("Trainee ABT");

(c) non-practicing registrant, which includes the following:

i. retired RPBio, RBTech, or ABT; and

ii. on-leave registrants;

(2) The scope of practice for registrant categories is outlined in Schedule 3.

Requirements for Registration as a Registered Professional Biologist, Registered Biology Technologist, or Applied Biology Technician

5-4 (1) The Registrar may approve an application to be a Registered Professional Biologist, Registered Biology Technologist, or Applied Biology Technician for registration if the applicant has met all the requirements in the Credentialing Standard for the category in which they apply. The Standard of Credentialing must be made publicly available and must include requirements for:

(a) education or training;
(b) work experience;
(c) professional practice competencies and requirements in the Standard of Professional Practice Competencies and Competence;
(d) reference submissions stating the applicant's appropriate experience for that category; and
(e) mandatory training.

Requirements for Registration as an Applied Biology Limited Licensee Registrant

5-5 (1) The Credentials Committee may approve an Applied Biology Limited Licensee registration application to an applicant if the applicant:

(a) submits an application in a manner approved by the Board established in the Standard of Credentialing;
(b) meets the academic requirements established in the Standard of Credentialing;
(c) has at least five years' experience in applied biology, with two years in the area being requested for limited license; and
(d) completes all mandatory training requirements established by the Board.

Application for Registration as a Registrant Firm

5-6 (1) Firms may not apply for registration at this time.

Requirements for Registration as an In-training Registrant

5-7 (1) The Registrar may approve an application to be a Biologist in Training, Registered Biology Technologist in Training, or Applied Biology Technician in Training if the applicant has met all the requirements in the Standard of Credentialing for the category in which they apply, which include:

(a) education or training; and
(b) completing mandatory training.

(2) Subject to subsection (3), the maximum period that a registrant may be registered as an in-training Registrant is six years, after which time their registration would be cancelled.

(3) The six-year time limit does not include time during which the in-training registrant is registered as on-leave in accordance with section 5-9.

Requirements for Registration as a Retired Registrant

5-8 (1) The Registrar may approve an application to be a retired registrant if the applicant has provided to the Registrar:

(a) satisfactory evidence that the person was in good standing with the College immediately prior to the date of the application, and;

(b) a declaration that the registrant is no longer practicing applied biology and does not intend to practice in the future.

Requirements for Registration as On-leave

5-9 (1) A registrant may apply to change their status to on-leave for parental leave, educational leave, medical leave, or compassionate leave for a period of up to three years.

(2) The Registrar may approve an application to be an on-leave registrant if the applicant has provided to the Registrar:

(a) satisfactory evidence that the person was in good standing with the College immediately prior to the date of the application; and

(b) a declaration that the registrant does not intend to practice applied biology while on-leave.

Requirements for Reinstatement

5-10 (1) The Registrar may approve an application for reinstatement if the applicant was a past registrant, other than an in-training registrant, and meets the following requirements:

(a) the applicant, within the previous three years:

i. resigned from the College or;

ii. changed their status to retired or on-leave or;

iii. were cancelled for administrative reasons under section. 5-15; and

(b) the applicant pays the required fees as follows:

i. applicants who resigned or had their registration cancelled must pay the annual fee for the year for which the applicant seeks reinstatement, plus a reinstatement fee in an amount as set out in Schedule 2; and

ii. applicants who changed their status to retired or on-leave must pay a pro-rated annual fee for the year for which the applicant seeks reinstatement.

(2) The Registrar may approve an application for reinstatement if the applicant was a past in-training registrant and:

(a) has not been an in-training registrant for a period longer than permitted by section 5-7(2);

(b) has, within the previous three years, changed their status to on-leave, resigned, or had their registration cancelled pursuant to section 5-15; and

(c) pays the required fees as follows:

i. applicants who resigned or had their registration cancelled must pay the annual fee for the year for which the applicant seeks reinstatement, plus a reinstatement fee in an amount as set out in Schedule 2; and

ii. applicants who changed their status to on-leave must pay a pro-rated annual fee for the year for which the applicant seeks reinstatement.

(3) Applicants for reinstatement that do not meet the requirements in this provision must re-apply and satisfy any current registration requirements.

Division 4 - Review on the Record

Application for Reviews on the Record

5-11 (1) Within 30 days of receipt of a decision on their application for registration, an applicant may request a Review on the Record of the decision by way of written application.

(2) The application for a Review on the Record must:

(a) explain why, in the opinion of the applicant, the decision is in error; and

(b) state the requested outcome.

(3) The Credentials Committee conducts Reviews on the Record for applications for all categories of registration except for applications for Applied Biology Limited Licensee registration. The Board conducts Reviews on the Record for applications for Applied Biology Limited Licensee registration.

(4) The application for a Review on the Record may include requests for:

(a) additional information not included in the application to be considered by the Credentials Committee or the Board; and

(b) submissions to be made orally.

(5) Upon receiving an application for a Review on the Record conforming to the requirements in subsection (2), the Registrar must, within seven days, forward the application to the Credentials Committee or the Board.

(6) On a Review on the Record, the Credentials Committee or the Board has the discretion to:

(a) require oral submissions at the request of the applicant or on its own motion;

(b) consider additional information not on the record as requested by the applicant; and

(c) request further information from the applicant.

(7) Following a Review on the Record, the Credentials Committee or the Board must:

(a) confirm the decision; or

(b) substitute an alternative decision and provide reasons in writing for their decision to the applicant.

Division 5 – Rights and Duties of Registrants

Rights, Obligations, and Duties of Registrants

5-12 (1) Practicing registrants and on-leave registrants in good standing:

(a) are eligible to vote and to participate on the Board and Committees and serve in other capacities as determined by the Board.

(2) BIT, Trainee Registered Biology Technologist, Trainee Applied Biology Technicians, and Temporary permittees in good standing:

(a) are not eligible to vote or to participate on the Board and Committees; and
(b) may serve in other capacities as determined by the Board.

(3) Retired registrants in good standing:
(a) are eligible to vote;
(b) are not eligible to participate on the Board and Committees; and
(c) may serve in other capacities as determined by the Board.

Certificates of Registration and Seal

5-13 (1) Registered Professional Biologist, Registered Biology Technologist, and Applied Biology Technician registrants are required to obtain a certificate of registration issued in a form determined by the College.

(2) Registered Professional Biologist and Registered Biology Technologist registrants will be issued a seal, in a form determined by the College, and may affix the seal to Professional Documents they prepare.

(3) All seals remain the property of the College and must be returned if the registrant resigns, ceases to be a practicing registrant, or has their registration suspended or cancelled.

Resignation

5-14 (1) A registrant may resign by submitting a notification to the Registrar in a form approved by the Board.

Suspension and Cancellation for Administrative Non-Compliance

5-15 (1) Where the Registrar issues a notice of suspension for non-compliance with ss. 7-2(7), 8-4(6), 8-5(7), 9-14(10), or 12-2(1):

(a) It must include a specified effective date, after which the Registrar may suspend the registrant if they have not complied with the applicable requirements.

(b) The effective date must be not less than 20 business days after the date the notice is delivered or deemed to have been delivered.

(2) A notice of suspension issued pursuant to this section must inform the registrant of the following:

(a) the registrant will be suspended on the specified effective date if they do not comply with the applicable requirements by that date;
(b) the registrant may seek a review of the notice of suspension within 10 business days of receipt pursuant to section 5-15(3); and
(c) their registration will be cancelled 40 business days after the effective date if they have not complied with the applicable requirements by that time, after which time they must apply for reinstatement in accordance with the

requirements of sections 5-10 and 5-15(5)(a) should they wish to be reinstated as a registrant.

(3) Within 10 business days of receiving of a notice of suspension issued pursuant to this section, a registrant may request a review of the notice in writing to the Registrar. The request must identify any alleged error or extenuating circumstances that the registrant reasonably believes to be relevant to the notice and its terms.

(a) Upon receipt of a request submitted pursuant to this subsection, the Registrar may cancel, revise, or uphold the notice of suspension. The Registrar will consider any alleged error or extenuating circumstances identified in the request and render a decision in writing to the registrant.

(4) Once suspended, a registrant cannot exercise the rights and privileges of registration. The Registrar may end a suspension if the suspended registrant complies with the applicable requirements.

(5) If a suspended registrant does not comply with the applicable requirements within 40 business days after the effective date of the suspension, the Registrar will cancel their registration.

(a) A registrant whose registration is cancelled pursuant to this section may apply for reinstatement pursuant to section 5-10 only after they have complied with the applicable requirements to the satisfaction of the Registrar.

Part 6 – Use of Professional Seal and Signature

Seal of the College

6-1 (1) The Board may provide a common seal for the College and may from time to time destroy it and substitute a new seal.
(2) The seal of the College must be affixed to any instrument as set out in Policy 6 - 100 approved by the Board.
(3) Notwithstanding the provisions of the above, the Registrar may affix the seal to registration certificates, all licenses and any special permits, without the need for a resolution of the Board.
(4) Seals issued before April 1, 2022 bearing the College's previous name, "The College of Applied Biology," and any instruments to which this seal is affixed, remain valid.

Professional Seal and Signature

6-2 (1) Only practicing Registered Professional Biologists, Registered Biology Technologists, and Applied Biology Limited Licensee registrants acting in accordance with the terms and conditions of their licenses or permits, may affix their signature and seal to Professional Documents they prepare as set out in Policy 6 - 200 approved by the Board.
(2) Registered Professional Biologists, Registered Biology Technologists, and Applied Biology Limited Licensee practicing registrants must affix their signature, or signature and seal to Professional Documents that are prepared under their supervision as set out in the Standard of Signing and Sealing approved by the Board.
(3) Where a Professional Document has not been prepared directly by a Registered Professional Biologist, Registered Biology Technologist, or Applied Biology Limited Licensee, a practicing registrant may sign and seal the document as set out in Policy 6 - 200 approved by the Board.
(4) Notwithstanding any other provision in these Bylaws a practicing registrant must be held professionally accountable for all communications and Professional Documents they prepare and deliver in their professional capacity, regardless of format, whether or not it is signed or signed and sealed.
(5) In the event that a Registered Professional Biologist, Registered Biology Technologist or Applied Biology Limited Licensee resigns, ceases to be a practicing registrant, or has their registration suspended or cancelled:

(a) the former practicing registrant must return the physical seal issued pursuant to the Regulations to the College; and
(b) the former practicing registrant's digital seal approved or supplied by the College must be revoked as soon as practicable by the College.

Part 7 – Standards of Conduct and Competence

Division 1 – Code of Ethics and Competencies

7-1 (1) All registrants must comply with the Code of Ethics and Professional Conduct (Schedule 1), the Standard of Professional Practice Competencies and Competence, applicable Guidance Documents, and the Standard of Continuing Professional Development.

(2) All registrants must possess and maintain competence in the following seven categories:

(a) scientific knowledge and concepts;
(b) laws, regulations, and policy;
(c) standards and practices;
(d) project or work product management;
(e) records or data management and informatics;
(f) professional accountability; and
(g) communication.

Division 2 – Continuing Professional Development Program

Continuing Professional Development (CPD)

7-2 (1) The Continuing Professional Development Program is a mandatory requirement for all practicing and in-training registrants, and on-leave registrants pursuant to section 7-3.

(2) The Registrar must manage and administer the Continuing Professional Development Program by following procedures set out in Program Policy 7 - 100.

(3) A registrant must comply with the requirements set out in the Standard of Continuing Professional Development.

(4) A registrant must earn 100 qualifying continuing professional development ("CPD") points over three consecutive CPD years.

(a) A CPD year is a one-year period from January 1 until December 31.
(b) Qualifying CPD points are points earned by undertaking a professional development ("PD") activity satisfying criteria specified in the Standard of Continuing Professional Development.

(5) The purposes of PD activities are to aid registrants in:

(a) maintaining or enhancing compliance with the Code of Ethics and Professional Conduct (Schedule 1);
(b) maintaining or enhancing a professional practice competency and/or or level of competence identified in the Standard of Professional Practice Competencies and Competence, the Standard of Continuing Professional Development and Program Policy 7 – 100;
(c) gaining, maintaining, or expanding a skill;
(d) gaining, maintaining, or expanding an area of knowledge; and
(e) gaining, maintaining, or expanding an area of practice.

(6) Commencing January 1, 2021, all practicing and in-training registrants, on-leave registrants pursuant to section 7-3, and, if required by Policy 7 – 100, a subcategory of registrants, must satisfy applicable CPD requirements and must submit that year's CPD record to the College by December 31 in the form approved by the Board.
(7) The Registrar is authorized to issue a notice of suspension for non-compliance pursuant to section 5-15 to a registrant who fails to fulfill their Continuing Professional Development Program as required by section 7-2 in these Bylaws.

On-leave Registrants

7-3 (1) A registrant does not have to meet the Standard of Continuing Professional Development requirements during their first year registered as on-leave. After a registrant has been registered as on-leave for one year, they must meet the Standard of Continuing Professional Development.

Exemptions or Extensions

7-4 (1) A registrant may make a request for an exemption or extension to the Continuing Professional Development Program to the Registrar in writing within the timelines as set out by Policy 7 - 200.
(2) The Registrar must render a decision and inform all necessary parties in writing within the timelines as set out by Policy 7 - 200.

Part 8 – Audits and Practice Review

Division 1 – Powers and Duties of the Audit and Practice Review Committee

8-1 The Audit and Practice Review Committee must:

(a) oversee the recruitment process for Audit and Practice Review assessors and makes recommendations for appointment to the CEO as per Policy 8 - 100;

(b) make recommendations to the Board regarding the development of fair, impartial, and transparent Standards, Policies, guidelines, and procedures for the Audit and Practice Review assessors;

(c) make a determination to choose registrants to undergo the audit process as per Policy 8 – 200:

i. randomly across all areas of practice; or

ii. randomly within a stratified specific area(s) of practice;

(d) supervise the audit process or timelines as set out in Policy 8 – 200;

(e) supervise the practice review process or timelines as set out in Policy 8 – 300;

(f) determine the scope of a registrant's practice review;

(g) make a determination of an audit or practice review taking into account the recommendation from the audit or practice review assessor; and

(h) make a determination regarding a registrant's request for an extension or exemption to the audit or practice review process that is greater than 2 weeks or that does not meet exceptional circumstances as set out in the Standard of Audit and Practice Review Exemption and Extension Request.

Division 2 – Audit and Practice Review Process

Assessor Eligibility

8-2 (1) An audit or practice review assessor is a person who undertakes or participates in an audit or a practice review of a College registrant on behalf of the College who is a practicing registrant in good standing with the College, a non-registrant subject matter expert, or a lay person representing the public interest.

(2) To be eligible to be an audit or practice review assessor, the person must:

(a) ensure they address any additional requirements set out in Policy 8 - 100;

(b) possess the knowledge and skills to assess audits for compliance following the Bylaws, Standards, and Policies approved by the Board; and

(c) be responsible for completing the pre-appointment information request set out in Policy 8 - 100.

(3) Audit or practice review assessors must conduct audits and practice reviews in accordance with Policy 8-500 and 8-600.

Appointment of Assessors

8-3 (1) The CEO must appoint assessors for the audit process and practice review process based upon recommendations from the Audit and Practice Review Committee as per Policy 8 - 100.

Audit Process

8-4 (1) The audit aims to ensure that registered practicing and in-training registrants are:

(a) in compliance with the following:

i. the Act;

ii. the Regulations;

iii. the Bylaws and the Code of Ethics and Professional Conduct (Schedule 1);

iv. the College's Standards of Professional Practice Competencies and Competence and any other applicable Policies;

v. the Standard of Continuing Professional Development;

vi. other relevant legal and regulatory requirements; and

vii. the requirement to provide annual self-declared information pursuant to section 10-2;

(b) practicing within their area of expertise, level of knowledge, and associated self-declared level of competence; and

(c) are knowledgeable of all approved government and regulatory guidance and Guidance Documents applicable to their practice.

(2) Practicing Registered Professional Biologists, Registered Biology Technologists, Applied Biology Technicians, and all in-training registrants are eligible to undergo the audit process by voluntary submission or random selection as per Policy 8 - 200.

(3) Registrants subject to the audit process must comply with any directions arising from the completion of the audit.

(4) The Registrar will manage the audit process by following procedures set out in Policy 8 – 200 which includes requirements with respect to:

(a) notifying auditees they have been selected for an audit;

(b) assigning an Assessor appointed under section 8(3) to conduct the audit;

(c) ensuring the assigned Assessor and auditee declare any known or potential conflict of interest to the Registrar;

(d) if a conflict of interest is declared re-assigning a different Assessor to an auditee where no conflict of interest known or perceived is declared; and

(e) managing each audit process and timeline.

(5) Auditees must adhere to the audit process and timelines as set out in Policy 8 – 200 which includes requirements with respect to:

(a) complying with requests by the Registrar or Audit Assessor for further information and documentation.

(6) If a registrant fails to comply with the audit process, the Audit and Practice Review Committee may recommend that the Board direct the Registrar to issue a notice of suspension for non-compliance pursuant to section 5-15. The Board may make a decision based on this recommendation and direct the Registrar accordingly.

(7) Audit Assessors must adhere to the audit process and timelines as set out in Policy 8 - 200 which includes requirements with respect to:

(a) complying with requests by the Registrar or Auditee for information or responses or both to audit process inquiries;

(b) providing the auditee with feedback in writing regarding their audit;
(c) providing the APRC and Registrar information regarding the registrant's practice review for inclusion in the report in accordance with section 8-7(1); and
(d) recommending a determination of an audit to the Audit and Practice Review Committee.

Practice Review Process

8-5 (1) A Practice Review can be triggered or initiated by:
(a) a referral from the Audit and Practice Review Committee, if there is no straightforward or obvious remedial action to address a deficiency that was identified during an audit or some other mechanism;
(b) a referral from the Registrar; or
(c) a referral from the Investigation Committee as per section 9-7(c) [*Decisions the Investigation Committee must make upon Receipt of a Complaint*].

(2) The Practice Review aims to ensure that identified practice deficiencies are further reviewed.

(3) The scope of the Practice Review is determined by the Audit and Practice Review Committee based upon the identified deficiencies.

(4) Registrants subject to a practice review must comply with any directions arising from the completion of the practice review.

(5) The Registrar must manage the practice review process as set out in Policy 8 - 300 which includes:
(a) notifying the registrant they have been selected for a practice review;
(b) assigning Assessors appointed under section 8(3) to conduct the practice review;
(c) ensuring Assessors and registrant declare any known or potential conflict of interest;
(d) if a conflict of interest is declared, re-assigning a different Assessor; and
(e) managing each practice review process and timeline.

(6) Registrants must adhere to the practice review process and timelines as set out in Policy 8 – 300 which includes requirements with respect to:
(a) Complying with requests by the Registrar or Assessors for further information and documentation.

(7) If a registrant fails to comply with the practice review process, the Audit and Practice Review Committee may recommend that the Board direct the Registrar to issue a notice of suspension pursuant to section 5-15. The Board may make a decision based on this recommendation and direct the Registrar accordingly.

(8) Practice Review Assessors must adhere to the practice review and timelines as set out in Policy 8 – 300 which includes requirements with respect to:
(a) complying with requests by the Registrar or registrant for information or responses or both to practice review process inquiries;
(b) notifying the registrant and Registrar of any changes to the schedule of the practice review process; and

(c) providing the APRC and Registrar information regarding the registrant's practice review for inclusion in the report in accordance with section 8-7(2).

Exemptions or Extensions

8-6 (1) A request for an extension or an exemption with respect to the audit process or practice review process must be made by the auditee in writing to Registrar within the timeline set out in the Standard of Audit and Practice Review Exemption and Extension Request.

(2) The Registrar must render a decision for an extension or an exemption that meets criteria as set out in the Standard of Audit and Practice Review Exemption and Extension Request and inform all necessary parties in writing within the timeline set out in the Standard of Audit and Practice Review Exemption and Extension Request.

(3) The Audit and Practice Review Committee must render a decision for an extension or an exemption that meets criteria as set out in 8 - 400 and inform all necessary parties in writing within the timeline set out in the Standard of Audit and Practice Review Exemption and Extension Request.

Reporting

8-7 (1) The Registrar must deliver a written audit report to the auditee within the timeline set out in Policy 8 - 200.

(2) The Registrar must deliver a written practice review report to the registrant within the timeline set out in Policy 8 - 300.

(3) The Audit and Practice Review Committee must deliver a written summary report outlining aggregated information, data, results, and recommendations of the annual audit and practice review processes to the Board and at the annual general meeting.

Confidentiality

8-8 (1) Pursuant to section 110 [*confidentiality – committee matters*] of the Act, individual Audit and Practice Review process results must remain confidential aside from disclosures authorized or required by the Act.

Part 9 – Complaints, Investigations, and Discipline

Division 1 - Powers and Duties of the Investigation Committee and Discipline Committee

Powers and Duties of the Investigation Committee

9-1 (1) The Investigation Committee:

(a) must oversee the investigation process pursuant to section 66 [*investigations authorized by board*] of the Act;

(b) must take extraordinary actions to protect the public as needed pursuant to section 67 [*extraordinary action to protect public*] of the Act; and

(c) may appoint investigators pursuant to section 68 [*investigators*] of the Act.

Powers and Duties of the Discipline Committee

9-2 (1) The Discipline Committee must:

(a) oversee the discipline process as set out in these bylaws.

Division 2 – Complaint Process

Filing a Complaint

9-3 (1) A person may make a complaint in a form approved by the College where the complainant believes that a registrant of the College:

(a) has engaged in the registrant's regulated practice in an incompetent manner; or

(b) is guilty of professional misconduct, conduct unbecoming a registrant, or a breach of the Act, Regulations, or these Bylaws.

(2) The College may initiate a complaint in its own name, in which case the College becomes the complainant.

(3) Complaints may be subject to dismissal in accordance with sections 9-5 and.

Obligations of the Registrar upon Receipt of a Complaint

9-4 (1) Upon receipt of a complaint, the Registrar must review the complaint, and within 10 days, notify the CEO and the chair of the Investigation Committee of the complaint, and make one of the following decisions:

(a) dismiss the complaint pursuant to sections 9-5;

(b) refer the complaint to the Audit and Practice Review Committee;

(c) refer the complaint to the Investigation Committee; or

(d) request further information from the complainant, respondent, or a third party that is relevant to the complaint.

(2) If the Registrar requests further information pursuant to section 9-4(1)(d), or if the Registrar refers the complaint to the Investigation Committee, the Registrar may:

(a) forward the complaint in its entirety to the respondent for a response subject to section 9-12(2);

(b) forward any response from the respondent to the complainant for comment; and

(c) prepare a summary report for the Investigation Committee based on submissions from the respondent and complainant.

(3) Unless otherwise specified, all requests for information by an Officer, investigator, or panel must be complied with within 20 business days.

Complaints May Be Dismissed

9-5 (1) The Registrar, Investigation Committee may dismiss a complaint that is:

(a) not within the jurisdiction of the College;
(b) frivolous or vexatious, unfounded, or made in bad faith; or
(c) not in the public interest to pursue.

Dismissal Must be in Writing

(1) When a complaint is dismissed, the Registrar or Investigation Committee must provide written reasons for the dismissal to the complainant.

Extraordinary Actions to Protect the Public

9-6 (1) The Board, the Discipline Committee, or the Investigation Committee is not required to notify the registrant of a complaint if it is determined that immediate action is needed to protect the public interest.

(2) If the Registrar or the Investigation Committee determines that immediate action is required, an order must be issued to the registrant that includes:

(a) limits or conditions on the registrant's practice of; or
(b) a suspension of the registrant for a period of time.

(3) The order must be given in writing to the registrant and complainant (if applicable) and must be effective upon receipt or three days after delivery to the last address recorded in the registry for the registrant.

(4) If immediate action is determined to no longer be needed by a decision of the Board, the order must be cancelled and the registrant notified in writing.

(5) The superintendent must be promptly notified of the order.

Decisions the Investigation Committee must make upon Receipt of a Complaint

9-7 (1) Upon receipt of the summary report from the Registrar regarding a complaint, the Investigation Committee may:

(a) request further information from the complainant, respondent, or a third party that is relevant to the complaint as deemed necessary by the Investigation Committee;
(b) authorize an investigation pursuant to section 66 [*investigations authorized by board*] of the Act;
(c) authorize a Practice Review to be completed following section 63 [*audit and practice reviews*] of the Act*;*
(d) issue a citation pursuant to section 66(1)(d) [*investigations authorized by board*] of the Act; or
(e) dismiss the complaint pursuant to sections 9-5.

(2) In addition to the actions above, the Investigation Committee may propose Reprimand or Remedial Action by Consent, a consent order, or an alternative complaint resolution process pursuant to sections 72 [*reprimand or remedial action by consent*] to 74 [*alternative complaint resolution*] of the Act.

Investigations

9-8 (1) The investigation must:

(a) be completed by an investigator appointed by the Investigation Committee, which includes the Registrar pursuant to section 68 [*investigators*] of the Act, or a panel appointed by the Investigation Committee; and

(b) be initiated in a timely manner once authorized by the Investigation Committee.

(2) The Registrar must:

(a) notify the respondent that an investigation has been initiated; and

(b) summarize the investigation findings in a report to the Investigation Committee.

(3) The investigator or panel may:

(a) make requests from the respondent or other parties for documents, files, records, digital media, or other evidence and information;

(b) conduct interviews with the respondent or other parties relevant to the investigation; or

(c) collect other information or evidence deemed necessary by the inspector or panel.

(4) All requests for information or interviews must be provided in a written notice describing the date and time the request is to be completed.

Interviews

9-9 (1) An interview may be conducted:

(a) remotely, or in-person, and recorded pursuant to Policy 9 - 100; and

(b) in the presence of at least one College employee or contractor who can take notes.

Complaint Deferral

9-10 (1) The Investigation Committee may defer all or part of a complaint until the outcome of another process if it determines that:

(a) the other process is capable of appropriately dealing with the substance of the complaint; or

(b) it is fair and reasonable given all relevant circumstances to do so.

Extensions

9-11 (1) The Registrar, Investigation Committee, or Discipline Committee may grant an extension to a complainant or respondent if it determines that it is fair and reasonable to do so.

(2) A request for an extension or an exemption with respect to the complaint process must be made by the complainant or respondent in writing to the Registrar within the timeline set out in Policy 9 - 200.

(3) The Registrar must render a decision for an extension or an exemption that meets criteria as set out in Policy 9 - 200 and inform all necessary parties in writing within the timeline set out in Policy 9 - 200.

(4) The Investigation Committee or Discipline Committee must render a decision for an extension or an exemption that meets criteria as set out in Policy 9 - 200 and inform all necessary parties in writing within the timeline set out in Policy 9 - 200.

Confidentiality

9-12 (1) The College must treat all complaints and investigations as confidential, and names and records must not be disclosed subject to the public disclosure requirements outlined in Part 10 of these Bylaws.

(2) The Registrar or Investigation Committee may withhold the name of a complainant from the respondent to protect their identity.

(3) The Registrar, the Investigation Committee, or an investigator or panel appointed by the Investigation Committee may require a registrant or a member of the public to keep details of a complaint or investigation process confidential.

Citation

9-13 (1) The Investigation Committee may issue a citation if they have reasonable and probable grounds to believe that a registrant of the College has engaged in:

(a) regulated practice in an incompetent manner; or
(b) professional misconduct, conduct unbecoming a registrant, or a breach of this Act, Code of Ethics, or the Bylaws.

(2) A citation issued must include at a minimum:

(a) the respondent's name and registration number;
(b) the allegations which are the matter of the citation;
(c) details regarding a Consent order or ACR if applicable; and
(d) the signature of the chair of the Investigation Committee or a delegate.

(3)The Investigation Committee may amend a citation as it deems necessary.

(4) The Investigation Committee may rescind a citation pursuant to section 66(1)(e) [*investigations authorized by board*] of the Act.

(5) A citation must be made available on a publicly available website pursuant to Part 10 of these Bylaws.

Discipline Hearing

9-14 (1) Upon receiving a citation from the Investigation Committee, the Discipline Committee must:

(a) establish a discipline panel pursuant to section 77 [*discipline committee to conduct hearings*] of the Act, comprised of an odd number with at least three individuals, including one layperson;
(b) issue a notice of hearing pursuant to Part 10 of these Bylaws;
(c) determine if a hearing will be conducted in-person, orally, or by written submissions; and
(d) prescribe any further practice and procedure for the hearing of the citation.

(2) The Discipline Committee may request further information from the complainant, respondent, or a third party that is relevant to the complaint.

(3) The Discipline Committee may amend a notice of hearing as it deems necessary.

(4) The discipline panel may determine the practice and procedure to be followed at a hearing in accordance with the Act, Bylaws, Policies, and the common law rules of procedural fairness subject to the following:

(a) Respondents and the College are entitled to retain and be represented by their own independent legal counsel.
(b) Hearings must be conducted publicly unless:

i. the complainant, the respondent, or a witness request that the discipline panel hold all or any part of the hearing in private; and
ii. the discipline panel presiding over the hearing is satisfied that holding the requested part of the hearing in private would be in the public interest.

(c) Respondents and the College are entitled to call evidence and cross-examine witnesses called by the other party, subject to the discipline panel's authority to regulate the conduct of its proceedings.

(5) Following a hearing, the discipline panel may:

(a) dismiss the citation pursuant to section 75(5)(a) [*discipline hearings*] of the Act;

(b) make a determination about the conduct or competence of the respondent under section 75(5)(b) [*discipline hearings*] of the Act; or

(c) take one or more actions against the respondent pursuant to section 75(6) or (7) [*discipline hearings*] of the Act.

(6) The discipline panel must give written reasons for their disposition of the complaint.

(7) Upon conclusion of the hearing, the Registrar must promptly notify the Superintendent of the disposition of the complaint and make the required information publicly available pursuant to Part 10 of these Bylaws.

(8) Following a hearing, the discipline panel may require the respondent to pay the costs of one or both of an investigation and the hearing pursuant to section 81 [*costs*] of the Act.

(9) The respondent must pay costs ordered under section 9-14(8) and any penalty ordered under section 9-14(5)(c) within 30 days of the order or within a longer period that the discipline panel specifies in the order.

(10) The Registrar is authorized to issue a notice of suspension pursuant to section 5-15 to a respondent who fails to comply with section 9-14(9).

Reprimand or Remedial Action by Consent

9-15 (1) Pursuant to section 72 [*reprimand or remedial action by consent*] of the Act, the Investigation Committee or Discipline Committee may propose a Reprimand or Remedial Action by Consent ("RRAC") to the respondent at any time during the investigation or disciplinary process.

(2) The RRAC must:

(a) describe the actions required, including one or more of;

a. an undertaking not to repeat the conduct to which the matter relates
b. an undertaking to complete educational courses specified by the audit and practice review committee
c. consent to a reprimand; and
d. an undertaking or consent to any other action specified by the audit and practice review committee

(b) specify a timeline for these actions to be completed; and

(c) outline further action if not followed.

(3) If the respondent agrees to a RRAC, then:

(a) the Investigation Committee or Discipline Committee must instruct the Registrar to send the RRAC to the complainant within 30 days; and

(b) the details of a RRAC must be made publicly available pursuant to Part 10 of these Bylaws.

(4) If an RRAC is not agreed to, the discipline process will continue and any information disclosed during the RRAC process will be without prejudice to the respondent.

(5) If a RRAC is breached, then the discipline process regarding the underlying complaint will continue, and the breach of the RRAC may be added to the ongoing discipline process.

Consent Order

9-16 (1) Pursuant to section 73 [*consent orders*] of the Act, the Investigation Committee or Discipline Committee may propose a consent order to the respondent before the commencement of a discipline hearing, including after the initiation of an investigation.

(2) A consent order must include the respondent's name and registration number and, pursuant to section 73(3) [*consent orders*] of the Act:

(a) the terms set out in the proposal made by the Investigation Committee or Discipline Committee under subsection (1),

(b) one or more admissions by the person who is the subject of the investigation in relation to one or more of the matters to be dealt with at the discipline hearing, and

(c) one or more of the actions taken or penalties imposed in sections 73 (3) to (74 [*consent orders*] of the Act.

(3) If a consent order is not agreed to within a reasonable amount of time as determined by the Committee, the discipline process will continue and any information disclosed during the consent order process will be without prejudice to the respondent.

(4) If a consent order is made, it must be made available on the College's website within 30 days pursuant to Part 10 of these Bylaws.

(5) A consent order has the same effect as a determination after a disciplinary hearing.

(6) The breach of a consent order will be treated as a new complaint.

Alternative Complaint Resolution

9-17 (1) Pursuant to section 74 [*alternative complaint resolution*] of the Act, the Registrar and the Investigation Committee or Discipline Committee may propose an alternative complaint resolution ("ACR") at any time during the investigation or disciplinary process.

(2) The proposal for an alternative complaint resolution must:

(a) be provided in writing;

(b) state the date, time, location, and manner in which the process will take place; and

(c) describe the matters to be dealt with during the alternative complaint resolution process.

(3) Pursuant to section 74(4) [*alternative complaint resolution*] of the Act, if the Registrar and the Investigation Committee or the Discipline Committee, as applicable, determine that an agreement in respect of a matter referred to in subsection (1) cannot be reached within a reasonable period of time:

(a) an investigation under section 66 [*Investigations authorized by the Board*] of the Act in respect of the matter must proceed; and
(b) the Discipline Committee conducting a hearing under section 75 [*discipline hearings*] of the Act must not consider the information disclosed during the alternative complaint resolution process in determining the matters or in taking an action or imposing a penalty in respect of the matters.

(4) An accepted ACR must be confirmed in writing by way of a consent order.

Applicable Complaint Process

9-18 (1) All complaints will be subject to the process outlined in this Part and the Act.

Part 10 – Public Disclosures

Administration of *Freedom of Information and Protection of Privacy Act*

10-1 (1) The CEO is the "head" of College for the purposes of the section 77 of the *Freedom of Information and Protection of Privacy Act*.

(2) The CEO may authorize the Registrar, another Officer, employee, contractor, or agent of the College to exercise any power or perform any duty of the CEO under the *Freedom of Information and Protection of Privacy Act*.

(3) Subject to section 75 of the *Freedom of Information and Protection of Privacy Act*, an applicant who requests access to a College record under section 5 of the *Freedom of Information and Protection of Privacy Act* must pay the applicable fees set out in the "Schedule of Maximum Fees" established in the *Freedom of Information and Protection of Privacy Regulation*, B.C. Reg. 155/2012.

Online Register and Business Contact Information

10-2 (1) In addition to the information required to be disclosed pursuant to section 31(3) [*registrar and register for regulatory body*] of the Act, the Registrar must include the following information in the register maintained on a publicly available website for every person granted registration under Act:

(a) the registration number issued to the person by College;

(b) the date on which the person was first granted registration with the College;

(c) the person's region of residence;

(d) the person's employer, if applicable;

(e) the person's business address and business telephone number, if applicable;

(f) the person's declared practice area or areas; and

(g) the person's category of registration under Part 5, Division 3 of these Bylaws.

(2) A registrant must deliver to the Registrar, on request:

(a) the information required to be maintained in the register under subsection (1)(c) or (e); and

(b) a current email address for the purpose of receiving communications from the College.

(3) A registrant must immediately notify the Registrar of any change of name, or any change in information described in subsection (2), and the Registrar must update any applicable information recorded in the register to reflect that change.

(4) Unless otherwise provided in the Act, the Regulations, or the Bylaws, information disclosed pursuant to section 31(3) [*registrar and register for regulatory body*] of the Act and subsection (1) must be maintained on a publicly available website for at least ten years after the year in which the person ceases to be a registrant of the College, after which time it must be promptly removed by the Registrar.

(5) The Registrar must make any business or employment contact information provided by a current or former registrant under subsections (1)(c), (d), or (e) available on a publicly available website unless the Registrar reasonably believes that the publication could threaten the safety of a current or former registrant or another individual.

(6) All information provided under this section is subject to random audits under Part 8.

Disclosure of Complaints and Investigations

10-3 (1) This section applies to information and records that form part of:

(a) the review or investigation of a complaint under section 65 [*complaints*] of the Act or a report or other concern investigated under Part 9 of these Bylaws; or

(b) the review of a registrant's or applicant's indictable offence conviction under Part 11 of these Bylaws.

(2) The Registrar may disclose information or records to which this section applies as the Registrar deems necessary to exercise their powers or perform their duties under the Act, pursuant to section 109(1)(a) [*confidentiality – general*].

(3) Pursuant to 109(1)(b)(ii) [*confidentiality – general*] of the Act, the Board authorizes the Registrar to:

(a) disclose information or records to:

(i) another regulatory body under the Act; or

(ii) any other body, in British Columbia, another province, a territory, or a foreign jurisdiction, that regulates the practice of professional applied biology or another profession or occupation in British Columbia or that other province, territory, or foreign jurisdiction;

(b) if the complaint, report, concern, or conviction has become known to the public, disclose to any person or the public:

(i) the existence of the College's review or investigation;

(ii) a brief, summary description of the nature of the complaint, report, concern, or conviction;

(iii) the status of the College's review or investigation, including, if it is closed, the general basis on which it was closed; and

(iv) any additional information necessary to correct material inaccuracies in information that has become known to the public.

(4) Without limiting section 10-3(3), if the Investigation Committee or the Board, as the case may be, believes reasonably that information or a record to which this section applies might be evidence of an offence under the laws of any jurisdiction, the Investigation Committee or the Board may direct the Registrar to disclose the information or record to an appropriate law enforcement agency.

Disclosure of Extraordinary Actions

10-4 (1) If an order is made against a respondent under section 67(1) [*extraordinary action to protect public*] of the Act, the Registrar must publish a notice of extraordinary action on a publicly available website within 30 days, which must include:

(a) the name and category of registration of the respondent;

(b) the date of the order and the nature of the conduct at issue; and

(d) a copy of the order made pursuant to section 67 [*extraordinary action to protect public*] of the Act.

(2) The Board may exercise discretion in publishing the respondent's name or other identifiable personal information in situations analogous to exemptions created by Regulations made pursuant to section 82 [*information to be publicly available*] of the Act.

Disclosure of Reprimand or Remedial Action by Consent or Alternative Complaint Resolution

10-5 (1) Subject to subsection (2), if a respondent agrees to give a consent or undertaking pursuant to section 72(1) [*reprimand or remedial action by consent*] of the Act or reaches an agreement under the Alternative Complaint Resolution process pursuant to section 74 [*alternative complaint resolution*] of the Act, the Registrar must publish a notice of the respondent's agreement on the College's website, which must include:

(a) the name and category of registration of the respondent;

(b) the date of the agreement and the nature of the conduct at issue; and

(c) a summary of the consent or undertakings given by the respondent in the RRAC, or terms of the agreement reached in the ACR.

(2) The Board may direct the Registrar to withhold the respondent's name or other identifiable personal information from a notice under published under subsection (1) if:

(a) the respondent's agreement does not impose any limitations or conditions on the respondent's practice of applied biology; and

(b) the Investigation Committee recommends that it is in the public interest to withhold public disclosure of the respondent's name or other identifiable personal information.

(3) The Board must record all instances of exercising its discretion under subsection (2).

Disclosure of Consent Orders

10-6 (1) If a consent order is made against a respondent under section 73 [*consent orders*] of the Act, the Registrar must publish a notice of the consent order pursuant to section 82 [*information to be publicly available*] of the Act on a publicly available website within 30 days, which must include:

(a) the name and category of registration of the respondent;

(b) the date of the consent order and the nature of the conduct at issue; and

(c) a copy of the consent order signed by the College and the respondent.

(2) The Board may exercise discretion in publication as permitted by any Regulations made pursuant to the section 82 [*information to be publicly available*] of the Act.

(3) The Board must record all instances of exercising its discretion under subsection (2).

Disclosure of Citations and Notices of Hearing

10-7 (1) If a citation is issued under section 66(1)(d) [*investigations authorized by board*] or 72(3) [*reprimand or remedial action by consent*] of the Act, the Registrar must

publish a notice of the citation pursuant to section 82 [*information to be publicly available*] on a publicly available website at least 30 days in advance of the discipline hearing, which must include:

(a) the name and category of registration of the respondent;

(b) the date the citation was issued; and

(c) a summary of the allegations and nature of the alleged conduct that will be the subject of the hearing.

(2) The Board may exercise discretion in publication as permitted by any Regulations made pursuant to the section 82 [*information to be publicly available*] of the Act.

(3) The Board must record all instances of exercising its discretion under subsection (2).

(4) If a citation is amended under section 9-13(3), the Registrar must update the notice of the citation published under subsection (1) if necessary to reflect the amendment.

(5) When a notice of hearing is issued under section 9-14(1)(b), the Registrar must update the notice of the citation published under subsection (1) to specify the date and time and, if applicable, the place for the hearing of the citation.

(6) If a notice of hearing is amended under section 9-14(3) the Registrar must update the notice of the citation published under subsection (1) to reflect the amendment.

(7) If the hearing of a citation, or any portion of the hearing, is adjourned to a new date, the Registrar must update the notice of the citation published under subsection (1) to reflect the adjournment.

(8) When the hearing of a citation is concluded, the Registrar must update the notice of the citation published under subsection (1) to specify that the hearing has concluded.

(9) Subject to subsections (4) to (8), a notice of a citation published under subsection (1) must be maintained on a publicly available website until the hearing panel issues its decision on the citation or the citation is rescinded or otherwise resolved.

(10) If a citation is rescinded under section 66(1)(e) [*investigations authorized by board*] of the Act, the Registrar must remove the notice of that citation published under subsection (1) from the website.

Disclosure of Discipline Decisions

10-8 (1) If a hearing panel makes a decision after a hearing under section 75 [*discipline hearings*] of the Act, the Registrar must publish a notice of the decision on a publicly available website within 30 days.

(2) Subject to subsection (4), the notice of a decision published under subsection (1) must include:

(a) the name and category of registration of the respondent;

(b) the date of the decision;

(c) a summary of the outcome of the decision, including:

(i) a description of the conduct that is the subject of any determination made against the respondent under section 75(5)(b) [*discipline hearings*] of the Act; and

(ii) a summary of any actions taken against the respondent under section 75(6) or (7) [*discipline hearings*] of the Act; and

(d) a summary of the reasons for the decision under section 75(4)(b) [*discipline hearings*] of the Act.

(3) If directed by the hearing panel, the notice of a decision published under subsection (1) must include the decision and the written reasons for the decision in their entirety.

(4) The Board may exercise discretion in publication as permitted by any Regulations made pursuant to the section 82 [*information to be publicly available*] of the Act.

(5) The Board must record all instances of exercising its discretion under subsection (4).

(6) If the hearing panel dismisses a citation, the Registrar must withhold the respondent's name or other identifiable information from the notice of that decision published under subsection (1), unless:

(a) the respondent consents to publication of that information; or

(b) the hearing panel otherwise directs.

(7) This section applies to a decision or order made by the Discipline Committee under section 76 [*conduct in another jurisdiction*] of the Act.

Disclosure of Decisions Regarding Registrants Convicted of an Indictable Offence

10-9 (1) If the Board decides to take action under Part 11 of these Bylaws against a registrant who has been convicted of an indictable offence, the Registrar must publish a notice of the decision on a publicly available website within 30 days, which must include:

(a) the name and category of registration of the registrant;

(b) the date of the decision;

(c) a summary of the decision, including any action taken under Part 11 of these Bylaws; and

(d) a summary of any reasons given by the Board for the decision.

(2) If directed by the Board, the notice published under subsection (1) must include the decision and any written reasons given by the Board for the decision in their entirety.

Privacy of Complainant or Other Person

10-10 (1) Despite any other provision of these Bylaws:

(a) The Board, the Investigation Committee, or the Discipline Committee, as the case may be, may direct the Registrar to withhold all or part of the information otherwise required to be included in any notice required to be published on a publicly available website if the Board, the Investigation Committee, or the Discipline Committee determine that the public interest in public notice of the information is outweighed by the privacy interests of the

complainant or another person, other than the respondent or registrant, affected by the matter; and

(b) the Registrar must withhold information from a notice published under this Part, any information protected by section 10-13, and any related information otherwise required to be included in the register under section 31(3) [*registrar and register for regulatory body*] of the Act, if required by:

(i) a direction under paragraph (a); or

(ii) an order of the discipline panel under section 9-14(6).

(2) A complainant or other person may deliver to the Registrar a request, in writing, for a direction under subsection (1)(a), which may be accompanied by evidence in support of the request.

(3) The Registrar must refer a request under subsection (2) to the Board, the Investigation Committee, or the Discipline Committee, as the case may be, for determination before publishing a notice on the website containing information that the complainant or other person has requested to be withheld.

(4) The Board may exercise discretion in publication as permitted by any Regulations made pursuant to the section 82 [*information to be publicly available*] of the Act.

Health Condition of Respondent or Registrant

10-11 (1) Despite any other provision of these Bylaws:

(a) The Board, the Investigation Committee, or the Discipline Committee, as the case may be, may direct the Registrar to withhold all or part of the information otherwise required to be included in any notice required to be published on a publicly available website if:

(i) the information relates to a physical or mental disability or health condition of the respondent or registrant, including addictions; and

(ii) The Board, the Investigation Committee, or the Discipline Committee determine that the public interest in public notice of the information is outweighed by the privacy interests of the respondent or registrant; and

(b) the Registrar must withhold information from a notice published under this Part, and any related information otherwise required to be included in the register under section 31(3) [*registrar and register for regulatory body*] of the Act, if required by a direction under paragraph (a).

(2) A respondent or registrant may deliver to the Registrar a request, in writing, for the direction under subsection (1)(a), which may be accompanied by evidence in support of the request.

(3) The Registrar must refer a request under subsection (2) to the Board, the Investigation Committee, or the Discipline Committee, as the case may be, for determination before publishing a notice on the website containing information described in subsection (1)(a)(i) that the respondent or registrant has requested to be withheld.

(4) The Board may exercise discretion in publication as permitted by any Regulations made pursuant to the section 82 [*information to be publicly available*] of the Act.

Maintenance of Public Notices

10-12 (1) A notice published under sections 10-4(1), 10-5(1), 10-6(1), 10-8(1) or 10-9(1) must be maintained on a publicly available website.

(2) The Registrar must update a notice described in subsection (1) if:

(a) any limitations or conditions imposed on a registrant's practice that are referenced in the notice expire or are terminated, or there is material change to those limitations or conditions;

(b) any period of suspension of the registrant's registration that is referenced in the notice expires or is terminated; or

(c) otherwise required by Policy 10 - 100.

Information to Be Withheld

10-13 (1) Despite any provision of these Bylaws and section 82(2) [*information to be publicly available*] of the Act, the Registrar must not make information publicly available if the Registrar determines that the public interest in the information being made publicly available is outweighed by the privacy interests of a complainant or a third party, or a registrant in the circumstances outlined in section 1.8(b) of the Regulations.

(a) The Registrar must note the withholding of information based on this determination in the register.

(2) The Board may exercise discretion in publication permitted by any Regulations made pursuant to the section 82 [*information to be publicly available*] of the Act.

Recent Historical Registrants

10-14 (1) In this section, "recent historical registrant" means an individual who:

(a) was a registrant of the College under the former Act before the transition date; and

(b) ceased to be a registrant of the College on or after February 5, 2014 and before the transition date.

(2) Subject to subsection (4), the Registrar must, for every recent historical registrant, maintain the information described in section 1.6 of the Regulations on a publicly available website and, if available, the additional information described in section 10-2(1).

(3) Unless otherwise provided in the Act, the Regulations, or the Bylaws, information made publicly available under subsection (2) must be maintained for at least ten years after the year in which the recent historical registrant ceases to be a registrant of the College, after which time it must be promptly removed by the Registrar.

(4) The Registrar may withhold publication of a recent historical registrant's information described in subsection (2)(c) or (d) if the Registrar reasonably believes

that disclosure of that information could threaten the safety of the recent historical registrant or another individual.

Part 11 – Indictable Offences

Registrants Convicted of Indictable Offences

11-1 (1) Pursuant to section 66 (2)(a)(i) [*investigations authorized by board*] of the Act, the Board may:

(a) summarily suspend or cancel the registration of a registrant who has been convicted of an indictable offence; or

(b) impose conditions or limitations on the continued registration of a registrant described in paragraph (a) in lieu of suspending or cancelling the registrant's registration.

Applicants Convicted of Indictable Offences

11-2 (1) Pursuant to section 66 (2)(a)(ii) [*investigations authorized by board*] of the Act, the Board may summarily reject the application of an applicant for enrolment, admission, or reinstatement who has been convicted of an indictable offence.

Part 12 – Finances

Division 1 – Dues, Fees, Assessments, and Penalties

Group I and Group II

12-1 (1) Dues, fees, assessments, and penalties must be listed in two groups, Group I and Group II.

(a) Group I comprises of annual registration dues for all registrant categories.

(b) Group II comprises of fees, assessments, and penalties other than annual registration fees, including application, examination, registration, and mailing fees; levies; and charges.

(2) Group I and Group II dues, fees, assessments, and penalties applicable for a given fiscal year must be set out in Schedule 2.

(3) Group I annual registration fees are due and payable in full on December 31 of the year preceding the year to which the dues are to be applied or be set out in Schedule 2.

(4) For people applying to become a practicing registrant or an in-training registrant, application fees and Mandatory Training Course and examination fees are payable at the time of application.

(5) Upon becoming a practicing registrant or an in-training registrant the annual registration fee is due as set out in Schedule 2.

(6) Group I annual registration fees for new and reinstating registrants must be pro-rated as follows:

(a) for applications made between January 1 to December 31 inclusive, fees must be pro-rated by month with a reduction of 8 percent per month calculated at the beginning of each month;

(b) for applications made to change status, or upgrade to registered status the fees paid and the fees owing will be prorated 8 percent per month, calculated at the beginning of each month.

(7) The Board may assess one or more penalties for overdue fees, assessments, or penalties.

(8) No registrations may be renewed until all outstanding fees, assessments, and penalties, including, without limitation, those assessed in the course of disciplinary proceedings, have been paid in full.

(9) No registration may be renewed until all information required for inclusion in the register by section 10-2 has been verified by the registrant to be true and accurate to the best of their knowledge.

Failure to Pay

12-2 (1) The Registrar may issue a notice of suspension for non-compliance pursuant to section 5-15 to a registrant who fails to pay their Group I and Group II fees as required by section 12-1 in these Bylaws.

Mandatory Training and Examination Fees

12-3 (1) Fees to undertake any mandatory training and to write any single examination or group of examinations are payable to the College at the time of application acceptance.

(a) In the event that an applicant does not complete the mandatory training or write an examination or group of examinations as scheduled, the training or examination fee must be forfeited unless the applicant can show extenuating circumstances satisfactory to the Board.

(2) Fees to undertake any mandatory training and to write any single examination or group of examinations for registrants, in-training registrants, and non-practicing registrants are payable at a time as set out in Schedule 2.

(a) In the event that a registrant, an in-training registrant, or non-practicing registrant does not complete the mandatory training or write an examination or group of examinations as scheduled, the training or examination fee must be forfeited unless the applicant can show extenuating circumstances satisfactory to the Board.

Reinstatement

12-4 (1) Registrants who have retired, resigned, or have had their registration cancelled pursuant to section 5-15(5) and who are eligible to reinstate their status as a registrant in accordance with the requirements of section 5-10 must pay a reinstatement fee as set out in Schedule 2 plus any other fees, assessments, or penalties remaining outstanding at the time application is made.

Division 2 – College Finances

Fiscal Year

12-5 (1) The fiscal year of the College is the calendar year.

Records, Accounts and Statements

12-6 (1) The Board must keep true accounts of the sums of money received and expended by the College and of the manner in which such receipts and expenditures were made, and of the assets and liabilities of the College.

(2) The records of account must be kept at the College office or at such other place as the Board sees fit and must be available at reasonable hours for inspection by the Board.

(3) The Board may determine at which times, places, and under what conditions the accounts and books of the College must be open to inspection by registrants of the College other than the Board.

(4) Financial records of the College must be audited by a chartered professional accountant or a firm of chartered professional accountants, appointed by resolution of the Board.

Removal of Auditor

12-7 (1) The auditor may be removed by resolution of the Board. The auditor must be informed as soon as practicable in writing of appointment or removal.

Audited Statements

12-8 (1) Annual audited financial statements must be presented to all voting registrants at the annual general meeting, and a summary distributed to registrants as soon as practicable.

Borrowing and Financial Management Authority

12-9 (1) In order to carry out the purposes of the College, the Board may, on behalf of and in the name of the College, acquire, hold, charge, and dispose of real and personal property, and may do all things necessary to raise or secure the payment or repayment of money in such a manner as they decide and in particular, but without limiting the generality of the foregoing, by the issue of debentures.

(2) No debenture may be issued without the sanction of a resolution by the Board.

(3) The Board must manage and conduct the business and affairs of the College, appoint staff, and decide their remuneration, and exercise the powers of the College in the name of and on behalf of the College.

(4) The Board may retain such portion of the funds of the College as it may from time to time deem to be required for current purposes on deposit in a chartered financial institution in Canada.

(5) The Board may from time to time invest the funds of the College not deemed by the Board to be required for current purposes under subsection (4), in investments and securities approved by the Board.

Schedule 1: Code of Ethics and Professional Conduct

Code of Ethics Preamble

1 (1) Integrity, competence, accountability, and adherence to all applicable laws and regulations are the cornerstones of this Code of Ethics. College registrants are required to conduct themselves in a manner consistent with these precepts as outlined in principles enumerated in section 2, and to uphold the principles of stewardship of aquatic and terrestrial ecosystems and biological resources.

Code of Ethics Principles

2 In dealings with the public, employers, clients, and other registrants of the profession, registrants of the College of Applied Biologists must:
(1) Provide objective, science-based, unfettered, forthright and intellectually honest opinion, advice, and reports in applied biology. To meet this principle, registrants must:

(a) formulate and present opinions, conclusions, and recommendations from an impartial and factual science base;
(b) ensure that facts and opinions used to support advice, conclusions, or recommendations are accurate and are represented accurately;
(c) identify relevant underlying data, assumptions, methodologies, considerations, implications, and the sources for any information or background data or information in all reporting;
(d) identify limitations of data, concepts, conclusions, understanding, and recommendations in all reporting;
(e) distinguish between facts, assumptions, and opinions when providing professional opinions;
(f) refuse to enter into agreements where compensation is contingent upon the conclusions or recommendations meeting the client's desired conclusions or recommendations;
(g) refuse to enter into agreements where the terms of employment restrict the registrant from applying due diligence or intellectual honesty;
(h) refuse to change their professional opinion or recommendation where the change is not supported by science, while remaining open to constructive professional dialogue;
(i) disclose the professional relationship (such as employment, contract, or volunteer) when the registrant acts or presents on behalf of a client, employer, or other entity; and
(j) recognize that all work, whether or not it is signed or signed and sealed, must meet this principle.

(2) Undertake assignments and offer opinions only in areas where training and ability make the registrant professionally competent. To meet this principle registrants must:

(a) ensure that they practice only in areas in which they have competency;
    i. competence can be achieved through education, study, experience, and training;

ii. competence can be demonstrated by the ability to complete a task to the same standard as trained professionals in similar situations;

(b) maintain competence in their field of practice and keep abreast of advances in practice and the relevant science;

(c) ensure that, where a registrant takes responsibility for the work of another, the work meets the appropriate standard;

(d) ensure that, where a registrant is the coordinating professional or project supervisor, all other team registrants are competent and qualified to perform their required duties;

(e) ensure that, where there are other team registrants contributing to an assignment, including recommendations, reports, statements, or opinions, that each is identified; and

(f) retain, or advise of the necessity to retain the services of others, where additional expertise is required.

(3) Ensure they meet a professional standard of care by practicing applied biology with attention, caution, prudence, and due diligence. To meet this principle registrants must:

(a) identify and meet the professional standard of care that will avoid undesirable outcomes that are reasonably foreseeable;

(b) undertake their work in a manner that demonstrates due diligence. To ensure due diligence, registrants must make certain that at a minimum:

i. the level of effort expended is appropriate to the task as defined by the activities undertaken and the potential risks;

ii. experts have been consulted or retained where necessary;

iii. background information is collected and incorporated;

iv. data have been collected to ensure proper assessment of risks and outcomes;

v. the use of any new or unusual methods are justified, referenced, and explained;

vi. conclusions, uncertainties, and recommendations are stated in a clear, understandable manner;

vii. implications of recommendations and alternatives are identified in a clear, understandable manner;

viii. all applicable legal requirements are met, with regard for the common law and any applicable enactments, federal enactments, or enactments of another province or territory, as well as any applicable Standards, Policies, plans, and practices established by the government or the College;

ix. work is done in accordance with any guidance developed to standardize professional documentation in the profession; and

x. appropriate documents, files, and filing systems are maintained;

(c) exercise sound judgment, document uncertainties, and provide a clear rationale for all decisions;

(d) provide advice that is carefully and conscientiously developed;

(e) ensure that the employer or client is aware of potentially adverse consequences if the registrant's professional recommendations are not followed; and

(f) recognize that all work, whether or not it is signed or signed and sealed, must meet the professional standard of care.

(5) Provide a professional standard of service to clients and employers by conducting business practices fairly, avoiding conflict of interest, and respecting client or employer confidentiality. To meet this principle registrants must:

(a) recognize that the requirement to provide a professional standard of service applies whether the registrant provides services in the private or public sector, as a contracting professional, volunteer, sole proprietor, or an associate in a corporation, or working at the staff or management level;

(b) exercise fairness in business practices by following practices that are just and reasonable, open and honest, fair and respectful, and undertaken properly;

(c) consider employer or client materials confidential;

i. a registrant must not use the proprietary or confidential information for personal gain or the advantage of other parties;

(d) recognize the expectation of confidentiality does not hold where:

i. the employer or client actions are unlawful, in which case the registrant is obliged to report the activity to the appropriate authority; or

ii. the registrant has been otherwise directed by the employer, client or legal authority;

iii. where the registrant is required by law to disclose confidential information, the registrant must so advise the employer or client, unless directed otherwise by the legal authority;

(e) avoid situations and circumstances where there is a conflict of interest;

i. there is a real or perceived conflict of interest where a registrant's interests conflict or appear to conflict with the registrant's professional responsibilities;

ii. in determining whether a conflict exists or appears to exist, registrants should consider whether a reasonably well-informed individual in possession of the facts would believe a conflict exists;

iii. registrants must take measures necessary to ensure a conflicting interest does not bias decisions or recommendations that the registrant may be called upon to make; in extreme situations this might require the registrant to withdraw from a project.

(f) ensure conflicts of interests, real or perceived, are properly disclosed to employers, clients, and others who may be affected by the conflict; and

(g) ensure that accurate information in respect of qualifications and experience are provided to employers or clients.

(5) Hold paramount the safety, health, and welfare of the public, including the protection of the environment and the promotion of health and safety in the workplace. To meet this principle registrants must:

(a) give consideration to the potential effects of their work on public health and safety and the environment;

(b) identify and communicate the level of risk and appropriate measures for prevention or mitigation; and

(c) take immediate corrective action where a threat to health and safety or to the environment is identified.

(6) Uphold professional obligations to the College while in the workplace. To meet this principle registrants must:

(a) ensure professional obligations override all other work related obligations; and

(b) refuse requests and pressures to compromise professional obligations to the College.

(7) Maintain a standard of personal and professional conduct that does not reflect adversely on the College or its registrants. To meet this principle registrants must:

(a) behave in a manner that recognizes a registrant's conduct, both in private and professional life, shapes the perception the public and others have of the individual and, by association, the College and other registrants of the College;

(b) be mindful that they are accountable to the College for both personal and professional conduct; and

(c) refrain through their words or actions, threatening, intimidating, or harassing any complainant, witness, or other person involved in an issue that is before the Investigation Committee or Discipline Committee, or any Board Member, committee member, Officer, employee, contractor, or other person acting on behalf of the College.

(8) Avoid injuring the reputation of employers, clients, other registrants, and members of the public through malice or negligence. To meet this principle registrants must:

(a) display due regard, fairness, and courtesy to all individuals with whom they interact;

(b) exercise due care to avoid unintentionally damaging a person's reputation when making a comment on a person's ability or work, and not knowingly or intentionally damage a person's reputation by making misleading or malicious statements about another person's conduct or work;

(c) respect that registrants of legally established professions have been assessed by their peers as being capable of practicing in a competent manner and, as such, are due the respect and deference normally accorded a professional; and

(d) comment with restraint and demonstrate full consideration of the facts when expressing opinions that differ from those of other professionals.

(9) Recognize the duty to address poor conduct or practice of another professional under the Act in order to protect the public interest, the profession, and the reputation of the College as a regulator. To meet this principle the registrant must:

(a) address the conduct or practice issue while respecting the rights and reputation of the other registrant;

(b) where one College registrant believes another professional registrant has engaged in poor practice or conduct, that is, has contravened the Act, the Regulations, or these Bylaws, the registrant making the allegations should, where possible, approach the other registrant privately to seek clarification of the actions before making any public statements or notifying the College. In undertaking this approach the registrant must:

i. make every effort to maintain respectful regard; and

ii. not maliciously or negligently injure the reputation of the other registrant;

(c) where it is not possible for a registrant to raise a matter of poor practice or conduct directly with the other professional, or where discussions between professionals have not resolved the situation satisfactorily, and where the registrant is of the opinion that the matter merits the attention of the regulating body, the registrant must report the allegations by filing a complaint with the appropriate regulating body in accordance with the Act and Bylaws.

(d) Notwithstanding the above, where a registrant has reasonable and probable grounds that the practice of another registrant or other person might pose a risk of significant harm to the environment or to the health and safety of the public or a group of people, the registrant must promptly report this to the appropriate regulating body and not first approach the other registrant.

Schedule 2: Fees and Charges

Group I
Annual Dues

RPBio (Active)	$ 635.00
RPBio (Ret)	$ 50.00
RBTech (Active)	$ 550.00
RBTech (Ret)	$ 50.00
ABT (Active)	$ 190.00
ABT (Ret)	$ 50.00
BIT	$ 200.00
Trainee (RBTech)	$ 155.00
Trainee (ABT)	$ 105.00
On Leave (RPBio)	$ 110.00
On Leave (RBTech)	$ 75.00
On Leave (BIT)	$ 110.00
On Leave (ABT)	$ 55.00
On Leave (Trainee ABT)	$ 55.00
On Leave (Trainee RBTech)	$ 75.00
Applied Biology-Limited Licensee (AB-LL)	$ 550.00

Group II
Application Fees

RPBio	$ 375.00
RBTech	$ 375.00
AB-LL	$375.00
ABT	$ 240.00
BIT/Trainee (RBTech)	$ 190.00
Trainee (ABT)	$ 140.00

Late Fees

RPBio(active)/RBTech(active)/ABT	10% of category dues
RPBio (Ret)/RBTech(Ret)	10% of category dues
BIT/Trainee (RBTech)/Trainee(ABT)	10% of category dues

Re-instatement Fees	
RPBio	$375.00
RBTech	$375.00
AB-LL	$375.00
ABT	$240.00
BIT/Trainee (RBTech)	$190.00
Trainee (ABT)	$140.00

Upgrade Fees	
BIT to RPBio	$190.00
Trainee (RBTech) to RBTech	$190.00
Trainee (ABT) to ABT	$120.00

Schedule 3 - Scope of Practice

Scope of Practice – Registered Professional Biologist (RPBio)

(1) An RPBio is an applied biology professional whose scope of practice is defined in the Applied Biologists Regulation.

Scope of Practice – Registered Biology Technologist (RBTech)

(1) An RBTech is an applied biology professional under the Applied Biologists Regulation. An RBTech can sign off on and seal professional work products when:
   (a) planning, implementing, and managing biological projects, assessments, and studies;
   (b) preparing technical data reports, including conclusions and recommendations;
   (c) implementing and managing Experimental Design or protocol;
   (d) performing the collection, identification, classification, and appropriate handling, storing, and disposal of biological specimens;
   (e) working within established parameters, protocols, guidelines, and methodologies, and in compliance with Guidance Documents applicable to their practice; and
   (f) performing applied biology work not described in subsection (2).

(2) An RBTech must work under the supervision of an RPBio when:
   (a) developing Experimental Design or protocol;
   (b) performing interpretative analysis; and
   (c) preparing interpretative reports when working outside established parameters, protocols, and guidelines.

Scope of Practice – Applied Biology Technician (ABT)

(1) An ABT is an applied biology professional working under the Applied Biologists Regulation. An ABT must work under the supervision of an RBTech or RPBio when performing the reserved practice of applied biology.

Scope of Practice – Applied Biology – Limited Licensee (AB-LL)

(1) An AB-LL is an applied biology professional working under the Applied Biologists Regulation. An AB-LL can sign off on and seal professional work products within the area they have been granted a license for:
   (a) planning, implementing and managing biological projects, assessments and studies;
   (b) preparing technical data reports, including conclusions and recommendations;
   (c) implementing and managing Experimental Design or protocol;
   (d) performing the collection, identification, classification and appropriate handling, storing and disposal of biological specimens;
   (e) working within established parameters, protocols, guidelines, and methodologies, and in compliance with Guidance Documents applicable to their practice; and

(f) performing applied biology work not described in ss (2)

(2) An AB-LL. must work under the supervision of an RPBio when:

(a) developing Experimental Design or protocol;

(b) performing interpretative analysis; and

(c) preparing interpretative reports when working outside established parameters, protocols and guidelines.

COLLEGE OF
APPLIED BIOLOGISTS
Professional Accountability

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