

College of Applied Biology

Rules

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College of Applied Biology – Rule 1 Formation of the Council

Definitions

- 1.1** In these rules,
"enrolled member" means an "in training" or "student" member of any category of membership in the college;
"registered member" means a practising member as defined by the College of Applied Biology Act, and includes a professional biologist, a registered biology technologist or an applied biology technician;
"special resolution" means a resolution passed at an Extraordinary General Meeting
"voting member" means – a registered member in good standing who is not on temporary withdrawal.

Council Size

- 1.2** As set out in section 5(1) of the Act, the council shall consist of the immediate past president, the president, 2 vice presidents, 6 councillors elected in accordance with these rules, and not more than 3 councillors appointed by the Minister.

Council Composition

- 1.3** At least 3 of the elected Council members will be elected from the regional areas.
1.3.1 The regional areas shall be defined as those areas outside those areas commonly known as Greater Vancouver and the Lower Fraser Valley, and Greater Victoria.

Council Election and Eligibility

- 1.4** Voting Members shall elect new council members each year from the candidates nominated pursuant to this rule. For the purpose of this rule, a year shall be defined as the time between one Annual General Meeting and the next.
1.5 No person shall be eligible to be nominated unless he/she is a Voting Member.

Term of Council

- 1.6** Elected council members, including the Vice Presidents and President, shall normally be elected for two year terms but may be elected for a one year term if necessary to ensure that Council consists of approximately equal numbers of first and second year council members.

Nominations Committee

- 1.7** A Nominations Committee shall be appointed by the Council not less than 5 months before the date set for the Annual General Meeting for the purpose of receiving nominations for candidates to the Council.
1.8 The Nominations Committee shall ensure that candidates meet the requirements of rule 1.2 which sets out the size of the council and of rule 1.3 which sets out the requirements for Regional council members, and in the event a nomination for President is received:
1.8.1 a candidate for President shall have served at least one year on the Council prior to his/her election as President;
1.8.2 notwithstanding rule 1.8.1, in the event that no Councillor wishes to run for the office of President, a Voting Member may be elected to the position of President by a majority vote of the membership.

- 1.9** The Nominations Committee shall issue to the membership a call for nominations, not less than 16 weeks before the date set for the Annual General Meeting.
- 1.10** Nominations of candidates for election to the office of President, Vice President(s) and to Council, must be made in writing, signed by 2 Voting Members and delivered to the Chair of the Nominations Committee giving full current address, phone number, registration number and where available fax numbers and email address of the nominee and each nominator. These nominations, accompanied by the written consent of the candidates to stand for election, must be received by the Chair of the Nominations Committee not less than 10 weeks before the date set for the Annual General Meeting.
- 1.11** Upon completion of the nomination period, the Chair of the Nominations Committee shall forward the nominations to the Registrar who shall prepare the necessary ballot papers and shall deliver a ballot to each Registered Member at least six weeks before the date set for the Annual General Meeting to that member's last known address recorded in the register. In the event a candidate is acclaimed for any vacancy, notice of this fact shall be mailed by the Registrar either along with or in place of the ballot package.
- 1.12** To be counted, returned ballots must be in the hands of the Registrar by the date set by the Registrar which must be at least thirty days from the date they were originally mailed by the Registrar.
- 1.13** The candidates who are successful in the bid for office shall take office immediately following the AGM, and shall hold office:
 - 1.13.1** if serving a one year term, until the conclusion of the following AGM; or
 - 1.13.2** if serving a two year term, until the conclusion of the AGM 2 years following their election.

Returning Officer

- 1.14** Council shall appoint a returning officer who must be a Registered Member not on temporary withdrawal who, with the assistance of the Registrar, shall count the votes.
- 1.15** Candidates for council may appoint a scrutineer who shall be allowed to be present for the counting of the ballots.
- 1.16** Candidates who have the greatest number of votes shall be elected. A run-off ballot shall be required in the event of a tie not broken by a re-count or agreement amongst the affected candidates.
- 1.17** As soon as the results of the election are known, the returning officer shall inform Council, and the President shall then inform the candidates. The results shall also be reported to all members as soon as convenient and must be reported at the Annual General Meeting.

Remuneration

- 1.18** No Councillor shall be remunerated for being, or acting as, a Councillor, but a Councillor shall be reimbursed for all expenses necessarily and reasonably incurred while engaged in the affairs of the College.

Duties of Officers

- 1.19** The President shall preside at all meetings of the College and of the Councillors. The President is the chief executive officer of the College and shall supervise the other officers in the execution of their duties.
 - 1.19.1** The President shall appoint an elected Councillor to the office of The Secretary-Treasurer. The Secretary-Treasurer shall
 - 1.19.1.1** be responsible for the financial records including books of accounts;

1.19.1.2 render financial statements to the Councillors, members, and others when required;
and

1.19.1.3 to keep minutes of the meetings of the College and of the Councillors.

1.19.2 The President shall appoint Councillors to chair select and standing committees as required.

1.20 In the absence of the Secretary-Treasurer from a meeting, the Councillors shall appoint another person to act as the Secretary-Treasurer at that meeting.

1.21 In accordance with section 5(4) of the Act, the Vice President designated by Council to have all the powers and rights of the President during the president's absence or if a vacancy arises because of the President's incapacity, resignation, removal or death, shall be called the Executive Vice President. In the event that there is only one Vice President, this position shall be named Executive Vice President.

Removal of a Councillor

1.22 The members may, by special resolution, remove a Councillor before the expiry of his/her term of office.

Appointment of Council Members to fill a Vacancy

1.23 If a Councillor resigns or is removed from office before his/her term expires, the Council may fill the vacancy by:

1.23.1 inviting one of the candidates for council, who was not successful in the preceding election, to join the Council; or

1.23.2 recruiting candidates from the general membership.

1.24 The term of office of a Councillor appointed pursuant to rule 1.23.1 will be the same as the term of the person that he/she is replacing, but the Councillor is eligible for re-election at the end of that term.

1.25 Where a Councillor is recruited from the general membership pursuant to rule 1.23.2, the appointment must be ratified by a majority vote of the membership of the College before the subsequent Annual General Meeting.

Discrepancy

1.26 Where there is an inconsistency between the Rules and the Act, the Act shall prevail.

College of Applied Biology – Rule 2 Council Proceedings

Voting

- 2.1** Council may meet either in person or via teleconference, video-conference, or such other electronic means as deemed appropriate by Council to conduct College business, adjourn and otherwise regulate its meetings as it sees fit.

Calling of Meetings

- 2.2** The President may, and on the request of 3 council members shall, call a Council meeting at any time giving seven days notice to all council members of the date, hour, place, and purpose of such meeting.

Meeting Procedure

- 2.3** The President shall be chairperson of all meetings of Council. If the President is not present at any meeting, the Executive Vice-President shall act as chairperson, and in the absence of the Executive Vice-President the Councillors present shall choose one of their number to be chairperson at that meeting.
- 2.4** The quorum necessary for the transaction of business shall be six members. Unless otherwise specified in these bylaws, the conduct of all Council meetings shall be guided by Roberts Rules of Order.
- 2.5** Questions arising at any meeting shall be decided by a majority of votes of the Council members present. The Chair shall be entitled to participate in all votes taken at a Council meeting.
- 2.6** A resolution of Council assented to and adopted in writing, although not passed at a Council meeting, shall be of the same force and effect as if it had been duly passed at a Council meeting. Such resolution should be recorded in the minutes of the next regular Council meeting, and shall be effective as of the date stated on the resolution.

Minutes of Meetings

- 2.7** The Council shall cause minutes to be made in books provided for the purpose of recording:
- 2.7.1** all appointments of Officers, Committees, and Staff made by Council;
 - 2.7.2** the names of Councillors present at each meeting of the Council and of any Committee of the Council; and
 - 2.7.3** all resolutions and proceedings of all meetings of the College and of the Council and of committees of the Council.
- 2.8** Minutes of all Council meetings shall be signed by the President and Registrar.

Delegation for Committees or Staff

- 2.9** In accordance with the Act, the Council may authorize a committee or staff member to exercise a power, authority or jurisdiction of the Council excepting rule-making authority, or a power, authority or jurisdiction expressly referred to in the Act in connection with the credentials committee, the audit and practice review committee or the discipline committee.

Committee Procedure

- 2.10** The President may appoint the Chair of any committee. If the President does not appoint a chair, then the committee shall elect one of their number as Chair. If at any meeting the Chair is not present within 10 minutes after the time appointed for holding the meeting, the members present may choose one of their number to be Chair of the meeting.
- 2.11** A committee may meet and adjourn as it sees fit. Quorum of a committee shall be a majority of the registered members who are members of the committee.
 - 2.11.1** Minutes of committees will be maintained in the same manner as minutes of the Council.
 - 2.11.2** Meetings of committees will be conducted in the same manner as meetings of the Council.

College of Applied Biology – Rule 3 Meetings of the College

Definitions

- 3.1** In these rules,
“Annual General Meeting” means the meeting set out in s7(1) of the Act;
“Extraordinary General Meeting” means a meeting convened in accordance with s7(4) of the Act;
“General Meeting” means a meeting of the college convened by the Council at a time other than that set aside for the Annual General Meeting.

Application

- 3.2** Unless otherwise stated in these rules, the meeting rules contained here shall apply to all meetings of the College, whether they be the Annual General Meeting, a General Meeting, or an Extraordinary General Meeting (herein collectively referred to as meetings of the college).

General Meetings

- 3.3** The Council may, whenever they think fit, convene a General Meeting.
- 3.4** If, within 30 minutes from the time appointed for the general meeting, a quorum is not present, the meeting shall stand adjourned to the place of, and a time just prior to, the next meeting of the college.
- 3.5** At general meetings the order of business shall be:
- 3.5.1** reading and adoption of minutes;
 - 3.5.2** reports of Standing Committees;
 - 3.5.3** reports of Select Committees;
 - 3.5.4** unfinished business;
 - 3.5.5** new business;
 - 3.5.6** adjournment.

Extraordinary General meeting

- 3.6** The Council, in accordance with Section 7(4) must, on the written request of 50 registered members in good standing or 5 councillors, call a General Meeting of the College.
- 3.6.1** The meeting shall be convened within 21 days after the date of delivery of the request.
- 3.6.2** The request to convene such a meeting shall state the precise purpose of the meeting, be signed by the requisitionists, and shall be delivered or sent by registered mail to the address of the College.
- 3.6.3** If an extraordinary general meeting is not convened in accordance with rule 3.6, the requisitionists may convene the meeting and they shall be reimbursed by the College for costs incurred in convening the meeting.
- 3.6.4** If, within 30 minutes from the time appointed for the extraordinary general meeting, a quorum is not present the meeting shall be terminated.
- 3.6.5** At extraordinary general meetings the order of business shall be:
- 3.6.5.1** reading the notice of meeting;
 - 3.6.5.2** consideration of items noted in the notice of meeting;
 - 3.6.5.3** adjournment.

Annual General Meeting

- 3.7** Notice of each Annual General Meeting shall be sent to the membership at least 28 days prior to that meeting.
- 3.8** If, within 30 minutes from the time appointed for the annual general meeting, a quorum is not present, the meeting shall stand adjourned to the place of, and a time just prior to, the next meeting of the college.
- 3.9** At the Annual General Meeting the order of business shall be
 - 3.9.1** the adoption of agenda and rules of order;
 - 3.9.2** the consideration of the financial statements;
 - 3.9.3** the report of the Council;
 - 3.9.4** the report of the auditor;
 - 3.9.5** the election of the Council; and
 - 3.9.6** such other business as, under these rules, ought to be transacted at an Annual General Meeting, or business which is brought under consideration by the report of the Council issued with the notice of convening the meeting.

Chairing Meetings

- 3.10** The President of the College shall chair meetings of the College.
 - 3.10.1** If the President is unable or unwilling to act as Chair, or not present within 30 minutes of the time appointed to hold the meeting, the Executive Vice-President shall act as Chair;
 - 3.10.2** In the absence of the Executive Vice-President the Councillors present shall choose one of their number to chair the meeting;
 - 3.10.3** If the President, Executive Vice-President and all other Councillors are unable or unwilling to act as Chair, or are not present within 30 minutes of the scheduled meeting time, the members shall choose one of their numbers to act as Chair.
- 3.11** The Chair may, with the consent of any meeting, and shall if so desired by the meeting, adjourn the meeting from time to time and from place to place. No business shall be transacted at any reconvened meeting other than the business left unfinished at any meeting from which the adjournment took place.
 - 3.11.1** When a meeting is adjourned for 30 days or more, notice of the reconvened meeting shall be given as in the case of the original meeting. It is not necessary to give notice of the business to be transacted at a reconvened meeting.

Conduct of Meetings

- 3.12** Meetings of the College shall be conducted in accordance with Roberts Rules of Order unless these are contrary to any rule affecting the operation of the College.
- 3.13** No business, other than the adjournment or termination of the meeting, shall be conducted at a meeting of the college at a time when a quorum is not present.
- 3.14** If at any time during a meeting of the college there ceases to be a quorum present, business then in progress shall be suspended until there is a quorum present or until the meeting is adjourned or terminated.
- 3.15** A quorum is 30 registered members present in person at the meeting.
- 3.16** A registered member in good standing and not on temporary withdrawal present at a meeting of the college is entitled to one vote on any resolution.

Resolutions

- 3.17** All resolutions proposed at a meeting must be seconded. The chair of a meeting may not propose a resolution. The Chair may, however, step down from the chair to do so.
- 3.18** All resolutions must be received in writing by the Registrar 28 days prior to their presentation at a meeting, so as to allow full development of arguments for and against the resolution which will be presented to the membership. This requirement for submission of a motion 28 days prior to presentation at a meeting may be waived by unanimous consent of Council members.
- 3.19** 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 membership numbers of the mover and seconder. Failure to meet these provisions means the resolution shall not be placed on the agenda.
- 3.20** At a meeting of the college the chair shall have one vote on any resolution. In the event of a tie, the chair may not vote a second time to break the tie and the resolution shall be declared defeated.
- 3.21** At any meeting a resolution put to the vote of the meeting shall be decided on a show of hands, unless a letter ballot is demanded by at least three (3) members before or on the result of the show of hands. Unless a ballot is so demanded, the chair shall declare that a resolution has, on a show of hands, been carried or defeated on a simple majority. An entry to that effect made in the book for the proceedings of the College shall be conclusive evidence of the fact without proof of the number or proportion of the votes recorded in favour of or against the resolution.
- 3.21.1** A letter ballot shall be conducted in accordance with Rule 4.
- 3.22** Voting by proxy is not permitted.

College of Applied Biology – Rule 4 Letter Ballot

Initiation

- 4.1** Letter ballots may be initiated during the Resolution Session at a General Meeting or Annual General Meeting, by resolution of Council, or by these bylaws.

Letter Ballots as Referenda

- 4.2** Letter ballots which arise from an Extraordinary General Meeting are deemed to be referenda.

Where Letter Ballots Required

- 4.3** Letter ballots are required for the following matters with the following proportion of votes necessary to carry the ballot:
- 4.3.1** adoption, repeal or amendment of those rules stipulated in the Act requires a majority of the votes cast of registered members in good standing;
 - 4.3.2** election of Council members requires a majority of the votes cast of registered members in good standing;
 - 4.3.3** letter ballots conducted as a result of a referendum under 8(2) of the Act requires one half of all registered members in good standing to cast a vote and further, that two-thirds of those voting vote in favour.
- 4.4** If a letter ballot is required for any matter it shall be in such form as Council determines and shall be sent to each Voting Member at that member's last address recorded in the College's files.

Counting

- 4.5** To be counted, returned ballots must be in the hands of the Registrar by the date set by the Registrar which must be at least thirty days from the date they were originally mailed by the Registrar.
- 4.6** Council shall appoint a Returning Officer who must be a registered member who with the assistance of the Registrar shall count the votes.

Communication of Results

- 4.7** The results of the vote shall be communicated by the Registrar to the members as soon as possible after the ballots are counted.

College of Applied Biology – Rule 5 Officers

Executive Director

5.1 The Executive Director is hereby named an Officer of the College of Applied Biology.

5.1.1 Powers, duties and functions of the Executive Director include:

5.1.1.1 overall management of the administrative operations of the College,

5.1.1.2 ensuring that the policies and directions of the Council of the College are implemented,

5.1.1.3 advising and informing the Council on the operation and affairs of the College,

5.1.1.4 fulfilling additional duties and responsibilities that are set out in these rules or established through resolution of the Council.

Registrar

5.2 The Registrar is hereby named an Officer of the College of Applied Biology.

5.2.1 Powers, duties and functions of the Registrar include:

5.2.1.1 maintaining the register of the College,

5.2.1.2 ensuring that access is provided to records of the College, as required by law or authorized by the Council,

5.2.1.3 accepting, on behalf of the College or the Council, notices and documents that are required or permitted to be given, served on, filed with or otherwise provided to the College or the Council,

5.2.1.4 keeping the corporate seal, if any, and having it affixed to documents as required,

5.2.1.5 fulfilling additional duties and responsibilities that are set out in these rules or established through resolution of the Council.

Termination of Officer

5.3 Subject to a contract of employment, the appointment of an officer of the College may be terminated by the Council as follows:

5.3.1 on reasonable notice, if the termination is approved by an affirmative vote of at least 2/3 of the members of the Council; or

5.3.2 without notice, for cause, if the termination is approved by a majority of the votes cast.

College of Applied Biology – Rule 6 Categories of Membership

Professional Biologist

- 6.1** Within the category Professional Biologist, there shall be two sub-categories, Active and Retired:
- 6.1.1** Active – council shall admit those applicants to the Active Member sub-category who meet the criteria set out in Schedule 3 and who agree to pay the active membership fee prescribed in Schedule 1;
 - 6.1.2** Retired – upon application, council may admit an Active Member to the Retired Member sub-category who:
 - 6.1.2.1** is no longer practising applied biology in either a paid or volunteer capacity,
 - 6.1.2.2** does not expect to practice in the future,
 - 6.1.2.3** agrees to pay the retired membership fee prescribed in Schedule 1, and
 - 6.1.2.4** has returned their Seal to the registrar.

Biologist In Training

- 6.2** Biologist in Training
- 6.2.1** Council shall enrol those applicants to the Biologist In Training category who meet the criteria set out in Schedule 3 and who agree to pay fees as prescribed in Schedule 1.

Student Member

- 6.3** Student Member
- 6.3.1** Upon receipt of fees as prescribed in Schedule 1, council shall enrol an applicant to the Student Member category if that person demonstrates to the satisfaction of the registrar that the applicant is enrolled in a program leading to education credentials suitable for meeting the admission requirements of the college as presented in Schedule 3.

Registered Biology Technologist

- 6.4** Within the category Registered Biology Technologist, there shall be two sub-categories; Active and Retired.
- 6.4.1** Active – council shall admit those applicants to the Active Member sub-category who meet the criteria set out in Schedule 3 and who agree to pay the active membership fee prescribed in Schedule 1;
 - 6.4.2** Retired – upon application, council may admit an Active Member to the Retired Member sub-category who:
 - 6.4.2.1** Is no longer practising applied biology in either a paid or volunteer capacity,
 - 6.4.2.2** Does not expect to practice in the future,
 - 6.4.2.3** Agrees to pay the retired membership fee prescribed in Schedule 1, and
 - 6.4.2.4** Has returned their Seal to the registrar.

Registered Biology Technologist in Training

- 6.5** Registered Biology Technologist in Training

6.5.1 Council shall enrol those applicants to the Registered Biology Technologist In Training category who meet to the satisfaction of the registrar the criteria set out in Schedule 3 and who agree to pay fees as presented in Schedule 1.

6.6 Applied Biology Technicians (not in force at this time)

6.7 Applied Biology Technicians in Training (not in force at this time)

6.8 Temporary Permittee Professional Biologist (not in force at this time)

College of Applied Biology – Rule 7 Membership Rights and Obligations

Professional Biologist – Active and Retired Members

7.1 As set out in Rule 6.1, the two categories of Professional Biologist consist of Active members and Retired members.

7.1.1 Active members shall:

7.1.1.1 enjoy full practice and participation rights in the affairs of the college,

7.1.1.2 may use the titles “RPBio”, “R.P.Bio.”, Professional Biologist, Registered Professional Biologist or any other such designation which would lead a member of the public to believe the member is qualified to engage in the practice of applied biology,

7.1.1.3 use and apply the Code of Ethics of the College of Applied Biology when undertaking the practice of applied biology in either a paid or volunteer capacity,

7.1.1.4 be subject to audits and practice reviews and continuing education requirements,

7.1.1.5 be subject to the disciplinary process, and

7.1.1.6 be eligible to apply for temporary withdrawal.

7.1.2 Retired members shall:

7.1.2.1 not be eligible to engage in the practice of applied biology in either a paid or voluntary capacity,

7.1.2.2 only use the titles “RPBio (Ret)”, “R.P.Bio. (Ret)”, Retired Professional Biologist, or Retired Registered Professional Biologist and shall not use any other such designation which would lead a member of the public to believe the member is qualified to engage in the practice of applied biology,

7.1.2.3 enjoy full voting and participation rights in the affairs of the college,

7.1.2.4 not be subject to continuing education, audit and practice review requirements,

7.1.2.5 be subject to the disciplinary process, and

7.1.2.6 not be eligible to apply for temporary withdrawal.

Biologist In Training

7.2 Biologists in Training shall:

7.2.1 be able to engage in the practice of applied biology under the direct or indirect technical supervision of a Professional Biologist;

7.2.2 use and apply the Code of Ethics of the College of Applied Biology when undertaking the practice of applied biology in either a paid or volunteer capacity;

7.2.3 only use the title “Biologist in Training”, “BIT”, or B.I.T.”, and shall not use any such other designation or title which could lead a member of the public to believe that he/she is qualified to engage in the practice of applied biology as a Professional Biologist;

7.2.4 not enjoy voting rights, and shall not be eligible to serve on council, the credentials committee, the Discipline committee, or subcommittees thereof, or the standing investigations committee, or subcommittees thereof. They may, however, serve on such other college committees or subcommittees as council may deem appropriate;

- 7.2.5 be subject to disciplinary processes, practice reviews and audits, and continuing education requirements,
- 7.2.6 be eligible to apply for temporary withdrawal.
- 7.2.7 be eligible to remain in this category for a maximum period of 6 years, after which time they will be removed from the Register unless the member has met the qualifications for and advanced to registered status.

Student Member

7.3 Student Members shall:

- 7.3.1 not enjoy voting rights, and shall not be eligible to serve on council, the credentials committee, the discipline committee, or subcommittees thereof, or the standing investigations committee, or subcommittees thereof. They may, however, serve on such other college committees or subcommittees as council may deem appropriate.

Registered Biology Technologist – Active and Retired Members

7.4 As set out in Rule 6.4, the two categories of Registered Biology Technologist consist of Active members and Retired members.

7.4.1 Active members shall:

7.4.1.1 be entitled to engage in full participation in the affairs of the college; and

7.4.1.2 be entitled to engage in aspects of the practice of applied biology to the extent consistent with their education, training and experience:

7.4.1.2.1 while executing, supervising the execution of or inspecting work designed by a Registered Professional Biologist,

7.4.1.2.2 under the direct supervision of a Registered Professional Biologist; or

7.4.1.2.3 independently, if carrying out those aspects of applied biology practice as set out in Schedule 5.

7.4.1.3 be entitled to use the title “RBTech”, “R.B.Tech.”, Registered Biology Technologist, or any other such designation which would lead a member of the public to believe the member is qualified to engage in the practice of applied biology at the Registered Technologist level;

7.4.1.4 shall not use any such other designation or title which could lead a member of the public to believe that he/she is qualified to engage in the practice of applied biology as a Professional Biologist;

7.4.1.5 use and apply the Code of Ethics of the College of Applied Biology when undertaking the practice of applied biology in either a paid or volunteer capacity;

7.4.1.6 be subject to audits and practice reviews and continuing education requirements;

7.4.1.7 be subject to the disciplinary process; and

7.4.1.8 be eligible to apply for temporary withdrawal.

7.4.2 Retired members shall:

7.4.2.1 not be eligible to engage in the practice of applied biology in either a paid or voluntary capacity, only use the titles “RBTech (Ret)”, “R.B.Tech. (Ret)”, Retired Registered Biology Technologist, and shall not use any other such

- designation which would lead a member of the public to believe the member is qualified to engage in the practice of applied biology,
- 7.4.2.2 enjoy full voting and participation rights in the affairs of the college,
 - 7.4.2.3 not be subject to continuing education, audit and practice review requirements,
 - 7.4.2.4 be subject to the disciplinary process, and
 - 7.4.2.5 not be eligible to apply for temporary withdrawal.

Registered Biology Technologist in Training

- 7.6 Registered Biology Technologists in training shall:
- 7.6.1 be able to engage in the practice of applied biology under the direct supervision of a Professional Biologist or a Registered Biology Technologist;
 - 7.6.2 use and apply the Code of Ethics of the College of Applied Biology when undertaking the practice of applied biology in either a paid or volunteer capacity;
 - 7.6.3 only use the title “Registered Biology Technologist in Training” or “Trainee (RBTech)” and shall not use any such other designation or title which could lead a member of the public to believe that he/she is qualified to engage in the practice of applied biology as a Professional Biologist or a Registered Biology Technologist;
 - 7.6.4 not enjoy voting rights, and shall not be eligible to serve on council, the credentials committee, the discipline committee, or subcommittees thereof, or the standing investigations committee, or subcommittees thereof. They may, however, serve on such other college committees or subcommittees as council may deem appropriate;
 - 7.6.5 be subject to disciplinary processes, practice reviews and audits, and continuing education requirements;
 - 7.6.6 be eligible to apply for temporary withdrawal; and
 - 7.6.7 be eligible to remain in this category for a maximum period of 6 years, after which time they will be removed from the Register unless the member has met the qualifications for and advanced to registered status.

7.7 Applied Biology Technician

7.7 Applied Biology Technician in Training

7.8 Temporary Permittee Member

Member in Good Standing

- 7.9 A “member in good standing” is one that has:
- 7.9.1 Paid dues as established in Schedule 1 within 2 months of the deadline for payment established by council, and
 - 7.9.2 Paid all fees as established in Schedule 1 within 2 months of the deadline for payment established by council, including late payment assessments, penalties, costs imposed by investigations, hearings and reviews, and any and such other costs as are imposed by council from time to time.

Temporary Withdrawal

- 7.10 A member is eligible to apply for temporary withdrawal where the member is not practising applied biology due to:

- 7.10.1 Parental or compassionate leave,
- 7.10.2 Illness, or
- 7.10.3 Enrolment in an educational institution.
- 7.11 Temporary withdrawal shall not exceed 5 years in duration.
- 7.12 Applications for temporary withdrawal must be made in writing to the registrar prior to the start of the fiscal year.
- 7.13 Members on temporary withdrawal:
 - 7.13.1 are not entitled to use their professional designation and shall be noted as “On Leave”,
 - 7.13.2 are not entitled to vote or take part in the business affairs of the college,
 - 7.13.3 are not eligible to undertake the practice of applied biology in a paid or volunteer capacity,
 - 7.13.4 are not eligible to serve on college committees.

Struck from Register

- 7.14 A member of the college who remains in arrears of payments of dues or fees for a period of 6 months from the deadline for payment established by council may be struck from the register.

Registration Suspension or Cancellation

- 7.15 Any Member who does not conform to the requirements outlined in the College of Applied Biology Act, these rules, resolutions of council and the policies and procedures published by council from time to time shall be liable to have his/her registration suspended or cancelled as the case may warrant

College of Applied Biology – Rule 8 Resignation and Reinstatement

Resignation

- 8.1** Members of the College may resign from the College by tendering a letter of resignation to the Registrar. A member who resigns or who is removed from registration must surrender his/her seal to the Registrar.
- 8.2** No rebate of fees will be made to members who resign or who are removed from the register.

Reinstatement

- 8.3** A past registered member who applies for reinstatement:
 - 8.3.1** shall be treated as a first time applicant if the period between previous registration and re-application is five years or more;
 - 8.3.2** may be accepted on the face of the re-application by the Registrar if the period between previous registration and re-application is less than five years, provided the applicant pays the full fees and dues that would have been required during that period of time if the member were a full registered member, plus a re-instatement fee as set out in Schedule 1. Where these conditions exist, the member will be reinstated with their original membership number, and for purposes of the Act shall be regarded as having been a member during the time of withdrawal.
- 8.4** A past enrolled member may, at the discretion of council, be accepted as an applicant for re-enrolment, and shall be re-enrolled in the manner set out in these rules, and policies, procedures, and guidelines prescribed from time to time by Council.
 - 8.4.1** A past enrolled member who applies for reinstatement:
 - 8.4.1.1** shall be treated as a first time applicant if the period between previous enrolment and re-application is five years or more.
 - 8.4.1.2** may be accepted on re-application if the period between previous enrolment and re-application is less than five years, provided the applicant pays the full fees and dues that would have been required during that period of time if the member were an enrolled member, plus a re-instatement fee as set out in Schedule 1. Where these conditions exist, the member will for purposes of the Act, be regarded as having been a member during the time of withdrawal.
- 8.5** A Retired member who wishes to reactivate membership as an Active member shall make application to the Registrar and
 - 8.5.1** may be accepted on the face of the re-activation application by the Registrar provided the member pays the dues and re-activation fee as set out in Schedule 1.

College of Applied Biology – Rule 9 Credentials Committee

Committee Establishment and Chair Appointment

- 9.1** Pursuant to Section 13 of the Act, Council shall appoint a registered member to act as Chair of the Credentials Committee. If the person appointed is not a member of the Council, that person shall serve as a non-voting ex-officio member of the Council. Council shall also appoint at least 4 registered members who have a combination of knowledge and experience suitable for determining the academic qualifications and experience necessary for a person to engage in the practice of applied biology.
- 9.2** The Chair and members of the Credentials Committee may be reimbursed for all expenses necessarily and reasonably incurred by them while engaged in the affairs of the College.
- 9.3** The Credentials Committee shall have those functions and duties set out in the Act and such terms of reference, policies, procedures, and guidelines prescribed by Council from time to time.
- 9.4** On receiving an application for enrolment, admission or reinstatement, the Credentials Committee shall review the application in terms of Schedule 3 and:
 - 9.4.1** grant the application,
 - 9.4.2** grant the application subject to conditions or limitation to which the applicant consents in writing, or
 - 9.4.3** order a credentials hearing and provide written notice to the applicant of the order.

Credentials Hearing

- 9.5** A Credentials Hearing must be conducted before a Credentials Hearing Panel appointed under Section 28 of the Act.
- 9.6** A Panel shall consist of 5 members of the Credentials Committee, one of whom shall be the Chair of the Committee unless the Chair is unable or unwilling to do so, in which case the proceeding shall be chaired by the Vice-Chair of the Credentials Committee.
- 9.7** A Credentials Hearing shall be conducted as a written hearing unless the Panel decides the hearing shall be conducted as an oral hearing:
 - 9.7.1** where a hearing is conducted as a written hearing, the applicant will be advised, in writing, of the date by which the presentation of information must be made;
 - 9.7.1.1** if the Applicant is not able to deliver the submission by the date specified by the panel the applicant can request, at least 30 days in advance of the date specified and in writing, an extension of the time to present the information, including the reasons for the extension, and the length of the extension sought.
 - 9.7.2** where a hearing is conducted as an oral hearing, the applicant will, within 30 days of the decision to proceed as an oral hearing, be advised in writing of the particulars of the hearing, including the date and location of the hearing;
 - 9.7.2.1** if the Applicant is not able to attend the hearing at the date and location set out by the Panel, the applicant can request, at least 30 days in advance of the date specified and in writing, a change of venue or date, including the reasons for the requested changes.
- 9.8** Following a Credentials Hearing, the panel must do one of the following:
 - 9.8.1** grant the application,

- 9.8.2 grant the application subject to conditions or limitation that the panel considers appropriate, or
- 9.8.3 reject the application and provide written reasons for doing so
- 9.9 The Registrar shall send a written notice of any decision made by the Panel to the applicant within 7 days of the decision being made, and shall include the procedure for requesting a Review on the Record.

Review on the Record

- 9.10 A Review on the Record will be conducted as a written procedure by Council when:
 - 9.10.1 a written application is made by the applicant within 30 days of receipt of a decision from the Panel, or
 - 9.10.2 a referral is made by the Credentials Committee within 30 days of the date of a decision of the Panel.
- 9.11 Where a Review on the Record is sought by the applicant, the applicant shall:
 - 9.11.1 set out why, in the opinion of the applicant, the decision of the Credentials Committee was flawed; and
 - 9.11.2 set out the relief sought.
- 9.12 Where a referral is made by the Credentials Committee for a Review on the Record the Committee shall set out the reasons why in the opinion of the Committee the matter should be reviewed by Council.
- 9.13 A Review on the Record shall:
 - 9.13.1 be conducted in writing unless in the opinion of the Council it should be conducted as an oral proceeding;
 - 9.13.2 be limited to the information that was presented to the Credentials Hearing Panel, unless the Council is of the opinion that there are special circumstances that would lead the Council to consider receiving evidence that was not part of the record.
- 9.14 Following a Review on the Record, the council may:
 - 9.14.1 confirm the decision of the Panel;
 - 9.14.2 make another decision that the Panel could have made; or
 - 9.14.3 send the matter back to the Panel with directions.

College of Applied Biology – Rule 10 Fees, Assessments and Penalties

Group 1 and Group 11

- 10.1** The fees, assessments, and penalties applicable for a given fiscal year shall be set out in Schedule 1 attached to these rules and shall be published annually for the information of members. Fees, assessments, and penalties shall be listed in two groups, Group I and Group II. Group I shall comprise annual membership fees for all categories of membership. Group II shall comprise fees, assessments and penalties other than annual membership fees and shall include, without limitation; application; examination; registration; mailing; and penalty fees, levies, assessments and charges.
- 10.2** Council may only adjust Group I annual membership fees following a referendum as set out in Section 4(3)(c) of the Act. Council may annually adjust Group II fees, assessments, and penalties as it deems necessary.
- 10.3** Group I annual membership fees are due and payable in full on December 31 of the year preceding the year to which the dues are to be applied.
- 10.4** For persons applying to become Registered or enrolled members, the annual membership fee and application fees are payable at the time of application. In the event the application is not approved, the application fee, shall be forfeited, and the annual membership fee shall be returned to the applicant.
- 10.5** Group I annual membership fees, with the exception of Student Biologist Fees, shall be pro-rated as follows:
- 10.5.1** for applications made between January 1 to March 31 inclusive, there shall be no pro-rating;
 - 10.5.2** for applications made between April 1 to August 31, fees shall be pro-rated by twenty-five percent; and
 - 10.5.3** for applications made between September 1 to December 31 inclusive, fees shall be pro-rated by fifty percent.
- 10.6** Council may assess one or more penalties for overdue fees, assessments or penalties.
- 10.7** No memberships shall be renewed until any and all outstanding fees, assessments, and/or penalties, including, without limitation, those assessed in the course of disciplinary proceedings, have been paid in full.

Failure to Pay

- 10.8** Any member who fails to pay his/her fees, assessments and/or penalties at the time and in the manner set out by the Act, these rules, resolution of council, and policies, procedures, and guidelines published by Council from time to time is liable to be removed from registration or enrolment as the case may be, and:
- 10.8.1** in the case of a registered member, have his/her registration cancelled;
 - 10.8.2** in the case of an enrolled member, have his/her enrolment cancelled.

Examination Fees

- 10.9** Examination fees are payable at the time of application to write any single examination or group of examinations. In the event that an applicant does not write an examination as scheduled, the examination fee shall be forfeited unless the applicant can show extenuating circumstances satisfactory to Council.

Change of Status

10.10 When an enrolled member applies to change his/her status from an enrolled to a registered category he/she must pay the required membership fee at the time the application is made.

Reinstatement

10.11 Individuals who have retired, resigned, or have been suspended or struck from the Register and who wish to and are eligible to reinstate their membership status to that of a registered member must, at the time the application is made, pay a reinstatement fee, applicable Group I annual membership fees, plus any other fees, assessments and/or penalties remaining outstanding at the time application is made.

College of Applied Biology – Rule 11 College Finances

Fiscal Year

11.1 The fiscal year of the College shall be the calendar year.

Records, Accounts and Statements

11.2 Council shall cause true accounts to be kept 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.

11.3 The records of account shall be kept at the College office or at such other place as Council sees fit and shall be available at reasonable hours for inspection by Council.

11.4 Council may determine at which times, places and under what conditions the accounts and books of the College shall be open to inspection by members of the college other than Council.

11.5 A statement of financial affairs shall be drawn up annually and such statement, together with the books of the College shall be audited by a chartered accountant, certified management accountant, certified general accountant, or firm of chartered accountants, certified management accountants, or certified general accountants appointed by resolution of Council.

Removal of Auditor

11.6 The auditor may be removed by resolution of Council. The auditor shall be informed forthwith in writing of appointment or removal.

Audited Statements

11.7 The audited financial statements shall be presented to all voting members at the Annual General Meeting, and a summary distributed to members as soon as practicable.

Borrowing and Financial Management Authority

11.8 In order to carry out the purposes of the College, the Council may, on behalf of and in the name of the College of Applied Biology, 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.

11.9 No debenture shall be issued without the sanction of a special resolution by Council.

11.10 The Council shall manage and conduct the business and affairs of the College, shall appoint staff and decide their remuneration, and exercise the powers of the College in the name of and on behalf of the College.

11.11 The Council 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 bank in Canada.

11.12 The Council shall from time to time invest such of the funds of the College not deemed by council to be required for current purposes in investments and securities approved by Council.

College of Applied Biology – Rule 12 Seal of the College

- 12.1** The Council may provide a common seal for the College and may from time to time destroy it and substitute a new seal.
- 12.2** The seal of the College shall not be affixed to any instrument except by the authority of a resolution of the Council or of a resolution of the College.
- 12.3** Notwithstanding the provisions of Rule 12.2, the Registrar may affix the Seal to registration certificates, including special permits, without the need for a resolution of Council.
- 12.4** Unless otherwise provided by resolution as above, the Seal shall not be affixed to any instrument except in the presence of either:
 - 12.4.1** the President or the Vice-President plus the Registrar or the Executive Director; or
 - 12.4.2** two council members plus the Registrar or the Executive Director, and such officers shall sign every instrument, with the exception of registration certificates, to which the Seal is so affixed.

College of Applied Biology – Rule 13 Use of Professional Seal and Signature

- 13.1** Only Active Members in good standing and Temporary Permittees acting in accordance with the terms and conditions of their permits, may affix their signature and seal or stamp to documents as defined in Rule 13.2.
- 13.2** Active members in good standing should affix their seal to all publications, monographs, reports, special letters, plans and drawings; and all such other professional papers and things containing professional opinion or work product (collectively referred to as a “Document” or “Documents”) that he/she prepares or are prepared under his/her supervision.
- 13.3** Where the work detailed in any Document has not been carried out directly by an Active Member in good standing and where that person has satisfied him/herself that the work has been carried out to a standard acceptable of a College Member,
 - 13.3.1** Where he/she is a Professional Biologist, he/she may sign and seal the Document and shall add a certification statement which reads “I certify that the work described herein fulfills standards acceptable of a Professional Biologist.”;
 - 13.3.2** Where he/she is a Registered Biology Technologist, he/she may sign and seal the Document and shall add a certification statement which reads: “I certify that the work described herein fulfills standards acceptable of a Registered Biology Technologist”.
- 13.4** A signature and stamp or seal may be affixed to Documents in electronic format only when the member is a subscriber to the College approved program.
- 13.5** Notwithstanding any other provision in these Rules, a member shall be held professionally accountable for any and all Documents he/she prepares in his/her professional capacity and delivers, regardless of format, or creates an expectation that the Document has been prepared and delivered in his/her professional capacity whether or not it is signed, stamped, and/or sealed by that member.
- 13.6** In the event of resignation, suspension or revocation of membership or temporary permit, the certificate and seal issued pursuant to the Act shall be returned to the College.

College of Applied Biology – Rule 14 Audit and Practice Review Committee

14.1 The Audit and Practice Review Committee is hereby established pursuant to section 21(1) of the Act.

Membership of Committee

14.2 The Committee shall

14.2.1 consist of at least one individual who is not a member of the College and no fewer than three registered members, who are appointed by Council for a 3 year term and who may be reappointed, and

14.2.2 operate in accordance with Council resolutions and Rules, policies, procedures, and guidelines approved by Council from time to time, if any.

Selection of Auditees

14.3 Auditees will be selected from the College Registers for active Professional Biologists and Registered Biology Technologists, and for Biologists in Training and Trainee Registered Biology Technologists.

14.4 Auditees may be selected by way of a stratified random selection process, taking into account various factors, including but not limited to practice focus, geographic location of practice, length of time of membership, employer category and previous audit results.

14.5 The Committee will set annually the selection process parameters.

14.6 The Committee will determine annually the number of college members to be selected for audit.

14.7 Auditees will be selected by

14.7.1 the Committee for the purposes of implementing this Rule, and

14.7.2 the Discipline Committee or a Discipline Panel in accordance with a proceeding under Rule 15.

Cost of Audit Program

14.8 The College will be responsible for the cost of administering and undertaking Audits with the Auditee bearing responsibility for their personal audit associated costs.

14.9 In recognition of the associated costs, the Committee will take every effort to ensure that the Auditee personal costs are kept to a minimum.

Conduct of Audits

14.10 Audits will be conducted in accordance with the Audit Program as set out in Schedule 6.

14.11 Audits will be conducted using the forms set out in Schedules 4 (CPD) and 6.

14.12 Audits will be conducted by Auditors who are appointed by and report to the Audit Committee.

14.13 Members of the Audit Committee may be appointed as Auditors by the Audit Committee.

Audit Results

- 14.14** Where the Auditor is satisfied that the Auditee has met the requirements of the Audit Program, the Auditor will notify the Committee, and the Committee will notify the Auditee and the College Registrar who will note the successful audit result on the Auditee's membership file.
- 14.15** Where the Auditor is not satisfied that the Auditee has met the requirements of the Audit Program, the Auditor will notify the Committee and the Committee shall
- 14.15.1** review the file;
 - 14.15.2** determine whether the Auditee is required to present additional information to the Committee for consideration; and
 - 14.15.3** make a decision as to whether the Auditee has met the requirements of the Audit Program.
- 14.16** Following action taken under 14.14, where the Committee is satisfied that the Auditee has met the requirements of the Audit Program, the Committee shall notify the College Registrar, and the results will be so noted on the Auditee's membership file.
- 14.17** Following action taken under 14.14, where the Committee is of the opinion that the Auditee has not met the Audit Program requirements, the Committee may, depending on the circumstances and severity of the Program breach,
- 14.17.1** require the Auditee to take corrective action;
 - 14.17.2** require the Auditee to be the subject of an additional audit in a stipulated time period;
 - 14.17.3** forward the Auditee's file to the Discipline Committee for action.

Audit Reports

- 14.18** The Committee shall make an annual report to Council setting out
- 14.18.1** the number of audits undertaken;
 - 14.18.2** the number of audits that met the Audit Program Requirements;
 - 14.18.3** the number of audits that did not meet the Audit Program Requirements and the resulting actions.
- 14.19** The names of Auditees and the specific results of individual audits are confidential unless and until the files are forwarded to the Discipline Committee at which time the provisions of Rule 15 will apply.
- 14.20** Auditees may not use or refer to the successful completion of the Audit Program as an indication of College certification of practice.

College of Applied Biology – Rule 15 Investigation and Discipline

Definitions

15.1 In these procedures:

“College” means the College of Applied Biology;

“Complainant” means the person filing the complaint;

“Council” means the Council of the College;

“Discipline Committee” means those persons designated by Council to the Discipline Committee to consider the conduct of members or former members, and/or whether members have contravened the Act or these Rules;

“Discipline Panel” means those persons designated by the Discipline Committee to conduct a hearing to make a determination as to whether a member of the College has practiced applied biology in an incompetent manner, or has been guilty of professional misconduct, conduct unbecoming a registered member, or a breach of the Act or the Rules;

“Standing Investigation Committee” those persons designated by Council to the Standing Investigation Committee;

“Subject Member” means the member or former member who is the subject of the action;

“Trainee” means a member “in training”.

Filing a Complaint

15.2 These Rules are set out pursuant to Part 4 of the Act.

15.3 A person may make a complaint in writing where the complainant believes that a member of the College has:

15.3.1 practiced biology in an incompetent manner; or

15.3.2 been guilty of professional misconduct, conduct unbecoming a registered member, or a breach of this Act or the Rules.

Receipt of a Written Complaint

15.4 Upon receipt of a written complaint, the person receiving the complaint shall forward the complaint to the Registrar.

Other Complaints

15.5 The College may in its own name initiate a complaint by referring a matter in writing to the Registrar.

Discipline Committee

15.6 For the purpose of section 22(1) of the Act, the Council shall appoint a Discipline Committee consisting of three registered members and two non-members for a renewable term of 3 years to consider the conduct of members or former members;

15.6.1 three members constitute a quorum, provided that at least one lay representative is present;

15.6.2 the Council may remove any member appointed by it to a Discipline Committee who is unable to carry out duties associated with this function.

Referral to the Discipline Committee

- 15.7** The Registrar shall review the complaint to ensure that the complaint concerns a member or former member of the College and where the complaint meets this criterion, forward the complaint within 7 days of making this determination to the Discipline Committee.
- 15.8** The Discipline Committee:
- 15.8.1** shall ensure that the matter is within the jurisdiction of the College in that
 - 15.8.1.1** the complaint alleges professional misconduct, conduct unbecoming a professional member or incompetent performance of duties undertaken while engaged in applied biology, or a breach of this Act or the Rules; and
 - 15.8.1.2** the actions leading to the complaint occurred within the timelines set out in the Act; and
 - 15.8.2** shall ensure the complaint contains sufficient particulars to refer the matter for investigation; and
 - 15.8.3** may, within 30 business days of receipt of the complaint, request the Executive Director to request further information or clarification as required by the Committee from the complainant.

Member Opportunity to Comment

- 15.9** Upon the Discipline Committee being satisfied that there are sufficient particulars set out in the complaint, the Discipline Committee shall request the Executive Director forward the information to the Subject Member and request a written response to the complaint, including any information or records in the possession of the member relevant to the complaint, to be received within 30 business days of receipt of the material.
- 15.10** Within 7 business days of receipt of the Subject Member's response, or no later than 3 business days after the time for receiving comments from the Subject Member has expired, the Discipline Committee shall request the Executive Director forward the information to the complainant and request if the complainant wishes to make any reply to the member's response, or if the complainant is satisfied with the member's response to the complaint and wishes to withdraw the complaint. All information is to be received by the Executive Director within 30 business days of receipt of the material.

Investigation

- 15.11** Where the Discipline Committee wishes to refer the materials referenced in 15.9 and 15.10 to an Investigator, the Discipline Committee may request an investigation be undertaken by an individual who is either an officer, employee or a contractor.
- 15.12** During such an investigation, the person undertaking the investigation:
- 15.12.1** may separately interview the complainant, Subject Member and third parties regarding question relevant to the complaint;
 - 15.12.2** may gather any additional information or documents relevant to the complaint;
 - 15.12.3** must pass the information gathered on to the Discipline Panel (if and when convened);
 - 15.12.4** may not make an assessment of the credibility of witnesses; and

15.12.5 may not assess whether or not the member had been guilty of professional misconduct, conduct unbecoming a professional member or incompetent performance of duties, but may decide whether there is sufficient basis to proceed with the complaint, and so inform the Discipline Committee.

Disclosure of Complainant's Name

15.13 The identity of the complainant may be withheld from the Subject Member during the information collection and investigation procedures to protect the identity of the complainant.

Deliberations of the Discipline Committee

15.14 The Chair of the Discipline Committee shall bring the complaint and comments forward for consideration at the next scheduled Discipline Committee meeting, or may call a special meeting of the Discipline Committee to discuss the complaint and any comments received. Notwithstanding the preceding statement, the Discipline Committee must meet to consider the complaint and any comments not more than thirty business days from the expiry date for receiving comments from the Subject Member stipulated above.

Complaint not to proceed

15.15 Where the Discipline Committee decides that the complaint is

- not within the jurisdiction of the Council; or
- is unfounded; or
- is trivial, frivolous or vexatious

and should be dismissed:

15.15.1 the Committee shall prepare a written report describing the information used to make its decision and stating the reasons for not proceeding to a Discipline Hearing;

15.15.2 the Committee shall direct the Registrar to

15.15.2.1 report to the complainant the basis for not proceeding with the complaint, and

15.15.2.2 send a copy of the report to the Subject Member;

15.15.3 the file shall be closed and sealed;

15.15.4 the Committee may make recommendations to the Subject Member.

Complaint to proceed

15.16 Where the Discipline Committee considers that the complaint should proceed to a Discipline Hearing, the Committee shall:

15.16.1 issue a citation against the Subject Member in the name of the College;

15.16.2 inform the Subject Member of its decision and provide the names of the persons appointed to the Discipline Panel and its Chair;

15.16.3 serve the Subject Member with the citation; and,

15.16.4 publish the particulars of the citation, including but not limited to the name of the Subject Member and the nature of the proceeding once the Subject Member has been notified of the direction to issue the citation and the citation has been served.

Discipline Panel

15.17 The Discipline Panel:

- 15.17.1** shall consist of an odd number of persons, but shall not consist of one person;
- 15.17.2** may use and apply the Code of Ethics of the College of Applied Biology as set out in Schedule 2 and any other relevant information when considering evidence and testimony to reach decisions related to complaints;
- 15.17.3** shall consist of members and non-members as the Discipline Committee, in its discretion, may require, except that no member of the Council or of the Discipline Committee shall be eligible to be appointed to a Discipline Panel; and
- 15.17.4** may retain counsel who may conduct its proceedings and may participate in deliberations and the drafting of its orders, but who shall not have a vote.

Notice of Hearing

15.18 The Discipline Panel, through the Registrar or legal counsel for the College as the case may be shall issue a Notice of Hearing to the Subject Member by registered mail to the address last appearing in the College's roll for that member. The Notice of Hearing shall be sent not less than 30 calendar days prior to the date of the hearing and shall include:

- 15.18.1** time and place of the hearing; and
- 15.18.2** particulars of the complaint or matter of inquiry.

15.19 Receipt of the notice of hearing, or any other document mentioned in these procedures is deemed to occur 10 days after proof of posting.

15.20 After a notice of hearing has been issued and served on the Subject Member, the Registrar may disclose to the public and to the College members the notice of inquiry and its status.

Conditional Admission

15.21 A Subject Member may, at any time before the conclusion of an inquiry, tender to the Registrar, or to legal counsel for the College, a conditional admission of the allegations against him or her.

Acceptance of Admission

15.22 If a conditional admission is tendered, the Registrar, or legal counsel for the College, will, within 7 calendar days of receipt, forward the conditional admission to the Discipline Committee or to the Discipline Panel if a Panel has been convened. The Discipline body receiving the Conditional Admission will decide whether to accept it and will suggest the penalty. The Registrar, or legal counsel for the College, will inform the Subject Member of the suggested penalty.

15.23 If the Discipline body does not accept the conditional admission, or the Subject Member does not accept the suggested penalty the matter will continue in accordance with these rules.

Admission may be disclosed

15.24 Where the conditional admission is accepted by the Discipline body and the Subject Member agrees to the suggested penalty, the College shall publish the decision of the

Discipline Committee or Panel, as the case may be, based on the fact of the Subject Member's admission of the offence(s) and the penalty imposed.

15.25 If the conditional admission is not accepted, or the Subject Member does not accept the suggested penalty, the fact that a conditional admission was made shall not be used against the Subject Member in the hearing.

Failure to attend or remain at a Hearing

15.26 If the Subject Member fails to attend or remain at a hearing, the Discipline Panel, on proof of posting of the Notice of Hearing by registered mail, may proceed with the inquiry in the Subject Member's absence and may make its findings and its decisions without further notice to the Subject Member.

Disclosure of Evidence

15.27 At any time after the Notice of Hearing is issued and before the Hearing commences, the Subject Member may request in writing to legal counsel for the College, or the Registrar, that the College disclose the evidence that it intends to introduce at the Hearing. Upon receipt of a request for disclosure, the following must be disclosed:

15.27.1 a copy of every document that the College intends to put into evidence;

15.27.2 a copy of any statement made by a person whom the College intends to call as a witness;

15.27.3 the report of the investigation arising from the Discipline Committee inquiry; and

15.27.4 any other evidence that the College intends to rely on which is not included above.

Hearing Proceedings to be Recorded

15.28 All proceedings at a hearing will be recorded and any party to the proceeding may obtain, at his or her own expense, a transcript of any part of the hearing.

Proof of Posting of Notice of Hearing

15.29 Before hearing any evidence respecting the allegations set out in the notice of Hearing, the Discipline Panel will determine whether the notice of Hearing was served in accordance with these rules.

Notice of Hearing to be Exhibit

15.30 If the requirements of the rules have been met, or have been waived by the Subject Member, the notice of hearing and proof of service will be filed as an exhibit at the hearing and the hearing shall proceed.

Scope of Hearing

15.31 The Discipline Panel may consider at one hearing a Notice of Hearing which contains one or more allegations.

Amendment of Notice of Hearing

15.32 The Notice of Hearing may be amended prior to commencement of a hearing by counsel for the College or the Registrar as the case may be, providing at least 7 calendar days notice to, or with the agreement of, the Subject Member, or otherwise

after the commencement of a hearing by the Discipline Panel on such terms as it determines including an adjournment of the proceedings.

Subject Member Compellable to give Evidence

15.33 The College may require the Subject Member to give evidence at the discipline hearing. If the College requires the Subject Member to give evidence on behalf of the College, Counsel for the College, or the Registrar, will give the Subject Member notice of this fact no less than 5 calendar days prior to the date of the Discipline Hearing.

Testimony

15.34 The testimony of witnesses will be taken under oath or affirmation. Witnesses may be cross-examined and evidence given in defence and reply.

Summons

15.35 Witnesses may be summonsed to attend the hearing by personal service of a summons.

Witness Allowances

15.36 Witnesses required to attend at the hearing may be granted the same allowances as witnesses attending in the Supreme Court.

Decision of Majority

15.37 A Discipline Panel will decide any matter by a majority and the decision of the majority is the decision of the Panel. The decision of the Panel will be in writing. The decision of the minority will be writing.

Notification of Member

15.38 Where the hearing proceeds in the absence of the Subject Member, in accordance with the Act and these rules, the Panel will notify the Subject Member of its decision by registered mail. The Subject Member is deemed to have received notice of the decision 10 days after proof of posting.

Publication

15.39 Council may publish the decision of the Discipline Panel in such manner as it decides.

Decision as to Penalty

15.40 If, after hearing, the Discipline Panel determines that the Subject Member has committed professional misconduct, conduct unbecoming a professional member or incompetently performed duties undertaken while engaged in applied biology, or has breached the Act or the Rules, the Discipline Panel may impose, one or more of the following penalties on the Subject Member:

15.40.1 a reprimand;

15.40.2 a penalty in an amount not exceeding \$10,000;

15.40.3 conditions on the Subject Member's resignation as a member of the College;

15.40.4 suspension of the Subject Member's membership in the College

15.40.4.1 for a specified period of time

- 15.40.4.2** until the Subject Member complies with a requirement set out in rule 15.40.6
 - 15.40.4.3** for a specified minimum period of time and until the Subject Member complies with a requirement set out in rule 15.40.6;
 - 15.40.5** rescind the Subject Member's membership in the College;
 - 15.40.6** a requirement that the Subject Member
 - 15.40.6.1** Complete a remedial program to the satisfaction of the Council or the Audit and Practice Review Committee, or
 - 15.40.6.2** Appear before a board of examiners appointed by the Council or the Audit and Practice Review Committee and satisfy the board that the respondent is competent to practice applied biology.
- 15.41** If a Discipline Panel makes an adverse determination is made against a trainee, the Discipline Panel may do one of the following:
- 15.41.1** reprimand the trainee;
 - 15.41.2** impose a penalty on the trainee in an amount not exceeding \$2,000; and
 - 15.41.3** rescind the enrolment of the trainee.

Costs

- 15.42** Costs to be paid by the Subject Member may include:
- 15.42.1** the cost of a discipline investigation;
 - 15.42.2** the cost of a discipline hearing including:
 - 15.42.2.1** witness fees incurred by the College to have witnesses attend at the hearing,
 - 15.42.2.2** witness travel costs and expenses,
 - 15.42.2.3** the cost of recording the hearing,
 - 15.42.2.4** the cost of a transcript of the hearing,
 - 15.42.2.5** the cost incurred by the College in publishing public notices,
 - 15.42.2.6** reasonable fees and expenses of legal counsel and expert witnesses retained by the College, including legal counsel for the Discipline Panel,
 - 15.42.2.7** any other amount of money arising out of a hearing for which the College would otherwise be liable;
 - 15.42.3** the cost of a Review on the Record before the Council;
 - 15.42.4** the salary costs for employees and/or officers engaged in the investigation, hearing and review.

Recovery of costs and fines

- 15.43** An order of costs or a fine may be recovered as a debt owing to the College and, when collected, it is the property of the College.

Review on the Record

- 15.44** In accordance with the Act the Subject Member who is the subject of the discipline action, may, within 30 days of receiving the notice of determination, order or decision of a Panel apply in writing to the Council for a Review on the Record.

Appeal

- 15.45** The Subject Member may exercise the rights of appeal as set out in the Act

College of Applied Biology – Rule 16 Continuing Professional Development

- 16.1** The Council establishes the Continuing Professional Development Program as presented in Schedule 4 of the College as the mandatory continuing education program for members, which for the purposes of this Rule includes Registered Members¹ and Members in Training.
- 16.2** The Audit Committee shall administer the CPD program.

Mandatory Compliance

- 16.3** A member shall comply with the requirements of the CPD program as set out in Schedule 4.

Exemption

- 16.4** Notwithstanding 16.3, a member who files with the College a declaration, which is accepted by the Registrar, stating that the person is not actively engaged in the practice of applied biology is exempt from this Rule.
- 16.4.1** An exemption under this rule is only effective for one year from the date the declaration is received by the College but may be renewed annually.
- 16.4.2** A member shall not engage in the practice of applied biology while an exemption under this rule is in effect.
- 16.4.3** A member who has filed a declaration under 16.4 must notify the College in writing and be reinstated prior to resuming the practice of applied biology and pay the requisite dues and fees.
- 16.4.4** The Audit Committee may require a member who has provided notification under 16.4.3 to comply with any conditions that the Council may set prior to allowing that person to resume the practice of the profession.

Written Records

- 16.5** A member must:
- 16.5.1** maintain a written record of activities undertaken in accordance with Schedule 4; and
- 16.5.2** produce the record on the request of the Audit Committee.
- 16.6** The Council may direct the Registrar to strike from the College Register the name of a person who fails to comply with a notice that is served on the member and direct the member to comply with rule 16.5(b) within 30 business days after the date of service of the notice.

Proof of Compliance

- 16.7** On the request of the Audit Committee, a member must satisfy the Committee that the person is complying with the requirements of the CPD Program.
- 16.8** Where a member fails to satisfy the Audit Committee under 16.7, the Committee may:
- 16.8.1** order a review of the practice of the member be conducted; and
- 16.8.2** at any time during a review refer the matter to the Discipline Committee for investigation as if the referral were a written complaint.

¹ Rule 7.1.2.4 exempts Retired members from this requirement.

Schedule 1 – Fees and Charges

Group I – set by referendum (November 2008)

Annual Dues

RPBio (active)	\$325.00
RPBio (retired)	\$ 45.00
BIT	\$100.00
Temporary Withdrawal (RPBio)	\$ 100.00
Temporary Withdrawal (BIT)	\$ 100.00
RBTech (active)	\$ 225.00
RBTech (retired)	\$ 30.00
Trainee (RBTech)	\$ 70.00
Temporary Withdrawal (RBTech)	\$ 70.00
Student	\$ 15.00

Group II – set by council

Application Fee

RPBio	\$ 175.00
RBTech	\$ 125.00
BIT/Trainee (RBTech)	\$ 80.00
Student	\$ 15.00

Late Fees

RPBio (active)/ RBTech (active)	10% of category dues
RPBio (retired)/ RBTech (retired)	10% of category dues
BIT/Trainee (RBTech)	10% of category dues
Student	10% of category dues
Temporary Withdrawal	10% of category dues

Re-instatement Fees (note: waived for those returning from medical leave)

RPBio/RBTech	25% of category dues
BIT/Trainee (RBTech)	25% of category dues
Student	25% of category dues
Temporary Withdrawal	
Reinstatement to RPBio/RBTech	25% of category dues
Reinstatement to BIT/Trainee (RBTech)	25% of category dues

Upgrade Fees

BIT to RPBio	\$ 50.00
Student to BIT/Trainee RBTech	\$ 40.00
Trainee (RBTech) to RBTech	\$ 50.00

NSF Fees

Returned cheque	\$ 40.00
Replacement certificate	\$ 25.00

Schedule 2 – The College of Applied Biology Member Code of Ethics

A member recognizes that professional ethics are founded upon integrity, competence, and a responsibility to provide sound management and conservation of biological resources. The member shall strive to advance the science and practice of biology in a manner consistent with these principles. In addition, the member must not engage in dishonourable or questionable conduct that reflects adversely on the integrity of the biological profession.

1. Relations with the Public

- i. The member who becomes aware of any undertaking that is profoundly detrimental to the sound management and conservation of biological resources will accept responsibility to advise a responsible party; if after reasonable effort no remedy is achieved and the issue warrants, s/he will inform this College in writing of the particulars.
- ii. The member will offer services only on matters in which s/he is qualified through professional training and/or experience. S/he will be objective and honest in all estimates, reports, testimony and other matters, and will identify any limitations in data or concepts.
- iii. When presenting any statements, criticisms, or arguments on behalf of a client or employer, the member will clearly indicate on whose behalf they are being made.
- iv. The member will have regard for the safety and welfare of the public in the performance of professional duties.
- v. When publicly presenting a difference of opinion with another biologist, the member will state the basis for that difference.
- vi. The member will keep informed of advances in his/her field of expertise, and will express an opinion on a biological subject only when that opinion is founded on a sound knowledge base.
- vii. The member will encourage efforts to educate the public on biological issues.

2. Relations with Employers and Clients

- i. In order to maintain professional integrity, the member will not allow his/her judgement to be influenced by non-biological considerations.
- ii. The member will serve each employer or client professionally without prejudice or conflict of interest, and will not knowingly engage in illegal work or cooperate with those who are so engaged.
- iii. The member will inform the employer/client of any interests which could impair the objectivity of work undertaken, and will take measures necessary to ensure that such an interest does not affect decisions which s/he may be called upon to make.
- iv. When employed on a full time basis, the member will engage in related supplementary employment or consulting practice only after fully disclosing this activity to the primary employer.
- v. The member will undertake only those assignments for which s/he is qualified and will engage, or advise the employer or client to engage, qualified specialists as necessary.
- vi. The member will advise the employer or client of any adverse consequences to be expected if his/her professional judgement is overruled, and will advise of alternative courses of action.
- vii. The member will not disclose confidential information unless authorized by the present or former employer or client, required by law, or required under Section 1(i) of this Code

to disclose information. The member shall refrain from using confidential information for personal gain or the advantage of other parties.

- viii. The member will not seek employment by unethical means.
- ix. The member will levy only those charges which are properly due.
- x. A member involved in the preparation or presentation of environmental assessments or statements for a proposed project shall receive payment independent of the success of the project.

3. Relations Within the Profession

- i. The member shall credit work done by others, and shall take responsibility for his/her own work through authorship or appropriate acknowledgement.
- ii. The member will not sign reports or opinions which involve professional judgement unless they were actually prepared by him/her or under his/her direct supervision.
- iii. The member will support the principle of just compensation for professional services rendered.
- iv. The member will, in the interest of sound management and conservation of biological resources, encourage the employment of qualified persons in professional positions.
- v. A member will take reasonable precautions not to injure the professional reputation of another person through malice or negligence.
- vi. Where the member becomes aware of a contravention by a member of this Code of Ethics, s/he will report it to the College.
- vii. The member who is employed by an institution, agency or corporation will not engage in unfair competition through the unauthorized use of institutional, agency or corporate facilities for personal gain.
- viii. The member will assist the development of the profession by supporting the principles of the College, encouraging biologists and students of biology, and by sharing knowledge and experience. As an employer or supervisor, s/he will encourage high professional standards amongst his/her employees and endeavour to provide opportunities for their professional advancement.

Schedule 3 Qualifications for Membership in the College of Applied Biology

1. Registered Professional Biologist

Registration as a Professional Biologist requires the applicant to demonstrate, to the satisfaction of the Credentials Committee, qualifications in four areas:

1.1. Education

1.1.1. The applicant shall submit documentationⁱ demonstrating successful completion of a Bachelor's degree from a recognized post secondary institution in Biology or in another biological science which includes 25 science coursesⁱⁱ, 15 of which must be in biology, as set out in 1.1.1.1 and 1.1.1.2. Course descriptions must be supplied if the title of the course does not clearly indicate the biological content of the course:

1.1.1.1. At least one course from each of the following categories is required:

First Year Courses	
• Introductory Biology	
• Communications	e.g. course that focuses on communication skills such as English composition, technical writing, journalism, public speaking or use of mass media
• Mathematics	
• Chemistry	
Second Year or Higher Level Courses	
• Systematics or Classification	e.g. Vertebrates, Invertebrates, Vascular plants, Non-vascular plants, Microbiology, Taxonomy, Comparative Anatomy
• Cellular	e.g. Genetics, Molecular Biology, Cell Biology or Biochemistry
• Organismal	e.g. Physiology (cell, animal, plant, or microbial)
• Ecology	e.g. Ecology, Population or Community Ecology
• Applied Biology	e.g. Conservation Biology, Environmental Biology, Landscape Ecology, Wildlife Management, Fisheries Management
• Statistics	

1.1.1.2. Courses from each of the following categories will be accepted as Biology Courses

- Biochemistry
- Microbiology
- Evolutionary Biology
- Developmental Biology
- Biology field and/or laboratory courses
- Biomechanics
- Animal behaviour
- Silviculture, Aquaculture, or Agriculture
- Toxicology
- Directed Studiesⁱⁱⁱ

1.1.2. Where the Applicant has a degree but does not meet the academic requirements as outlined above, the applicant may:

1.1.2.1. Challenge the course exam(s) through an accredited post secondary institution; or

1.1.2.2. Successfully complete the GRE examination in the area(s) in which they are deemed deficient as directed by the Credentials Committee

1.2. Work Experience

The applicant shall submit documentation to demonstrate a minimum of three (3) years experience practising applied biology post university graduation within the ten (10) years prior to application. The work experience must demonstrate the applicant has progressed beyond following prescriptions to exercising professional level judgement and discretion.

Documentation must include:

1.2.1. A clear statement, in chronological order, of all post graduation applied biology work experience specifying in each case:

1.2.1.1. the employer;

1.2.1.2. the length of time employed;

1.2.1.3. the job category;

1.2.1.4. a detailed description of the work; and

1.2.2. References, provided on the form included at the end of this Schedule, sent directly to the Registrar from three practitioners with whom the applicant has worked, one of whom should be a Professional Biologist, and who:

1.2.2.1. can attest to the character, integrity, work ethic and/or work experience of the applicant and validate the work history;

1.2.2.2. are not related to the applicant unless the relative is the supervising professional; and

1.2.2.3. are knowledgeable about the applicant's experience as a biologist.

1.2.3. Only two of the references in 1.2.2 can be from a current employer.

1.3. Professional Report

1.3.1. The applicant must submit at least one (1) but not more than three (3) scientific reports or published articles in applied biology. Draft reports will not be accepted. Post-graduate degree theses on applied biology topics and that have been accepted by the degree granting institution may be accepted as professional reports.

1.3.2. Where a report has multiple authors, the role of the applicant must be corroborated by the lead author in writing.

1.3.3. The report must demonstrate to the satisfaction of the Credentials Committee the applicant's ability to:

1.3.3.1. design and implement a project;

1.3.3.2. analyze and interpret data using quantitative or descriptive methods; and

1.3.3.3. develop, discuss and provide a rationale for conclusions and recommendations in a clear and understandable manner.

1.4. Professional Ethics

The applicant must successfully complete an ethics seminar within 3 years of being granted registration.

2. Biologist in Training

Registration as a Biologist in Training requires the applicant to demonstrate to the satisfaction of the Credentials Committee that the applicant has met the education requirements set out in 1.1. It is expected that on being enrolled in this category, the individual will work towards completing the work and reporting requirements of and advance to the Professional Biologist category.

3. Temporary Permittee Professional Biologist

4. Registered Biology Technologist

Registration as a Registered Biology Technologist requires the applicant to demonstrate, to the satisfaction of the Registrar, qualifications in education^{iv}, work experience^v, reporting, and ethics. The particular requirements are set out in 5 streams:

4.1. Stream 1 Accredited Diploma – the applicant shall provide:

4.1.1. documentation demonstrating successful completion of a two year accredited program recognized by the College^{vi};

4.1.2. proof of at least 2 years of post diploma work experience which has been gained within the past 5 years;

4.1.3. a data report, written post diploma, demonstrating the applicant's ability to

4.1.3.1. document methods of data collection, and

4.1.3.2. summarize and present data in a coherent and logical manner; and

4.1.4. 2 letters of reference, on the form included in this schedule, which speak to the applicant's work history and ability. The references, from two practitioners with whom the applicant has worked, one of whom should be a Professional Biologist, are to be sent directly to the Registrar and

4.1.4.1. must attest to the character, integrity, work ethic and/or work experience of the applicant and validate the work history;

4.1.4.2. must come from individuals who are knowledgeable about the applicant's experience in applied biology, who are not related to the applicant unless the relative is the supervising professional

4.2. Stream 2 Non-accredited Diploma – the applicant shall provide:

4.2.1. documentation demonstrating successful completion of a diploma program which, in the opinion of the Registrar^{vii}, is comprised of courses equivalent in number and content to those of an accredited program, and which includes the following Core Requirements:

4.2.1.1. Communications

4.2.1.2. Mathematics/Statistics

4.2.1.3. Environmental Science

4.2.1.4. Field/Laboratory Techniques

4.2.1.5. Applied Science

4.2.1.6. Project Management

- 4.2.2. proof of at least 2 years of post diploma work experience which has been gained within the past 5 years; and
- 4.2.3. a data report, written post diploma, demonstrating the applicant's ability to
 - 4.2.3.1. document methods of data collection, and
 - 4.2.3.2. summarize and present data in a coherent and logical manner; and
- 4.2.4. 2 letters of reference, on the form included in this schedule, which speak to the applicant's work history and ability. The references, from two practitioners with whom the applicant has worked, one of whom should be a Professional Biologist, are to be sent directly to the Registrar and
 - 4.2.4.1. must attest to the character, integrity, work ethic and/or work experience of the applicant and validate the work history;
 - 4.2.4.2. must come from individuals who are knowledgeable about the applicant's experience in applied biology, who are not related to the applicant unless the relative is the supervising professional.
- 4.3. Stream 3 Accumulated courses, no diploma – the applicant shall provide:
 - 4.3.1. documentation demonstrating successful completion of a minimum of 20 courses which in the opinion of the Registrar include all core courses as presented in 4.2.1;
 - 4.3.2. proof of at least 3 years of post diploma work experience which has been gained within the past 5 years; and
 - 4.3.3. a data report, written post diploma, demonstrating the applicant's ability to
 - 4.3.3.1. document methods of data collection, and
 - 4.3.3.2. summarize and present data in a coherent and logical manner; and
 - 4.3.4. 2 letters of reference, on the form included in this schedule, which speak to the applicant's work history and ability. The references, from two practitioners with whom the applicant has worked, one of whom should be a Professional Biologist, are to be sent directly to the Registrar and
 - 4.3.4.1. must attest to the character, integrity, work ethic and/or work experience of the applicant and validate the work history;
 - 4.3.4.2. must come from individuals who are knowledgeable about the applicant's experience in applied biology, who are not related to the applicant unless the relative is the supervising professional.
- 4.4. Stream 4 Significant Experience with no formal training – the applicant shall provide:
 - 4.4.1. proof of at least 10 years^{viii} of employment in applied biology
 - 4.4.2. a data report, written post diploma, demonstrating the applicant's ability to
 - 4.4.2.1. document methods of data collection, and
 - 4.4.2.2. summarize and present data in a coherent and logical manner.
 - 4.4.3. 3 letters of reference, on the form included in this schedule, which speak to the applicant's work history and ability. The references, from three practitioners with whom the applicant has worked, one of whom should be a Professional Biologist, are to be sent directly to the Registrar and
 - 4.4.3.1. must attest to the character, integrity, work ethic and/or work experience of the applicant and validate the work history;
 - 4.4.3.2. must come from individuals who are knowledgeable about the applicant's experience in applied biology, who are not related to the applicant unless the relative is the supervising professional
- 4.5. Stream 5 Applicants with degrees – the applicant shall provide:

- 4.5.1. documentation demonstrating successful completion of a minimum of 20 courses which in the opinion of the Registrar include all core courses as presented in 4.2.1;
- 4.5.2. proof of at least 2 years of post diploma work experience which has been gained within the past 5 years;
- 4.5.3. a data report, written post diploma, demonstrating the applicant's ability to
 - 4.5.3.1. document methods of data collection, and
 - 4.5.3.2. summarize and present data in a coherent and logical manner; and,
- 4.5.4. 2 letters of reference, on the form included in this schedule, which speak to the applicant's work history and ability. The references, from two practitioners with whom the applicant has worked, one of whom should be a Professional Biologist, are to be sent directly to the Registrar and
 - 4.5.4.1. must attest to the character, integrity, work ethic and/or work experience of the applicant and validate the work history;
 - 4.5.4.2. must come from individuals who are knowledgeable about the applicant's experience in applied biology, who are not related to the applicant unless the relative is the supervising professional.

4.6. Ethics – All Streams

The applicant must successfully complete an ethics seminar within 3 years of being granted registration.

5. Registered Biology Technologist in Training

Enrolment as a Registered Biology Technologist in Training requires the applicant to demonstrate to the satisfaction of the Registrar that the applicant has met the education requirements set out in 4 above . It is expected that on being enrolled in this category, the individual will work towards completing the work and reporting requirements of and advance to the Registered Biology Technologist category. Applicants under Stream 4 may not apply for membership in this category.

- 6. Applied Biology Technician (not in effect)
- 7. Applied Biology Technician in Training (not in effect)

8. Application Requirements

Membership in the College of Applied Biology is only available to individuals, and not to a company, a corporation or association of persons. An application for membership must:

- 8.1. indicate the category of membership applied for;
- 8.2. be signed by the applicant; and
- 8.3. include:
 - 8.3.1. all completed forms required by the College;
 - 8.3.2. a signed Indictable Offence Declaration^{ix};
 - 8.3.3. original education transcripts; and
 - 8.3.4. payment in full to the College of Applied Biology of the application fee and annual dues as set out in Schedule 1 for the membership category applied for.Where an applicant is not successful in gaining admission to the College the annual dues portion will be refunded.

ⁱ Documentation must consist of an official original transcript of marks issued by the institution which includes a record of courses and degrees obtained from each university or college attended. Transcripts not in English must be accompanied by an English translation signed by a qualified, official translator. Degrees granted by a post-secondary institution outside of North America will be required to be evaluated by a credential evaluation service identified by the College.

ⁱⁱ A course is defined as a 1 semester course which includes at least 3 lecture or lab hours per week.

ⁱⁱⁱ For directed studies courses in a biological field to be accepted, the applicant must provide a copy of the report required for the course.

^{iv} As documented by an official original transcript of marks issued by the institution which includes a record of courses and degrees obtained from each university or college attended. Transcripts not in English must be accompanied by an English translation signed by a qualified, official translator. Degrees granted by a post-secondary institution outside of North America will be required to be evaluated by a credential evaluation service identified by the College.

^v In “applied biology” as defined by the College of Applied Biology Act

^{vi} A full list of accredited programs is found in the Guidance for College Technologists document

^{vii} A full list of diplomas deemed to have met the core requirements is found in the Guidance for College Technologists document

^{viii} 10 years is deemed to be 120 months employment gained over a maximum of 15 years

^{ix} A person who has been convicted in the Province of British Columbia or elsewhere of an indictable offence may be refused registration by the Registrar, the Credentials Committee or the Council as the case may be.



**COLLEGE of
APPLIED BIOLOGY**
BRITISH COLUMBIA

Confidential Reference Form – RPBio Application

An applicant for membership in the College of Applied Biology has selected you to provide a Confidential Reference in support of their application for Registered Professional Biologist (R.P.Bio) status. Requirements for granting of R.P.Bio status include an undergraduate degree in a biological science, followed by a minimum of 3 years of work experience which has progressed to an independent level, and authorship of a report or paper that demonstrates an ability to design and implement a project, analyze and interpret data, and develop, discuss and provide a rationale for conclusions and recommendations. The Credentials Committee uses the references to assist in evaluating the applicant's character, integrity, work ethic and experience, and to validate work history. You may provide a confidential reference if you have known the applicant for a minimum of 6 months. Please be fair and honest when completing this form, and when supplying any other information. Once you have completed this form, enclose it and any supporting information in an envelope with your signature across the back flap to ensure confidentiality, and mail the envelope directly to the College office (address at bottom of page). Please note that in the event of an appeal, reference information may be made available to the applicant.

Applicant: _____
Last Name First Name

Referee: _____
Last Name First Name

Street Address

City Province / State

Country Postal Code

1. I have known the applicant for _____
Length of Time

2. I have known or been associated with the applicant as his/her:

Supervisor Employer Colleague Other _____



**COLLEGE of
APPLIED BIOLOGY**
BRITISH COLUMBIA

Confidential Reference Form – RBTech Application

An applicant for membership in the College of Applied Biology has selected you to provide a Confidential Reference in support of their application for Registered Biology Technologist (R.B.Tech) status. The Registrar will use the references to assist in evaluating the applicant’s character, integrity, work ethic and experience, and to validate work history.

You may provide a confidential reference if you have known the applicant for a minimum of 6 months. Please be fair and honest when completing this form, and when supplying any other information. Once you have completed this form, enclose it and any supporting information in an envelope with your signature across the back flap to ensure confidentiality, and mail the envelope directly to the College office (address at bottom of page). Please note that in the event of an appeal, reference information may be made available to the applicant.

Applicant:

Last Name First Name

Referee:

Last Name First Name

Street Address

City Province / State

Country Postal Code

1. I have known the applicant
for _____

Length of Time

2. I have known or been associated with the applicant as his/her:

Supervisor Employer Colleague Other _____

Schedule 4 - Continuing Professional Development Program

Registered Members and Members in Training have an obligation to maintain currency in their field of expertise, and to act with due diligence when undertaking their professional duties. In addition, professionals have an obligation to their professional body and to society in terms of lending support when required.

To assist members in demonstrating that they meet these obligations, the College of Applied Biology has enacted Rule 16. This Rule requires Registered Members (as defined by the College Rules) and Members in Training to comply with the requirements of the College's Continuing Professional Development Program as set out this Schedule (the program).

The program requires Registered Members and Biologists in Training to:

- maintain records on the prescribed form attached to this Schedule, showing the completion of a minimum of **100 hours** of continuing professional development (CPD) during a **consecutive three year period; and**
- declare that they are aware of the Program requirements each year when they renew their membership.

Rule 16 of the College of Applied Biology delegates the administration of the Program to the Audit Committee. The Audit Committee will apply the evaluative criteria contained in this Schedule to determine if a member has met the CPD requirement. When a member of the College is selected to undergo an audit by the Audit Committee, the member will be required to submit their CPD information in the manner presented on the College forms. Note: the Audit Committee may require additional detailed documentation from a member to indicate how the requirements have been met.

Evaluative Criteria for CPD Activities:

Members may earn credit in the following four (4) areas of professional development.

1. Professional Practice
2. Continuing Education
3. Service to the Community and the Profession
4. Service to the College and/or Association

1. Professional Practice

A member of the College who is active on a full-time basis in the practice of applied biology can claim **10 hours** of continuing professional development each year in recognition of the ongoing learning and updating of skills that occurs in the workplace. For this program, **23 hours applied biology work per week constitutes full time basis**. Note: being active in the practice of applied biology includes practising in accordance with the definition of “applied biology” in the *College of Applied Biology Act*, and/or “influencing” the practice of the profession. “Influence” means having some effect on how the profession is practiced without necessarily performing technical work, and can apply to areas such as management, supervision, etc. For members not working on a full-time basis, these hours should be pro-rated on a percentage basis.

2. Continuing Education

Activities that qualify for CPD credit can be divided into two categories:

- a) **General Professional Category:** this category includes activities that assist a member in practising due diligence with regards to clients and to the College. **One hour of lecture, seminar, etc. can be claimed as one professional development hour. A maximum of 10 hours per year** can be claimed from activities as follows:

a formal course offered by an accredited post-secondary institution in areas such as personal, professional and career planning, communications, business or public administration, leadership skills, general research process, planning, information technology, computer science, time management, record keeping, ethics, mediation, team building, and courses that aid the member in practising as a professional;
self-directed learning activities such as workshops, seminars, clinics, and self study through books, journals and electronic sources.

Note: at least once in every three (3) year period, members should include hours in this category derived from either:

- i) taking the College of Applied Biology Ethics course, or
- ii) a course in professional ethics,

- b) **Professional Biology Category:** this category includes activities that a member undertakes to maintain competence in their area(s) of practice. **One hour of lecture, seminar, etc. can be claimed as one professional development hour.** Included in this category are:

- i) formal courses offered by accredited post-secondary institutions, employers, government and professional associations. **There is no limit to the number of hours that can be claimed in this category.**
- ii) informal learning including attendance at workshops, seminars, field trips, tours, clinics and meetings where guest speakers present information pertaining to the practice of applied biology. Informal learning can also include self-study through books, journals, and electronic sources. **A maximum of 15 hours per year** can be claimed as self-study **unless** the member completes a learning plan that documents goals, learning resources and methods, measures of achievement and outcome.

3. Service to the community and the profession.

Activities that qualify in this category include:

- a) acting as an instructor for a course, seminar, workshop, or field trip. For each course, seminar, etc. **10 professional development hours can be claimed.**
- b) publishing in scientific journals, writing chapters in books, preparing instructional materials for other biologists and acting as a guest speaker at a conference or meeting. **10 professional development hours** can be claimed for each activity, count.
- c) conducting original industrial research on behalf of an industrial client either funded by a recognized research funding agency, such as NRC-IRAP or Science Council of BC and/or eligible for federal Scientific Research tax credits (SRED's). For each project, **10 professional development hours can be claimed.**

- d) reviewing work of other professionals, acting as an expert witness, preparing and administering evaluations of other professionals, and other activities of a similar nature. **5 professional development hours can be claimed** for each project.
- e) working in the community as a professional biologist on the board of a planning or advisory committee, or acting as a technical advisor to a community group. Claim **5 professional development hours** per activity.
- f) serving as a judge at Science fairs, or giving presentations for school children. For each activity, **2 professional development hours can be claimed.**

4. Service to the College of Applied Biology and or the APBBC

Activities that qualify in this category include:

- a) holding elected office in either the College of Applied Biology or the Association of Professional Biologists: **10 professional development hours per year per organization.**
- b) serving on committees of either the College or the APB: **5 professional development hours per year per committee.**
- c) organizing meetings and seminars for members of the College or the APB: **5 professional development hours per meeting/seminar.**
- d) attending professional meetings of the College or the APB: **2 professional development hours per meeting.** (Note: any CPD activities that are presented at these meetings are also eligible for separate CPD credit on an hour per hour basis.)
- e) mentoring of Student Biologists or Biologists in Training: **2 professional development hours per student or B.I.T.**

Schedule 5 – Scope of Independent Practice for Registered Biology Technologists

Overview

While RBTechs typically work within a team that includes RPBios, other resource professionals, technicians and others, Rule 7.4.1.2.3 allows for independent practice by RBTechs as presented in this schedule. “Independent Practice” is defined as activities/documentation not requiring the supervision or further sign off by an RPBio, and for which the RBTech may assume full, autonomous accountability.

Principles

Accountability is usually indicated by sign off and/or sealing of documentation. Signing off is a formal acceptance of responsibility for work completed within an individual’s scope of practice and expertise, and is encouraged under the College rules (Rule 13). However, any activities/work undertaken by a College member is subject to the same standard of accountability whether or not that work is formally signed off by the member doing the work.

On occasion, regulatory requirements under some statute other than the *College of Applied Biology Act*, or an employer policy, may dictate that an RPBio take responsibility for and sign off certain projects. Nevertheless, depending on the nature of the task an RBTech may have authority pursuant to this schedule to do the work, recommend the signoff, and accept responsibility for that recommendation.

The role of an RBTech reflects the size, analytical complexity and interpretative consequences of the task, as well as the RBTech’s personal experience and expertise. RBTech functions and accountability are generally more narrowly defined and focused than those of RPBios. There is an emphasis on shorter time frames, specific area issues, practical skills, and operating within established technical parameters, guidelines and protocols.

In contrast, the functions and accountabilities of an RPBio encompass the full depth and breadth of applied biology, including and going beyond those that may be performed and assumed by an RBTech. They are generally more broadly defined and may address full scale habitat and species issues including the design of complex assessments and management regimes to achieve long term outcomes. They often involve full management time frames, integration and interpretation of data from a variety of sources and drawing complex conclusions or prescriptions on which someone will rely.

In all instances College members must practice within the limits of their personal competence, request qualified help when needed, and comply with all other requirements of the *College of Applied Biology Act* and College Rules adopted under the *Act*, as well as any other statutory requirements (e.g., other legislation, permit requirements, health and safety, etc.).

Specific Scope of Independent Practice for RBTechs

Consistent with the principles above, following generally accepted protocols, guidelines, and procedures, or those designed and signed-off by an RPBio specific to the project at hand RBTechs may independently:

1. Conduct field, laboratory, or other forms of data collection. This includes the collection, identification, and appropriate handling/storage of biological specimens.
2. Compile and analyse data.
3. Provide direct, limited conclusions based on the data collected and its analysis.
4. Install, maintain and calibrate field and laboratory equipment.
5. Supervise others conducting the above activities.

Additional guidance on undertaking independent practice may be found in the College of Applied Biology Registered Biology Technologist Bulletin.

Schedule 6 – Audit Program

Overview

The College of Applied Biology Audit Program is an educational and professional development process that monitors and promotes excellence in members' practice of applied biology. The program assists the College in meeting its legislated public interest mandate by providing the means for a proactive quality assurance check on members' practice.

The audit is a quality assurance process that looks at how members

- generate and administer their work product
- adhere to the Code of Ethics
- undertake professional development activities.

Audit Forms

Audits will be undertaken using the [forms provided](#) in this Schedule and in [Schedule 4 \(CPD\)](#).

Once the audit has been completed to the satisfaction of the Audit Committee, the forms will be destroyed and the audit result will be noted on the member's file. Where the Audit Committee is of the opinion that Rule 14.17.3 applies, the Audit Committee will forward the Audit Forms and all relevant material to the Discipline Committee.

Auditee Selection

The Committee will determine annually the number of audits to be undertaken, and the auditee selection process. The Committee will direct the Registrar to generate a list of names and contact information. Where the process is to be other than a simple random selection of registered and enrolled members, the Committee will specify the parameters to be considered.

Auditors

The Committee will appoint an auditor for each auditee. An auditor may be responsible for conducting audits on more than one auditee. Auditors serve on a volunteer basis, and are eligible to have their expenses reimbursed in accordance with College policy. Registered members in good standing are eligible to be considered for appointment as an auditor.

Reasonable effort will be made to ensure that auditors and auditees are comfortable with the pairing. The auditor and auditee will have the opportunity to advise the Committee of any real or perceived conflicts with the named auditor within 5 days of being notified of the audit. Where deemed necessary in the opinion of the Committee, a replacement auditor will be appointed.

Audit Time Frame

Audits will, wherever possible, be undertaken electronically so as to result in timely completion. Auditees are responsible for completing and forwarding all forms and accompanying material to the Executive Director within 20 days of being notified of the audit. If this timeframe cannot be met, the auditee must notify the Executive Director as soon as practicable, providing reasons and stating the requested extension period. Where the reasons

are acceptable to the committee, the schedule may be amended. Where, in the opinion of the auditor, information additional to that noted in the forms is required, additional timelines will be set in place.

Audit Process

Upon their selection, Auditees will be sent the introductory letter and the audit form. Once completed, Auditees will submit their material to the Executive Director who will review the material for completeness and either contact the auditee for additional information, or forward the package to the Auditor. The Auditor will review the file and if necessary will (or will request that staff) contact the Auditee for additional information and/or clarification. Where the Auditor is of the opinion that the Auditee has met the Program requirements, the Auditor will so inform the Audit Committee who will then inform the Auditee in writing, including any recommendations the Committee considers appropriate.

Where the Auditor is of the opinion that the Auditee has not met the Audit Program requirements, the Auditor will work with the Auditee to resolve the issues identified. In the event the issues cannot be resolved, the file will be forwarded to the Audit Committee for review. The Audit Committee, on reviewing the material, may request additional information from the Auditee.

Where the Audit Committee is of the opinion that the Auditee has met the Program requirements, the Auditee will be so informed, including any recommendations the Committee considers appropriate.

In the event the Audit Committee is of the opinion the requirements of the program have not been met, the Auditee will be given the opportunity to address the Audit Committee's findings. Where matters remain outstanding, and depending on the matters under discussion, the Auditee's file may be forwarded to the Discipline Committee for review.

Audit Committee Reporting

The Committee will prepare a summary report for Council for presentation at the Annual General Meeting that contains the generalized results of audits conducted since the last Annual General Meeting. This will help ensure that the education component of the process can be realized by the members, and inform both members and public of the Audit Committee findings. Where a matter has been referred to the Discipline Committee, the reference will be noted and further reports on the matter will fall to the Discipline Committee.

The Committee will also report throughout the year on the status of audits undertaken by the Committee as and when available using the communication method preferred by the Council.

Failure to Comply

Failure to comply with reasonable requests of the Auditor and/or the Audit Committee may result in the Auditee being recommended to the Discipline Committee for disciplinary action.

The prime purpose of the Audit Program is to provide a proactive quality assurance mechanism that can also be used by members as a self-directed educational tool. Consequently, involving the Discipline Committee is intended to occur only in those rare

circumstances where members choose not to cooperate, or are found in the opinion of the Audit Committee to have serious practice related issues.