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**General By-Laws and
Discipline Process**

Association of New Brunswick Forest Professionals

January 2025

BY-LAW 1: DEFINITIONS

1.1 In these by-laws and in all other by-laws:

1.1.1.1 "Act" means "An Act to incorporate the Association of New Brunswick Forestry

Professionals" being Chapter _____ of the Statutes of New Brunswick 202? _____ and as amended from time to time;

1.1.1.2 "Association" means the Association of New Brunswick Forestry Professionals;

1.1.1.3 "Chair" means the person elected or designated to chair a meeting of the Association, the Council, the Executive, or a properly constituted committee;

1.1.1.4 "Forest Technologist", means either forest technician or forest technologist.

1.1.1.5 "Province" means the Province of New Brunswick;

BY-LAW 2: NAME OF THE ASSOCIATION

Name of the Association

2.1 The name of the Association is The Association of New Brunswick Forestry Professionals. The Abbreviation "A.N.B.F.P." may be used informally.

BY-LAW 3: OBJECTS OF THE ASSOCIATION

Objects of the Association

3.1 The objects of the Association are:

3.1.1 To uphold the public interest respecting the practice of professional forestry by;

3.1.1.1 ensuring the competence, independence, professional conduct, and integrity of its members, and

3.1.1.2 ensuring that each person engaged in the practice of professional forestry is accountable to the Association,

3.1.2 to establish, monitor and enforce standards of education and qualification for enrollment, registration, and continued membership in the Association,

3.1.3 to establish, monitor and enforce codes of ethics and standards for the practice of professional forestry for its members,

3.1.4 to govern its members in accordance with the *New Brunswick Forestry Professionals Act, 202?* and these by-laws,

3.1.5 to advocate for and uphold principles of stewardship of forests, forest lands, forest resources, and forest ecosystems,

3.1.6 to promote public awareness of the role of the Association and the work of Forestry professionals, and to communicate and cooperate with other professional organizations for the advancement of the best interests of the Association, and

3.1.7 to provide means whereby the Association may participate in the development of public policy with respect to changes in the field of forestry.

BY-LAW 4: HEAD OFFICE AND SEAL

Head office of the Association

4.1 The Head Office of the Association shall be in the City of Fredericton or at such other place within the province as may be approved by a resolution passed at a General Meeting of the Association.

4.2 The Register, the Seal, the Minute Books, and books of account together with the other documents and records of the Association shall be kept at the head office of the Association.

Seal of the Association

4.3 The corporate seal of the Association shall be of the form and design approved by council and shall be kept by the Registrar or such other officer as the Executive Committee may determine.

4.4 The Registrar shall affix the seal of the Association to a certificate signed by the President and by the Secretary-Treasurer, stating that a member is registered and in good standing. Otherwise, the seal of the Association shall not be affixed to any instrument except by the authority of a bylaw or by a rule of the Council or a resolution of the Association.

BY-LAW 5: COUNCIL

Formation of Council

5.1 Pursuant to Section 9 of the *New Brunswick Forestry Professionals Act, 202?*, Council shall be made up of:

- (a) a president, vice-president, immediate past-president, and secretary-treasurer, and
- (b) two members who are registered professional forest technologists, and
- (c) two members who are registered professional foresters, and
- (d) one public representative who shall be appointed by the Minister

5.2 Registered members, associate members, special license holders, and retired members in good standing shall elect new council members each year from the candidates nominated pursuant to this bylaw. For the purpose of this by-law, a year shall be defined as the time between one (1) annual general meeting (as hereinafter defined) and the next.

5.3 To serve, councillors must be Canadian citizens or permanent residents of Canada and other than the lay councillors, registered members or retired registered members in good standing.

5.4 Elected councillors, other than the Vice-president, President, and immediate Past-president, shall normally be elected for two (2) year terms but may be elected for one (1) year terms if necessary to ensure that whenever possible council consists of approximately equal numbers of first- and second-year councillors. Normally, the member elected to the position of Vice-president shall consecutively serve one (1) year in that office, and then shall serve one (1) year each in the offices of President and immediate Past-president.

5.5 however, there is nothing in these by-laws that shall preclude nomination directly to the president position.

Responsibilities of the President

5.6 The President of the Association shall:

5.6.1 Assume the office for one year, having served as Vice-President for the one (1) year immediately preceding the term as President;

5.6.2 Act as Chair at meetings of council, the Executive Committee, and the Association.

5.6.3 Upon completion of the term as President, hold office as immediate Past President and be a member of Council and the Executive Committee for an additional one (1) year, or until a successor is designated;

5.6.4 Be an *ex officio* member of all committees;

5.6.5 Sign all documents that require the signature of the President; and

5.6.6 Perform all duties incident to the office of the President and have such powers and duties as may from time to time be assigned to that office by Council.

5.7 If the Vice-president declines to assume the office of the President, or is unable to do so, the Council shall authorize that a ballot vote by the members be held to elect the President.

Responsibilities of the Vice-president 5.8

The Vice-president shall:

5.8.1 Be elected by a ballot vote of the members for a term of one (1) year;

5.8.2 Have all powers and responsibilities of the President during the absence, or inability to act of the President.

5.8.3 Upon completion of the term as Vice-President normally becomes the President.

Responsibilities of the Secretary-Treasurer 5.9

The Secretary-Treasurer shall:

5.9.1 Be elected by a ballot vote of the members for a term of two (2) years, and may hold office, if re-elected, for more than two (2) terms,

5.9.2 Sign all cheques, drafts, notes or orders of payment unless otherwise provided by rule of council;

5.9.3 Record minutes of all council meetings, Executive Committee meetings and General Meetings; and

5.9.4 Perform such other duties as the Executive Committee may appoint from time to time.

Responsibilities of the Executive Director 5.10

The Executive Director shall:

5.10.1 Conform to all lawful instruction given by the Executive Committee,

5.10.2 Give to council and the Executive Committee all information it may require regarding the affairs of the Association; and

5.10.3 Deposit funds and securities of the Association in its name in such Bank, Trust Company, or Credit Union as the Executive may direct.

Responsibilities of Councillors

5.11 Councillors shall:

5.11.1 Be elected by ballot vote of the members in accordance with procedures described in the by-laws,

5.11.2 Represent the membership of the Association on council; and

5.11.3 Have such other duties as may be determined by council.

Meetings of Council

5.12 The Council of the Association shall meet for dispatch of business, adjourn, and otherwise regulate its meetings, as it sees fit.

5.13 A quorum for meetings of the Council shall consist of not less than one-half of members of Council.

5.14 Notice of meetings of Council except the first following their election, shall specify the time and place of such meeting and shall be communicated to each member of Council not less than seven (7) days before the meeting is to take place.

5.15 Meetings of Council may be held at any time without notice, if all members of council are present and consent thereto, or if those absent signify their consent to such meeting. Meetings of Council may be held at Fredericton, virtually, or such other place in New Brunswick or elsewhere as may, from time to time, be determined by Council.

5.16 The President shall preside at all meetings of Council, but in the absence of the President the Vice-President shall preside.

5.17 Questions arising at any meeting of the Council shall be decided by a majority of votes. In case of equality of votes, the Chair shall have a deciding vote.

5.18 A resolution assented to and adopted in writing under the hands of all members of the Council, 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.

BY-LAW 6: EXECUTIVE COMMITTEE

6.1 The Executive Committee of the Association shall be composed of the President, the immediate Past-president, the Vice-president, and the Secretary-Treasurer.

6.2 The Executive Committee of the Association may meet for the dispatch of urgent business, adjourn, and otherwise regulate its meetings, as it sees fit, when not practical to call a council meeting.

6.3 Notice of meetings of the Executive Committee except the first following their election, shall specify the time and place of such meeting and shall be communicated to each member of the Executive Committee not less than seven (7) days before the meeting is to take place.

6.4 Meetings of the Executive Committee may be held at any time without notice, if all members of the Executive Committee are present and consent thereto, or if those absent signify their consent to such meeting. Meetings of the Executive Committee may be held at Fredericton or such other place in New Brunswick or elsewhere as may, from time to time, be determined by the Executive Committee.

6.5 The President shall preside at all meetings of the Executive Committee, but in the absence of the President the Vice-President shall preside.

6.6 Questions arising at any meeting of the Executive Committee shall be decided by a majority of votes. In case of equality of votes, the Chair shall have a deciding vote.

6.7 A resolution assented to and adopted in writing under the hands of all members of the Executive Committee, although not passed at an Executive Committee meeting, shall be of the same force and effect as if it had been duly passed at an Executive Committee meeting.

6.8 Minutes of all association meetings, Council meetings, Executive Committee meetings and meetings of any other committee established by Council or Executive Committee, shall be signed by the Chair and the recording Secretary, and shall be forwarded to the Executive Director who will forward them to all members of the Council or Executive Committee as may be applicable.

BY-LAW 7: ASSOCIATION MEETINGS

7.1 Unless otherwise stated in these bylaws, the meeting rules contained in this bylaw shall apply to all meetings of the Association membership called under Section 8 of the *New Brunswick Forestry Professionals Act, 202?* or under these bylaws.

7.2 There are three (3) types of association meetings (hereinafter called “association meetings”) possible:

7.2.1 An annual general meeting, which must be held at least once in each calendar year in accordance with Section 8 of the *New Brunswick Forestry Professionals Act, 202?* (referred to as the “annual general meeting”);

7.2.2 A special general meeting which may be called by Council in accordance with Section 8 of the *New Brunswick Forestry Professionals Act, 202?*; or

7.2.3 A general meeting which can be called at the discretion of Council or on the written demand of ten percent (10%) or more members of the Association.

7.3 Council shall decide the date, time and location of association meetings.

7.4 Except as otherwise provided, the Executive Director shall give each voting member at least twenty (20) days’ notice of any association meeting stating the date, place, and time of such meeting. Notice shall be deemed valid if transmitted by electronic mail to each voting member at that member’s last known electronic mail address in the Association’s files.

7.5 The President shall chair all association meetings. If the President is unwilling or unable to act as chair or is not present within thirty (30) minutes of the scheduled starting time, the Vice-president shall chair the meeting. If both the President and Vice-president are unwilling or unable to act as chair or are not present within thirty (30) minutes of the scheduled starting time, the voting members present may choose the chair amongst themselves.

7.6 The Secretary-Treasurer shall record the minutes of an association meeting in the form and manner prescribed by Council from time-to-time. The minutes so taken shall be presented to the voting members for approval at the next association meeting. Once approved by resolution of the voting members, minutes of all association meetings shall be signed by the President and the Secretary-Treasurer.

7.7 If the Secretary-Treasurer is unwilling or unable to record the minutes, the chair shall appoint a person present at an association meeting to record the minutes in the form and manner prescribed by Council from time-to-time.

7.8 The quorum necessary to conduct business at an association meeting shall be twenty members from each membership category.

7.9 Each voting member is entitled to one (1) vote for each matter requiring a vote at an association meeting.

7.9.1 Votes by proxy may be accepted if a proxy agreement is signed by the absent member and presented at the meeting by the member who is named in the proxy agreement.

7.10 At the discretion of Council, meetings of the membership may be conducted in more than one location concurrently using web casting, video conferencing or teleconferencing facilities.

7.11 Unless otherwise specified in these by-laws, the conduct of all association meetings shall be guided by Robert's Rules of Order.

7.12 The agenda of all association meetings shall be prepared by Council mailed or transmitted by electronic means to all members of the association.

7.13 The business that must be conducted at the annual general meeting shall include, at a minimum:

7.13.1 Adoption of minutes of the previous annual general meeting;

7.13.2 Adoption by resolution of annual reports;

7.13.3 Adoption by resolution of the audited or reviewed financial statements;

7.13.4 Appointment by resolution of auditors or financial reviewers;

7.13.5 Appointment by resolution of one (1) or more returning officer and scrutineers for the purposes of Bylaw 8.9;

7.13.6 Reporting of council election results;

7.13.7 Ratification of resolutions of actions taken by council and staff on behalf of the Association in the preceding year; and

7.13.8 Any other business specified in the notice of meeting.

7.14 At any association meeting, a resolution put to the vote of the meeting shall be decided by a show of hands of voting members. If a show of hands is not conclusive, a ballot may be required by the Chair of the meeting or demanded by at least five (5) voting members before or on the result of a show of hands. Unless a ballot is so required or demanded, a declaration by the Chair that a resolution has by a show of hands been carried

unanimously or by a particular majority, or lost, will be reflected in the Minutes of the meeting.

7.15 If a ballot is duly required or demanded at the meeting, it shall be taken in such manner as the Chair directs, and the results of the ballot shall be deemed to be the resolution of the issue for which the ballot was demanded.

BY-LAW 8: ELECTIONS

8.1 A nominating committee consisting of a Chair and two (2) members shall be appointed by Council not less than three months before the date set for the annual general meeting for the purpose of nominating candidates,

8.1.1 For the position of Vice-president.

8.1.2 For the position of Secretary-Treasurer; and

8.1.3 To fill vacancies for councillors whose term of office is ending.

8.2 Wherever possible, the nominating committee shall nominate at least one (1) more candidate than the number of vacancies available.

8.3 Additional nominations of candidates for election to Council may be made in writing by five (5) or more members of the Association in good standing, signed by them and addressed to the Executive Director of the Association, who shall present them to the Chair of the nominating committee. These nominations, accompanied by the written consent of the nominees, must reach the office of the Executive Director no later than thirty days prior to the election.

8.4 The names of the nominees, as well as additional nominations provided for in By-law 7.3, must be accompanied by the written consent of the nominees, and shall be in the hands of the Executive Director no later than thirty days prior to the election, for immediate circulation to the membership.

8.5 Following receipt of all nominations, the Executive Director shall prepare the necessary ballot papers and shall transmit a ballot paper to each voting member of the Association to that member's last known electronic address recorded in the office of the Association. In the event a candidate is acclaimed for any vacancy, notice of this fact shall be transmitted by the Executive Director either along with or in place of the ballot package.

8.5.1 The ballot will clearly indicate which candidates are running for election for Vicepresident, Secretary-Treasurer, or as councillors.

8.5.2 Voting members may vote for any of the candidates on the ballot.

8.6 The candidates elected to council are those candidates who receive the most votes for Vice-president, Secretary-Treasurer, and councillor.

8.7 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.

8.8 As soon as the results of the election are known, the returning officer will 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.

8.8.1 in case of an unfilled vacancy, a call for nomination can be made from the floor at an annual general meeting.

8.8.2 Should a position remain vacant, Council may appoint to any position on Council a registered member in good standing to fill any position that has not been filled by election due to lack of nominees.

8.9 The new Council shall take office at the conclusion of the AGM and shall hold office until the conclusion of the following year's AGM.

8.10 Council may appoint:

8.10.1 Any registered member in good standing to fill a vacancy caused by the incapacity, resignation or death of a council member to the position of President or Past president. Vice-president, Secretary-Treasurer, or councillor.

8.11 Council may, by vote of not less than two-thirds (2/3) of its members in attendance at a council meeting and in accordance with criteria established by council from time-to time, remove a council member for non-performance of their duties or failure to live up to their obligations as councillors.

8.11.1 Any council member against whom a vote of removal is proposed must be given at least five (5) business days' notice of the proposed vote and the reasons for proposed removal.

Balloting

8.12 Ballots may be initiated by resolutions passed at an association meeting, by resolution of council, or by operation of the *New Brunswick Forestry Professionals Act, 202?* or these by-laws.

8.13 Ballots are required for the following matters with the following proportion of votes necessary to carry the ballot;

8.13.1 Adoption, repeal or amendment of these bylaws requires approval of two-thirds (2/3) of the votes cast;

8.13.2 Election of Council members requires the highest number of votes cast consistent with Bylaw 7.6;

8.13.3 Setting of annual membership fees requires a simple majority;

8.13.4 All other matters for which a ballot has been requested shall require a simple majority to be carried.

8.14 A voters list will be established for each ballot as follows:

8.14.1 Council will establish a date of record being not more than two (2) weeks before the date set for sending out ballots to voting members; and

8.14.2 The voters list will contain the names of all voting members as of the date of record.

8.15 For these by-laws, voting members eligible to be included on the voters list are those registered members, associate members, Life Members, and Special license holders in good standing and not on a leave of absence as of the date of record.

8.16 Ballots shall be in such a form as council determines and shall be sent to each voting member on the voting list by electronic mail.

8.17 Council shall satisfy itself that the necessary control and security measures are in place to ensure that the integrity of the balloting process and the confidentiality of ballots cast is maintained.

8.18 To be counted, returned ballots must be in the hands of the Executive Director by the date and time set by the Executive Director. In no cases will the date and time for the return of ballots be less than thirty (30) days from the date they were originally mailed or transmitted.

8.19 Ballots shall be counted by a returning officer and two or more scrutineers appointed under By-law 6.13.5, and the Executive Director.

8.20 Council shall, by resolution, adopt policies and procedures not otherwise specified in these by-laws for the counting of ballots.

8.21 Any balloting systems used by the Association shall ensure that:

8.21.1 Only voting members on the voters list may cast a valid ballot;

8.21.2 The identity of the voter and their ballot remains secret;

8.21.3 No ballots can be accepted and counted after the date and time established as the deadline for receipt of ballots; and

8.21.4 Systems used to tabulate votes cast are accurate.

8.22 As soon as the result of a ballot is known, the returning officer will inform Council, which shall then communicate the result to the membership as soon as is possible.

BY-LAW 9: MEMBERSHIP

Categories of Membership

9.1 There are two categories of membership [1] under the *New Brunswick Forest Professionals Act, 2022* as follows:

9.1.1 Professional Forester members.

9.1.2 Professional Forest Technologist members.

Classes of Membership

9.2 There are five (5) classes of membership [2] under the *New Brunswick Forest Professionals Act, 2022* as follows:

9.2.1 Registered members;

9.2.2 In-Training members;

9.2.3 Associate members;

9.2.5 Life members and

9.2.6 Holders of Special licenses.

Registered Members

9.3 There shall be two categories of Registered members, Registered Professional Foresters, and Registered Professional Forest Technologists.

9.4 Council shall admit to the registered class of membership, all those applicants who meet the requirements of Section 17(2) of the *New Brunswick Forestry Professionals Act, 2022*, these bylaws, and the policies and procedures established by council, and who pay the fees prescribed by council.

9.5 Applicants for membership as Registered members shall apply to the Association including:

9.5.1 A completed ANBFP application form;

9.5.2 The application fee as per the schedule of fees established by Council;

9.5.3 A current resume; and

9.5.4 A sponsorship form completed and signed by a member in good standing of the ANBFP.

9.6 Additionally, every applicant for admission as a Registered member to the Association shall satisfy the Board of Examiners that:

9.6.1 He or she has been employed in the practice of forestry for not less than two years, at least 12 months of which shall be in New Brunswick;

9.6.2 He or she is legally entitled to work in Canada; and

9.6.3 He or she has a working knowledge of the laws of the Province of New Brunswick as they relate to the practice of forestry and an appreciation of the Code of Ethics of the Association by passing examination.

Registered Professional Forester Applicants

9.7 Applicants who are eligible for membership as Registered Professional Foresters must also submit evidence satisfactory to Council that he/she:

9.7.1 Has graduated from a CFAB-accredited forestry degree program; or

9.7.2 Has completed a program that meets the academic requirements deemed equivalent to a CFAB-accredited forestry degree program as determined by the Board of Examiners.

9.8 An applicant whose only forestry degree is at the graduate level shall satisfy the Board of Examiners that he or she has covered sufficient forestry course work and has sufficient grounding in the practice of professional forestry to be registered as a Registered Professional Forester.

Registered Professional Forest Technologist Applicants

9.9 Applicants who are eligible for membership as Registered Professional Forest Technologists must also submit evidence satisfactory to Council that he/she:

9.9.1 Has graduated from a CFAB-accredited forest technology program; or

9.9.2 Has completed a program that meets the academic requirements deemed equivalent to a CFAB-accredited forest technology program as determined by the Board of Examiners.

Transferring from another Canadian Jurisdiction

9.10 Registered Professional Foresters or Registered Professional Forest Technologists transferring from another Canadian jurisdiction shall be required to satisfy the Board of Examiners that he/she has working knowledge of the laws of the Province of New Brunswick as they relate to the practice of forestry and an appreciation of the Code of Ethics of the Association.

Suspension or Cancellation of Registration

9.11 Any Registered member who does not conform to the requirements outlined in the *New Brunswick Forestry Professionals Act, 202?* these bylaws, 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.

In-Training Members

9.12 There shall be two (2) categories of In-Training members, Foresters-in-Training and Forest Technologists-in-Training

9.13 The In-Training program is described at Appendix 1 to these bylaws.

Application Submission

9.14 Applicants for membership as In-Training members shall submit an application to the Association including;

9.14.1 A completed ANBFP application form;

9.14.2 The application fee as per the schedule of fees established by Council; and

9.14.3 A mentorship agreement form completed and signed by a member in good standing of the ANBFP and the applicant.

In-Training Applicants

9.15 Applicants who are eligible for In-Training membership must also provide evidence satisfactory to Board of Examiners that he/she:

9.15.1 Has graduated from a CFAB-accredited program; or

9.15.2 Has completed a program that meets the academic requirements deemed equivalent to a CFAB-accredited program as determined by the Board of Examiners;

9.15.3 Is legally eligible to work in Canada;

9.15.4 Is of good character and repute; and

9.15.5 Meets all other requirements set out in these bylaws and by resolution or policy of Council.

9.16 If Council is dissatisfied with the evidence submitted by an applicant for enrolment, Council may refuse enrolment until the applicant furnishes satisfactory evidence.

9.17 In-Training members must take such courses, pass such exams, and attain such work experience as may be required by Council before they shall be eligible for registration/certification.

9.18 Any enrolled member who does not conform to the requirements outlined in the *New Brunswick Forestry Professionals Act, 202?*, these bylaws, resolutions of Council, and the policies and procedures published by Council from time-to-time, shall be liable to have his/her application for enrolment rejected or his/her enrolment suspended or cancelled as the case may warrant.

Admission of In-Training Members to Registered Membership

9.19 An applicant admitted as an In-Training member shall become admitted as a Registered member if he or she satisfies the Board of Examiners that:

9.19.1 He or she has been employed in the practice of forestry for not less than two years and has maintained an up-to-date mentorship; and

9.19.2 He or she has a working knowledge of the laws of the Province of New Brunswick as they relate to the practice of forestry and an appreciation of the Code of Ethics of the Association.

Associate Members

9.20 Council may admit a Registered member to the associate membership category who:

9.20.1 Has held membership as a Registered member for at least two years; and

9.20.2 Is no longer a resident of the province but wishes to retain their membership in the ANBFP; or

9.20.3 Is no longer employed in the practice of professional forestry but wishes to retain voluntary membership in the ANBFP; or

9.20.4 Is on temporary leave of absence from the practice of professional forestry; or

9.20.5 Has not maintained or submitted the required CFE credits, or other competency requirements prescribed by the Association.

Life Members

9.23 There shall be two categories of Life Members, Forester Life Members and Technologist Life Members.

Life Membership Category

9.24 Council may admit a registered member to the life membership category who:

9.24.1 Has been nominated by not less than five (5) registered members.

9.24.2 Applies, in writing, to be granted life membership; or

9.24.3 Is recommended by the Board of Examiners for life membership.

9.24.4 Satisfies Council that they are not engaged in the practice of professional forestry as defined in the *New Brunswick Forestry Professionals Act, 202?*, and they do not intend to return to practice in the future;

9.24.5 Signs a non-practice declaration;

9.24.6 Is sixty-five (65) years of age or older, or is not sixty-five (65) years of age or older, can demonstrate extenuating circumstances to the satisfaction of Council; and

9.24.7 Has been a member of the ANBFP, or ARPFNB, or NBFTA in good standing for a minimum of ten (10) continuous years unless the member can demonstrate extenuating circumstances to the satisfaction of Council.

9.24.8 Agrees to pay the required membership fees set out in the fee schedule published to the members.

Special License Holders

9.25 There shall be three (3) types of Special licenses:

9.25.1 Special licenses for **Visiting Forestry Professionals**.

9.25.2 Special licenses for **Transferring Forestry Professionals**; and

9.25.3 Special licenses for those people working within the definition of practice of professional forestry who do not meet the educational requirements to be registered members.

9.26 Council may grant a Special license to a **Visiting Forestry Professional** on such terms and conditions it deems appropriate, such terms and conditions to be clearly stated on any permit so issued.

9.26.1 Special licenses for Visiting Forestry Professionals shall be limited to the time required to undertake a specific task or project and shall normally not exceed a term of twelve (12) months.

9.26.2 If a Visiting Forestry Professional granted a Special license applies to extend the term of his/her license, council may grant such application; otherwise, each application shall be considered a new and separate application.

9.26.3 Unless special circumstances acceptable to the council can be demonstrated, a Special license for a Visiting Forestry Professional may only be renewed once.

9.27 Council may grant a Special license to a **Transferring Forestry Professional** on such terms and conditions it approves, such terms and conditions to be clearly stated on any permit so issued.

9.27.1 Special licenses for Transferring Forestry Professionals may grant rights of title and either full or partial rights of practice to those persons who have obtained the status of Registered Professional Forester (RPF) or Registered Professional Forest Technologist (RPFT) in another recognized Canadian jurisdiction.

9.27.2 Council may impose terms and conditions on a Transferring Forest Professional's practice until such time as he/she passes the registration/certification examination. Any terms and conditions imposed under the authority of this bylaw will be consistent with commitments made by, or agreements entered by the association from time-to-time, pertaining to interprovincial labour mobility.

9.28 Council may grant a Special license to a person who, at the time of passage of this Act, holds employment that requires him or her to practice within the definition of the *practice of professional forestry*, but who does not hold the educational qualifications to allow him or her to be admitted to the Association as a Registered/Certified member, where Council is satisfied that the applicant:

9.28.1 Is of good character and repute;

9.28.2 Has a science degree in a discipline and from a university program approved by council; a diploma from a college program or other academic qualification approved by council; or

9.28.3 Has other qualifications acceptable to council; and

9.28.4 Has five (5) years of experience in forestry work acceptable to council. At least two (2) years of experience must have been gained from working within the area of the practice of professional forestry to which the limited practice permit is to apply, and

9.28.5 Has presented two (2) references acceptable to council from Registered members; and

9.28.6 Has successfully completed the limited practice permit application process and examination process adopted by council from time-to-time and has been recommended for acceptance as a limited practice permit holder by the Board of Examiners; and

9.28.7 Has paid the fees prescribed by council; and has met all other requirements, policies and procedures pertaining to Special licenses adopted by council from time-to-time.

9.29 Special licenses shall only be valid for the term of years specified in the license but may be renewed at the discretion of, and on such other terms and conditions deemed appropriate by, council;

9.29.1 Upon application by the Special license holder; and

9.29.2 Approval of that application by council on such further terms and conditions as it deems appropriate.

9.30 Council will issue Special licenses that will explicitly delineate the scope of practice of the license holder.

9.31 The names of each Special license holder along with details describing the terms and scope of his/her license, shall be maintained by the Registrar on a separate Roll designated for such license holders.

9.32 Persons who do not have the educational qualifications to allow him or her to be admitted to the Association as a Registered member and who hold employment within the definition of the practice of professional forestry must apply for a Special license within two years of passage of this Act to be eligible to continue working within the definition of the practice of professional forestry in the province of New Brunswick.

9.33 Holders of Special licenses may not use the restricted titles "RPF" or "RFT".

9.34 Any applicant for a Special license or holder of a Special license who does not conform to the requirements outlined in the *New Brunswick Forestry Professionals Act*,

202?, these by-laws, rules of council, and the policies and procedures published by council from time-to-time shall be liable to have his/her application rejected or license suspended or cancelled as the case may warrant.

BYLAW 10: MEMBERSHIP RIGHTS AND OBLIGATIONS

Code of Ethics

10.1 A Code of Ethics to govern the conduct of members in the practice of forestry shall be established by the Council. Changes in the Code of Ethics shall be made in accordance with the procedure laid down for changes in the by-laws.

10.2 All members are required to abide by the Code of Ethics in all activities related to the practice of forestry.

Membership Certificates

10.3 Every registered member shall be issued a certificate of registration as approved by the Council over the seal of the Association and the signatures of the President and Secretary-Treasurer. This certificate shall be automatically renewed annually based on continued qualifications and the payment of the required fees. Such a certificate of registration over the seal of the Association is *prima facie* evidence of registration.

Registered Members

10.4 Registered members shall:

10.4.1 Only Registered Professional Foresters shall be entitled to use the titles “Registered Professional Forester”, or “Professional Forester”, or “Forester”, and the designations “RPF”, “R.P.F.” or any other title or designation which would lead a member of the public to believe that he/she is entitled to engage in the practice of professional forestry.

10.4.2 Only Registered Professional Forest Technologists shall be entitled to use the titles “Registered Professional Forest Technologist”, and the designations “RPFT” or any other title or designation which would lead a member of the public to believe that he/she is entitled to engage in the practice of professional forestry.

10.4.3 Enjoy full voting and participation rights in the affairs of the Association;

10.4.4 Be subject to the quality assurance programs and continuing competency requirements that may be adopted by Council from time-to-time; and

10.4.5 Be subject to the complaint resolution processes described in these bylaws; and

10.4.6 Be eligible to apply for leaves of absence in accordance with the guidelines prescribed by Council from time-to-time.

Member's Seal

10.5 Every registered member may have and use a seal as per Section 21(2) of the *New Brunswick Forestry Professionals Act, 202?*

10.5.1 Members' seals shall be of the form and design approved by Council and shall contain the name and the registration number of the member, and the words "Registered Professional Forester, Province of New Brunswick" or "Registered Professional Forest Technologist, Province of New Brunswick"

10.5.2 Members' seals shall be ordered and purchased through the Executive Director.

10.5.3 If the registration of a registered member is cancelled for any reason, the seal shall be returned to the Association head office.

In-Training Members

10.6 In-Training Members shall:

10.6.1 Only be entitled to practice under the direct supervision of a registered member or Special license holder acting in accordance with the license;

10.6.2 Only use the title and designation of "Forester-in-Training", "FIT" or "Forest Technologist Trainee" "FTT" (as applicable); and

10.6.3 Not use any such other designation or title which could lead a member of the public to believe that he/she is a registered member qualified to independently practice.

10.7 All In-Training members shall:

10.7.1 Not sign, seal, or stamp professional documents;

10.7.2 Not enjoy voting rights except as determined by Council;

10.7.3 Be able to serve on such association committees or subcommittees as council may deem appropriate except for Council, Board of Examiners, or any complaints resolution or discipline related committee or subcommittee;

10.7.4. Shall be subject to quality assurance programs and continuing competency requirements as may be adopted by council from time-to-time;

10.7.5 Be subject to the complaint resolution processes described in these bylaws; and

10.7.6 Be eligible to apply for leaves of absence in accordance with the guidelines prescribed by council from time-to-time.

Associate Members

10.8 Associate members shall not use the title “Registered Professional Forester” and the designations “RPF”, “R.P.F.” or “Registered Professional Forest Technologist” and the designation “RPFT”, or any other title or designation which would lead a member of the public to believe that he/she is entitled to engage in the practice of professional forestry unless they hold full membership in another Canadian Forestry Professionals Association.

10.9 All Associate members shall:

10.9.1 Not sign, seal or stamp professional documents;

10.9.2 Enjoy voting rights except as determined by Council;

10.9.3 Be able to serve on such association committees or subcommittees as council may deem appropriate except for Council, Board of Examiners, or any complaints resolution or discipline related committee or subcommittee;

10.9.4 Not be subject to quality assurance programs and continuing competency requirements as may be adopted by council from time-to-time;

10.9.5 Be subject to the complaint resolution processes described in these bylaws; and

10.9.6 Not be eligible to apply for leaves of absence.

10.10 Associate members who wish to revert to the registered membership category shall provide to Council:

10.10.1 A letter indicating their reason for reverting to registered member category; and

10.10.2 A record of continuing education pursued over the three years previous to the date of request for reversion to the registered member category.

10.11 If an associate member has not been employed in the practice of professional forestry for more than five (5) years, or has not been employed in the practice of professional forestry in New Brunswick for more than five (5) years, the member may be required to satisfy Council that he or she has a working knowledge of the laws of the Province of New Brunswick as they relate to the practice of forestry.

Life Members

10.12 Life members shall:

10.12.1 Not enjoy practice rights;

10.12.2 Not sign, seal, or stamp professional documents;

10.12.4 Not use any such other title or designation which would lead a member of the public to believe that he/she is qualified to practice;

10.12.5 Unless otherwise limited in these bylaws, enjoy voting and participation rights in the affairs of the Association;

10.12.6 Not be subject to the quality assurance programs and continuing competency requirements that may be adopted by council from time-to-time;

10.12.7 Be subject to the complaint resolution processes described in these bylaws; and

10.12.8 Not be eligible to apply for leaves of absence.

Special License Holders

10.13 A person who is a Visiting Forest Professional, Transferring Forest Professional, or holder of a Special License shall:

10.13.1 Only engage in the practice of professional forestry in strict accordance with the terms of their license;

10.13.2 Sign, seal, or stamp only those professional documents, if any, they are authorized to sign, seal, or stamp in their grant of license;

10.14 Clearly indicate or publish along with any use of a prescribed title or designation that:

10.14.1 They are a Special license holder;

10.14.2 The number of the Special license issued; and

10.14.3 All words of limitation contained in the grant of the Special license.

10.14.4 Enjoy voting rights except as to matters as determined by Council;

10.14.5 Not be eligible to serve on Association boards or committees unless appointed by council;

10.14.6 Be subject to any quality assurance programs and continuing competency requirements that are stipulated on the granted Special license;

10.14.7 Be subject to the complaint resolution processes described in these bylaws; and

10.14.8 Not be eligible to apply for leaves of absence.

Continuing Forestry Education

10.15 The Continuing Forestry Education program is described at Appendix 2 to these bylaws.

10.16 All registered members shall accumulate 100 Continuing Forestry Education (CFE) credits over a rolling three-year period, an average of 36 credits per year.

10.17 New registered members will begin accumulating credits upon admission to the Association. The first three-year period will begin on January 1st of the year after the year in which they are admitted.

10.17.1 Any CFE credit obtained for two years prior to admission date may also be considered toward a new members requirement subject to verification.

10.18 Registered members shall maintain adequate records of CFE attended to present to auditors if requested to do so.at the directed by Council.

10.19 Any registered member who fails to accumulate 100 credits at the end of any three-year period will be given notice to attend Continuing Forestry Education within a stated period of time, which period of time shall be determined through consultation with the member.

10.20 Should any registered member fail to accumulate the required CFE credits within a reasonable period as established by Council, that member shall have their registration suspended.

10.21 Upon receiving proof of completion of the required CFE credits, a suspended member shall have their registration reinstated.

10.22 In order to facilitate members in acquiring sufficient CFE credits, the Association will:

10.22.1 Support members to achieve the CFE credits through notification and/or the development of on-line CFE services, workshops, seminars, formal and informal training courses.

Resigning from the Association

10.24 Any member whose fees are paid, and who desires to resign from the Association in good standing, shall send written notice thereof to the Executive Director or designate. Thereupon the Executive Director shall strike the name from the Register, and such member ceases to be a member.

Re-admittance to the Association

10.25 A person who has resigned in good standing may be re-admitted as a member at the discretion of the Council, upon payment of the fee for the current year.

10.26 A person who has not been registered with any forest professional association for five years or longer and wishes to be re-admitted as a member may be required to demonstrate proof of continuing education credits earned and/or competency..

10.27 A person who ceases to be a member for non-payment of fees, may be re-admitted as a member upon payment of the application fee and the fees owing at the time the member ceased to be a member and the fee for the current year, and upon fulfilling the requirements of acceptance into the Association as stated in Section 17(2) of the *New Brunswick Forestry Professionals Act, 202?* as if the member were a new member of the Association.

10.28 Once accepted into the Association, the re-instated member will be re-issued the original registration number.

Leave of Absence

10.29 Registered members may apply to Council for a leave of absence by submitting a letter detailing:

10.29.1 The reason for the leave of absence; and

10.29.2 The dates of leave of absence requested.

10.30 Members on leave of absence are exempt from membership dues during the term of leave, and forfeit membership rights and privileges during absence.

Termination

10.31 Membership shall terminate upon the death, resignation, or expulsion of a member. Membership may also be terminated upon:

10.31.1 Non-payment of fees, assessments, or other charges, owing to the Association; or

10.31.2 Failure to meet competency or Continuing Forestry Education requirements as provided in these bylaws.

10.32 Membership in the Association shall not be transferable or assignable.

BYLAW 11: BOARD OF EXAMINERS

Composition of the Board of Examiners

12 The Board of Examiners consists of the following people appointed by Council;

12.1 At least one council member; and

12.2 At least five voting members appointed by council with representation for each membership category.

13 Members of the Board shall serve for a term of two (2) years, and may be reappointed.

Duties of the Board

14 The Board of Examiners shall:

14.1 Examine the proficiency of candidates for enrolment, registration, membership, or special permits, and

14.2 examine/and

14.2.1.1 Enrolment;

14.2.1.2 Registration;

14.2.1.3 All other matters leading up to registration not otherwise covered herein;

14.2.1.4 The granting of special permits; and

14.2.1.5 The maintenance of membership and practice rights within the Association.

14.2.1.6 The review and audit of CFE records submitted by members.

14.3 The Executive Director of the Association shall be the Secretary of the Board.

Panels examining Applications and CFE conformance

14.4 Panels of the Board shall be drawn from the full composition of the Board to examine applications and CFE submission.

14.5 Panel's decisions shall be valid if passed by a simple majority vote of the members of the Panel present and voting.

14.6 Council shall consider the recommendations of the Panels and shall instruct the Registrar to notify each applicant of its decision.

14.7 The decision of Council with respect to any application or CFE submission shall be final, but any applicant who has been refused may re-apply after a period of one (1) year, from date of refusal.

Meetings of the Board

14.8 Meetings of the entire Board shall be at the call of its Chair, at least once each year and not less than one (1) month prior to the Annual General Meeting of the Association to discuss any issues other than applications.

14.9 A quorum of the Board shall be five (5) members.

14.10 The Board's decisions shall be valid if passed by a simple majority vote of the members of the Board present and voting.

BYLAW 12: ADMINISTRATION

Register of Members

12.1 A register consisting of member names, membership types and addresses shall be maintained by the Registrar and made available for inspection by anyone during normal office hours and at the annual general meeting.

Fiscal Year

12.2 Unless otherwise authorized by Council, the fiscal year of the Association shall conclude on the thirty-first (31) day of December of each year.

Budgets

12.3 The Executive Committee shall prepare the operating budget to be reviewed and approved by Council prior to the start of the fiscal year. The Executive Committee may amend the budget at any time during the fiscal year with the prior approval of Council.

12.4 The Executive Committee shall make provision for the maintenance of the Association and the management of its property including:

12.4.1 The conduct of general business, banking, borrowing and credits;

12.4.2 The appointment of such staff as may be required and the fixing of the remuneration for such staff;

12.4.3 The incurring of such other expenses as may be necessary and;

12.4.4 All other acts reasonably necessary for the management of the Association.

12.5 Council shall obtain approval of the members at a General Meeting for expenditures not directly associated with routine management of the Association.

Books and Records

12.6 The Council shall ensure that all necessary books and records of the Association required by the Act and bylaws are regularly and properly maintained.

12.7 Council shall cause true accounts to be kept on the sums of money received and expended by the Association and the manner in respect of which such receipt and expenditure takes place and of the assets and liabilities of the Association. The books of accounts shall be kept at the Head Office of the Association or at such other place or places as Council sees fit.

12.8 The books and records of the Association may be inspected by any member of the Association at the annual general meeting or at any time upon giving reasonable notice and justification and arranging a suitable time with the Secretary-Treasurer and Executive Director.

12.9 The books, accounts and records of the Association shall be audited or financially reviewed by an outside party at least once per fiscal year. The report of the auditor or financial reviewer shall be distributed and read at the Annual General Meeting.

12.10 An auditor or financial reviewer shall be selected by the membership of the Association at the Annual General Meeting.

Signing Authority

12.11 Contracts, documents, or any other instruments in writing, shall be signed by the President or Vice-President, together with the Secretary-Treasurer, and all contracts, documents and instruments in writing so signed shall be binding upon the Association. Where required, the corporate seal of the Association shall be affixed to contracts, documents, or instruments in writing signed as aforesaid.

12.12 All cheques, drafts or orders for the payment or electronic payment of money and all notices and acceptances and bills of exchange shall be authorized by the President or Secretary-Treasurer together with the Executive Director.

Powers of Council

12.13 Council may from time to time:

12.13.1 borrow money on the credit of the Association;

12.13.2 issue, sell or pledge securities (including bonds, debentures, debenture stock or other like liabilities) of the Association;

12.13.3 charge, mortgage, or pledge all or any of the real or personal property of the Association, including book debts and unpaid calls, rights, powers, franchises and undertakings, to secure any such securities or any money borrowed, or other debt, or any obligation or liability of the Association;

12.13.4 delegate to such one or more of the members of the Executive Committee, all or any of the powers conferred by the foregoing clauses of this bylaw to such extent and in such manner as the Executive Committee shall determine at the time of each delegation; and

12.13.5 give indemnities to any member of the Executive Committee or other person who has undertaken or is about to undertake any liability on behalf of the Association and secure any such member of the Executive Committee or other person against loss by giving them by way of security a mortgage or charge upon the whole or any part of the real and personal property, undertaking and rights of the Association.

12.14 The Executive Committee may through a recognized bonding company bond, in such form and amount and with such surety as it may from time to time decide, such officers and employees of the Association, as it may deem advisable, for the faithful discharge of their duties.

12.15 The remuneration and reimbursement of members of the Executive Committee for expenses incurred while carrying out the business of the Association shall be such as is approved from time to time by the members of the Association at the Annual General Meeting.

Forms

12.16 Council shall make provision for the form or forms of application for membership in the Association and for the examination of applicants by the Board and for their admission into the Association.

Scholarships, Awards, and Professional Recognition Programs

12.17 The Council may establish scholarships, awards, or other educational incentives that it considers will serve the interests of the profession of forestry and shall decide from time to time the amount of financial support to be provided for such programs or awards.

12.18 The Council may, from time-to-time allot financial support to such programs that serve the interests of the profession or raise public awareness of forestry.

12.19 The Council may establish such other types of professional recognition programs that it considers will serve the interests of the profession and the Association.

BYLAW 13: COMMITTEES AND REPRESENTATIVES

13.1 The Council may delegate any of its powers to committees consisting of a member or members of its own body, either with or without other members of the Association, as it sees fit. Any committee so formed shall, in the exercise of the powers so delegated conform to any regulations that may be imposed on it by the bylaws and by the Council.

13.2 The first member's name on a committee shall be the Chair unless it is stated otherwise or until a committee is convened and a Chair elected from the group. A committee may meet and adjourn as it sees fit or as required by Council. Questions arising at any meeting shall be decided by a majority of the members present. In the case of equality of votes the Chair shall have a casting vote. Minutes shall be kept of all such committee meetings, and when approved shall be placed on file with the Executive Director.

BYLAW 14: FEES

14.1 The Council shall make provisions for the fixing, remission, and collection of annual and other fees, authorized by the membership at any General Meeting, and the imposing of penalties for their non-payment.

14.2 The annual fees shall be set at the Annual General Meeting of the Association and shall be payable on or before the thirtieth (30th) day of the month following the date of the Annual General Meeting. Any member who has not paid the annual fee by 30 June of the then current year shall be assessed a surcharge of 5% of the annual fees and be invoiced as such.

14.3 A member who has not paid the annual fee and surcharge by the end of the current year shall be suspended from membership in the Association and not permitted to use the designation of "Registered Professional Forester" or "Registered Professional Forest Technologist" or "Forester-in-Training", or "Forest Technologist in Training" the initials "RPF", "RPFT" or "FIT" or "FTIT" as applicable, and will be so advised by the Executive Director.

14.4 A person may be reinstated as a member, if, by 31 March of the next year he/she pays the annual fees owed, the surcharge and a reinstatement fee

14.5 A person who does not pay the annual fee, surcharge and reinstatement fee by 31 December will have his/her name stricken from the Register and be so advised.

First Year Member

14.6 A new member shall pay as the first annual membership fee an amount equal to one quarter of the date the annual membership fee multiplied by the number of complete quarters remaining in the fiscal year, at the member's name is entered in the Register of the Association.

Deferment

14.7 The Executive Committee may, for due and sufficient cause, waive or defer the payment of the annual fee for one year by any member, but in such cases the Executive Committee shall report the waivers or deferments to the membership at the next Annual General Meeting, while respecting privacy and confidentiality.

Application Fee

14.8 An application for registration or enrolment as a member of the Association shall be valid for a period of one (1) year from the date of receipt by the Executive Director and shall

be accompanied by a non-refundable fee for processing which shall be set at the Annual General Meeting.

Competency Entrance Fees

14.9 An examination fee shall be set at the Annual General Meeting. This fee is payable by an applicant for each examination, or for any other entrance requirements as set by the Board of Examiners.

Schedule of Fees

14.10 The schedule of fees is listed at Appendix 3 to these by-laws.

BY-LAW 15: COMPLAINT AND DISCIPLINARY PROCEDURES

15.1 When a complaint against a member is submitted, it will be immediately referred to the Complaints Committee for investigation.

15.2 Upon a request by Council, a member of the Association may be required to serve on the Complaints Committee or the Discipline Committee.

15.3 The Complaints Committee and the Discipline Committee shall follow the process and procedures as outlined in the ANBFP Act.

15.4 The Complaints Committee shall notify Council of the results prior to notification of the complainant and the member complained against.

15.5 The Discipline Committee shall notify Council of its decision and any sanctions and costs being imposed prior to notification of a member complained against.

15.6 In dealing with any complaints, or disciplinary matters; Council shall follow the process and procedures as outlined in the ANBFP Act.

15.7 Any member of the Complaints Committee, or of the Discipline Committee, or of Council who is in a real or perceived conflict of interest, must recuse themselves from the related deliberations.

BY-LAW 16: CHANGES TO BYLAWS

16.1 Any change to the by-laws, whether by way of amendment, repeal, or re-enactment, may be submitted to the voting members by ballot

16.2 These by-laws may be approved, amended, repealed, or re-enacted either in whole or in part by an affirmation vote of a majority of the voting membership present and/or represented by proxy at an Annual General Meeting or in accordance with Section 7(2) of the Act.

16.3 A motion to amend or repeal a bylaw or to enact a new by-law or by-laws may be made by Council on their own motion, or at the discretion of Council, on the written request of a voting member.

16.4 Five (5) or more voting members may by a petition in writing, addressed to the Executive Director submit to Council a motion to amend or repeal a bylaw or bylaws or to enact a new by-law or by-laws. The Executive Committee shall be entitled to thirty (30) days' notice to consider such petition and if in its opinion it is not inconsistent with the provisions of the Act it shall submit such motion to a vote, by letter ballot; provided however that such petition may be withdrawn on the request in writing of a simple majority of the petitioners.

16.5 If any change in the by-laws is to be considered, the Executive Director shall transmit or otherwise deliver to every voting member a copy of the proposed change in the by-laws in the form of a notice of motion. All such notices shall be posted or otherwise delivered by the Executive Director not later than fourteen (14) full days prior to the date of the return of the ballots.

16.6 Affirmative votes of at least two-thirds of the members casting ballots shall be required to amend, repeal or pass a by-law, but, if a motion to change the by-laws is defeated, then the Executive Committee may at its discretion re-submit the motion to the members by letter ballot.

16.7 A ballot shall not be valid unless more than 25% of the eligible voting members have voted.

16.8 The Executive Director shall transmit or deliver to every member a copy of all enacted changes in the by-laws within three (3) months of the enacting of such changes.

Interpretation

16.9 In these By-Laws and any other By-Laws of the Association hereafter enacted, words importing the singular number, shall, unless the context otherwise requires, include the plural number, and persons shall include companies and corporations.

Dispute Resolution

16.10 In the event of any dispute as to the meaning or intent of these bylaws, the interpretation of Council shall be final, subject to confirmation at the next Annual General Meeting and subject to the right of appeal as contained in section 41 of the *New Brunswick Forestry Professionals Act, 202?*