

between "class" legislation and "popular" legislation, as applied to the particular subject under discussion.

The most comprehensive piece of legislation now in force with reference to this subject is that incorporated in the Civil Administrative Code of the State of Illinois. In this case the administrative function is vested in a department of registration and education, and the powers of this department are made sufficiently broad and general to permit it to exercise its functions not only in respect of all professions, but all trades. The regulation of any specific profession or trade is accomplished in two ways—either by a special act making regulation compulsory, or by application to the department of registration, voluntarily requesting regulation. Two instances of the first alternative are the structural engineers and the architects of Illinois, in respect of both of whom compulsory regulating acts were introduced in the state legislature during the present year.

Two pieces of legislation, the first covering the general principle, and the second the specific case, constitute what appears to be an adequate and satisfactory means of improving and fixing the status of the engineering profession in Illinois, while at the same time they express the popular will.

The latest development in legislation of this class is the Michigan Registration Act. In this act an effort is made to devise workable legislation covering the combined activities of engineers, architects and surveyors. While it lacks the complete generality of the dual enactments of the State of Illinois, it similarly vests administrative control in the government, thus classing the act as popular legislation, and it furthermore avoids the dangerous practice of attempting to rigidly define by legal enactment the professional functions and activities of engineers, architects and surveyors. Instead, it leaves all matters relating to the classification and status of applicants for registration to a registration board which is created under the terms of the act. While the exercise of this discretionary power may possibly lead to anomalies and abuses, it will be much easier to remove them by subsequent amendments to the act than to revise, extend or condense, by amendment, the legalized definition of a civil engineer, a mining engineer, an architect or a surveyor.

The likelihood of an engineering act becoming law is largely dependent on the generality and breadth of its application, and on the basis of this test the two Illinois acts have more of the aspect of popular legislation, and have a wider public appeal, than the single Michigan act. Consequently, while it might not be proper to frame a general registration act to cover trades as well as professions, it would seem advisable to consider the adoption of the Illinois principle in so far as engineering and the allied professions are concerned. With legislation so limited for the time being, it could later be enlarged by amendment to include all professions and technical occupations, should it ever be necessary in the public interest to do so.

Based upon the above premises and specifications, it should now be possible to tentatively frame the terms of an act in sufficient detail to furnish ground for discussion.

TITLE: An Act to regulate the practice of professions and allied technical occupations and to provide for the registration of persons engaged in practising the same.

Short Title.—"The Professional Registration Act."

Administrative Agency.—The creation of a Department of Registration under the jurisdiction of the Minister of Education and the creation of the office of "Director of Registration."

Functions of Department of Registration.—(a) To administer and enforce laws relating to the regulation of specific professions and technical occupations, and to formulate rules and regulations for administering the same and for the fair and impartial examination of candidates for registration.

(b) To establish and control the standard of preliminary education necessary for admission to training schools, colleges and universities.

(c) To provide, on appeal, for re-examination of candidates and for rehearings in the case of action to revoke a

license or certificate where it appears that justice has not been done.

Specific Legislation.—Specific legislation for the regulation of any particular profession, technical occupation or branch thereof may be introduced (a) on the initiative of the Minister of Education, should he consider such procedure necessary in the public interest; or (b) by request, through the Minister of Education, of a majority of the persons engaged in such profession, technical occupation or branch thereof.

Certificates and Licenses.—To be issued by the Department of Registration.

Exemptions.—The provisions of this act shall not be enforceable in respect of the practice of law, medicine, dentistry and surveying, as long as the laws now regulating these professions and occupations continue in force.

Assuming that the above terms, properly elaborated, would meet the requirements of a general act, which, by virtue of its generality, would require a minimum of amendment in the future, the next step is to outline the terms which should be incorporated in such specific or subsidiary acts as might be required in the future to embrace all branches of engineering activity, having particularly in mind the fact that, as the status of the engineer improves and becomes more generally recognized, his various lines of professional activity will become more sharply defined and more uniformly susceptible of regulation. The most acceptable form for these subsidiary acts is one which will be of the same general type for all branches of engineering, so that they can be passed as parts of the general act, at any time, by order-in-council, on the authority of a house resolution.

It would be necessary for such an act to contain the following provisions:—

TITLE.—An Act to regulate the practice of and to provide for the registration of

Short Title.—"The Registration Act."

Administrative Agency.—Under the general direction of and appointed by, the Department of Registration, a Board of Examiners, one of whom shall be a professor or associate professor of in the University of, and four other members, who shall be of recognized standing, who have had not less than ten years of bona fide experience in the practice of, and who have resided continuously in the Province of not less than five years

Functions of Board.—(a) To receive applications for registration, and, at their discretion, accept those which properly come under the classifications they are delegated to examine, and to reject or refer elsewhere such applications as do not; (b) conduct hearings on matters relating to the revocation of, or refusal to renew, licenses or certificates, and at their discretion to revoke or refuse to renew the same; (c) establish regulations and rules of procedure for the proper administration of the law; (d) examine into and fix if necessary the standard of personal qualifications of applicants.

Reciprocal Registration.—Provision must be made for registration of practitioners from foreign countries or other provinces.

Public Works.—Provision making it obligatory that construction and maintenance work on provincial and municipal works be handled by qualified registrants under this act, in so far as it applies.

Further necessary provisions of this act include professional qualifications necessary for registration, discipline and penalties, formation of partnerships, and exemptions.

All of the above provisions will be found assembled in the accompanying draft act. The ancillary act here submitted refers to structural engineers, it being understood that the idea is to provide for additional ancillary acts of the same general type, referring to architects, electrical engineers, etc., and included in the general act as Part One, Part Two, etc. It will be noted that a number of the clauses in this draft act have been taken bodily from the proposed professional act prepared by the special legislation committee of the Engineering Institute of Canada. While this