

he is authorized to fill the office of or to act as a professional engineer, shall be liable upon summary conviction to a fine of not less than \$100.00 nor more than \$200.00 and costs, and on failure to pay the same, to imprisonment for not more than three months for the first offence, and for any subsequent offence to a fine of not less than \$200.00 and not more than \$500.00 and costs, and on failure to pay the same to imprisonment for not more than six months.

Registration

12. It shall be the duty of the registrar to enter in the register the name of each person entitled to practice as a professional engineer. He shall keep his register correct in accordance with the provisions of this Act and of the rules, orders and regulations of the Council. The certificate of the registrar under the seal of the Association shall be prima facie evidence of registration or license as the case may be.

Examinations

13. A board of examiners shall be appointed annually by the Council, and such other special examiners as may from time to time be found necessary.

14. The board shall examine all degrees, diplomas, certificates and other credentials presented or given in evidence for the purpose of obtaining registration or license to practice if referred to them by the Council, and may require the holder of such degree, diploma, certificate or other credential to attest on oath viva voce or by affidavit concerning the matter of his application.

15. (a) Examinations of candidates for registration or license shall be held as often and at such places as the Council may direct;

(b) The scope of the examinations and the methods of procedure shall be prescribed by the Council;

(c) The candidate shall submit to examination in one or more of the recognized branches of engineering, such branch or branches to be selected by the candidate;

(d) As soon as possible after the close of such examination, the board shall make and file with the secretary a certificate stating the result of such examination, whereupon the Council shall notify each candidate of the result of his examination and of their decision upon his application;

(e) A candidate failing on examination may after an interval of not less than six months be examined again;

(f) The Council shall from time to time prescribe the fees payable by candidates for examination.

16. The Council shall have power conjointly with the Council of any Association in one or more of the Provinces of Canada, to establish a central examining board and to delegate to such central examining board all or any of the powers possessed by the said Council respecting the examination of candidates for admission to practice, provided that any regular examination conducted by such central examining board shall be held in one place at least within this Province.

17. Notwithstanding any other provision of this Act, no person shall be registered unless he is at least twenty-three years of age and unless he has been engaged for at least six years in some branch of engineering, or unless he has been engaged for at least two years as a Professor of Engineering in a college of engineering recognized by the Council, provided however that in the case of a graduate from an engineering college recognized by the Council the period of engagement in engineering work required by this section may include his prescribed term of instruction in such college.

18. The registrar shall issue a certificate of registration to all professional engineers registered under this Act, and to any person entitled to a certificate under this Act, upon instructions from the Council, and upon payment of the prescribed fees. Such certificate shall be signed by the president and by the registrar and bear the seal of the Association, and shall also specify the branch or branches of engineering in which the professional engineer has been examined or otherwise accepted.

19. The registrar shall issue a license to practice to any person entitled thereto upon payment of the prescribed fee. Such license shall specify the period for which the same is issued, but in no case shall said period extend beyond the end of the calendar year in which said license is issued.

20. (a) Each person who is registered to practice shall on or before the first day of January in each year, pay to the secretary-treasurer or to such other person as may be deputed by the Council to receive same, such annual fee for the ensuing year as may be determined by the by-laws of the Association. Such fee shall be a debt due by said person to the Association and may be recovered with costs of suit in the name of the Association in any court of competent jurisdiction;

(b) If any person registered under this Act omit to pay the prescribed annual fee for six months from the date upon which it became due, and after notice, the registrar shall cause the name of such person to be erased from the register, and such person shall thereupon cease to be deemed to be a professional engineer, but such person shall at any time thereafter upon payment of all fees in arrear be entitled to all his rights and privileges as a professional engineer from the time of such payment;

(c) Any person registered under this Act may resign from membership in the Association upon giving notice in writing to the secretary, whereupon the name of the said member shall be erased from the register, and such member shall be relieved of the liability for further annual fees.

21. In case the Council neglect or refuse to register the name of any person as a member of the Association, or to issue a license to practice, the person aggrieved shall have the right to apply to a judge of the Supreme Court, who, upon due cause shown, may make an order directing the Council to register the name of such person or to grant to such person a license to practice, or make such other order as may be warranted by the facts, and the Council shall forthwith comply with such order. Such order when so made shall be final.

22. If the registrar makes or causes to be made any willful falsification in any matters relating to the register, he shall forfeit the sum of \$100.00.

23. If any person shall willfully procure or attempt to procure himself to be registered or licensed under this Act by making or producing or causing to be made or produced, any false or fraudulent representation or declaration, either verbally or in writing, every such person so doing, and such person knowingly aiding and assisting him therein, shall forfeit and pay the sum of \$100.00.

24. Any and all penalties imposed under this Act and any and all sums of money forfeited shall be recoverable with costs under the provisions of the law respecting Summary Convictions.

25. Any information for the recovering of any such penalty or forfeiture may be laid by any member of the Association or by any person appointed by the Council.

26. Any sum recovered as a penalty or forfeit under this Act shall upon being recovered belong to the Association for the use thereof.

27. No proceeding shall be commenced for any violation of the provisions of this Act but within one year from the date of such violation.

28. No person practicing as a professional engineer shall be entitled to recover any charge in any court of law for any service included within the practice of a professional engineer as defined in section 2, sub-section (b) of this Act unless he shall be registered under this Act.

29. The following persons are hereby constituted a Provisional Council of the Association: President—Charles C. Kirby, of the city of St. John; vice-president—Geoffrey Stead, of the town of Chatham; councillors—R. Fraser Armstrong, of the town of Woodstock; Collingwood B. Brown, of the city of Moncton; Burton M. Hill, of the city of Fredericton; David F. Maxwell, of the town of St. Stephen; R. J. Sandover-Sly, of the town of Campbellton; Alexander R. Dufresne, of the city of St. John; Charles O. Foss, of the city of St. John; Joseph A. Grant, of the city of St. John; Gilbert G. Murdoch, of the city of St. John.