

ing a constitution similar to the Association hereby incorporated, may obtain from the registrar a license to practice as a professional engineer in the Province of New Brunswick upon application to the registrar for that purpose, and upon production of satisfactory evidence of his being a registered member in any such other Association, and on payment of a fee of one dollar. Such license when so issued shall entitle said person to practice as a professional engineer in New Brunswick during the then current year.

Upon submitting the evidence required by this sub-section, and upon payment of the said fee, said person shall be entitled to practice as a professional engineer in New Brunswick pending the disposal of said application;

(f) Any person who is not a resident of Canada, but who is a member of any engineering or technical organization or society of standing recognized by the Council, may obtain a license to practice subject to the like qualifications as are required for registration under section 17 of this Act, and any person who is not a resident of New Brunswick, but who is a member of any said engineering or technical organization or society of standing may act in an advisory or consultative capacity without a license;

(g) Any non-resident of New Brunswick who is employed as a professional engineer by a public service corporation, a public utility, Government department, or private corporation, the work of which is normally carried on in the Province of New Brunswick, and also in some other Province or Provinces of Canada, and who by reason of his said employment is required to practice as a professional engineer in New Brunswick, may so practice in New Brunswick without holding a license and without payment of any fee, providing said person on demand produce proof satisfactory to the Council that he is a registered member of an Association of engineers of some other Province of Canada having a constitution similar to the Association hereby incorporated. It shall be the duty of such person to produce such proof of membership whenever so required by the Council;

(h) Any engineer who is a resident of some other Province of Canada in which there is no Association of engineers having a constitution similar to this Association, may obtain a license to practice subject to the discretion of the Council;

(i) An assistant working under the direct supervision of a professional engineer and not taking the responsibility for his work other than to his direct superiors, shall not be deemed to be practicing as a professional engineer when so engaged;

(j) Any person who has served in His Majesty's Military, Naval or Aerial forces or in those of any of His Allies during the late war and who, previous to entering the said service, had been practicing as an engineer in Canada, shall be entitled to be registered as provided for by section 7 sub-section (b) of this Act notwithstanding want of residence, and such service in said Military, Naval or Aerial forces shall be counted as engineering practice;

(k) Any engineer not a resident of Canada who is employed by any Public Utility Corporation and who by reason of his employment in the operation of said Corporation is required to practice in New Brunswick, may obtain a license to so practice at the discretion of the Council.

#### Partnership

8. When two or more persons carry on practice as professional engineers in co-partnership, only such members as are registered or licensed under this Act shall perform the duties of a professional engineer. A firm as such cannot be deemed to be a member of the Association or be licensed to practice.

#### Administration

9. (a) The management of the Association shall be vested in an Executive Council which shall consist of a president, vice-president, and such number of elected Councillors as may be from time to time fixed by by-law of the Association, not in any case to exceed fifteen in number. Only members in good standing shall be eligible for election to the Council;

(b) The president shall be elected annually and shall hold office until his successor is elected. He shall act as presiding officer at the meetings of the Council and the Association, voting only when the votes are evenly divided. On retirement he shall hold office as councillor for the next year;

(c) The vice-president shall be elected annually and shall have all the powers of the president during the absence of the latter;

(d) The full number of councillors so fixed by by-law shall be elected at the first general meeting. The councillors to the number of one-third receiving the largest number of votes shall hold office for three years. The Councillors to the number of one-third receiving the next largest number of votes shall hold office for two years, and the remaining one-third shall hold office for one year. At each annual meeting after the first, councillors to the number of one-third the number so fixed by the by-law shall be elected;

(e) The registrar and the secretary shall be appointed by the Council. The same person may be appointed to the office of both registrar and secretary;

(f) The secretary of the Association shall also be the secretary of the Council.

10. (a) The Council may on a two-third vote of all the members of Council reprimand, suspend or expel from the Association any member guilty of unprofessional conduct, negligence or misconduct in the execution of the duties of his office, or convicted of a criminal offence by any Court of competent jurisdiction.

The Council shall not take any such action until a complaint under oath has been filed with the registrar and a copy thereof forwarded to the person accused. The Council shall not suspend or expel a member without having previously summoned him to appear to be heard in his defence, nor without having heard evidence under oath in support of the complaint and on behalf of the member charged if offered. The Council shall have the power to summon witnesses to attend and to answer under oath concerning the matter of the said enquiry. The president of the Council or any person acting in his behalf on the hearing of the said charge, or the secretary, is hereby authorized to administer oaths in such case. All evidence given shall be taken down in writing or by a stenographer duly qualified and sworn for the purpose;

(b) Any member so expelled or suspended may within thirty days after the making of the order of expulsion or suspension, appeal to a judge of the Supreme Court from such order, giving seven days' notice of appeal to the secretary of the Council, who shall thereupon file the evidence so taken to be filed with the registrar of the Supreme Court, whereupon such judge shall decide the matter of appeal upon the evidence so filed, or may in his discretion hear additional evidence, and shall confirm or set aside such order of expulsion or suspension, and the order of the said judge shall be final. The costs of such appeal shall be in the discretion of the said judge;

(c) Unless the order of expulsion or suspension is set aside on such appeal, or the said judge or the Council otherwise order, the member so expelled or suspended shall not practice thereafter except in case of suspension upon expiry of the period of suspension. Pending an appeal, the members so expelled or suspended may practice.

#### Penalties

11. Any person who not being a registered or licensed professional engineer in New Brunswick, or who is suspended or has been expelled under the proceedings of the next preceding section:

(a) Practices as a professional engineer, or

(b) Uses the title of professional engineer or makes use of any abbreviation of any such title, or of any name, title or designation which may lead to the belief that he is a professional engineer or a member of the Association, or

(c) Advertises himself as such in any way or by any means, or

(d) Acts in such manner as to lead to the belief that