

## ACT INCORPORATING THE MANITOBA ASSOCIATION OF PROFESSIONAL ENGINEERS

**F**OLLOWING is the complete text of the Act passed March 24th, 1920, by the Manitoba legislature, incorporating the Association of Professional Engineers of the Province of Manitoba:—

His Majesty, by and with the advice and consent of the Legislative Assembly of Manitoba, enacts as follows:

### 1. Title

This Act may be cited as "The Engineering Profession Act."

### 2. Interpretation

In this Act unless the context otherwise requires, the expression:

(a) "professional engineer" means any person registered as a professional engineer under the provisions of this Act;

(b) "professional engineering" or "the practice of a professional engineer" embraces the designing, supervision, the advising on the design, or supervision and the advising on the making of measurements for the construction, enlargement, alteration, improvement, maintenance or valuation of public or private utilities, industrial work, railways, bridges, tunnels, highways, roads, canals, harbor works, harbors, river improvements, lighthouses, wet docks, dry docks, floating docks, dredges, cranes, and other similar work, steam engines, turbines, pumps, internal combustion engines, and other similar mechanical structures, air ships and aeroplanes, electrical machinery and apparatus, chemical and metallurgical machinery, and works for the development, transmission, or application of power, mining operations and apparatus for carrying out such operations, municipal works, irrigation works, water works, water purification plants, sewerage works, sewage disposal works, drainage works, incinerators, hydraulic works, and all other engineering works. The execution by a contractor or his assistants of work designed by a professional engineer, or the direction of work as otherwise defined in this clause by superintendent of construction, or superintendent of maintenance, or their subordinates when working from designs or upon advice of a professional engineer, shall not be deemed to be the practice of professional engineering within the meaning of this Act;

(c) "association" means the association of professional engineers of the Province of Manitoba;

(d) "council" means the executive council of the association;

(e) "president" means the president of the association;

(f) "registrar" means the registrar of the association;

(g) "secretary" means the secretary-treasurer of the association;

(h) "board" means the board of examiners of the association.

### 3. Association of Professional Engineers

(1) All persons registered as professional engineers under the provisions of this Act shall constitute the Association of Professional Engineers of the Province of Manitoba, and shall be a body politic and corporate, with perpetual succession and common seal.

(2) The head office of the association shall be at Winnipeg.

### 4. Financial Powers

The association shall have power to acquire and hold real estate not producing at any time an annual income in excess of ten thousand dollars, and to alienate, mortgage, lease or otherwise charge or dispose of such real estate or any part thereof as occasion may require; and all fees, fines and penalties receivable and recoverable under this Act shall belong to the association.

### 5. By-laws

The association may pass by-laws not inconsistent with the provisions of this Act for:

(a) The government, discipline and honor of the members;

(b) the management of its property;

(c) the maintenance of the association by levying fees not in excess of five dollars per annum;

(d) the examination and admission of candidates to the study and practice of the profession;

(e) all other purposes reasonably necessary for the management of the association.

### 6. Ratification of By-laws

All by-laws or amendments thereto shall become effective only after ratification by two-thirds majority of the votes cast by the members of the association in good standing.

### 7. Who May Practice

(1) Only such persons who are members of the association hereby incorporated and registered as such under the provisions of this Act, or who have received a license from the council of the association as hereinafter provided, shall be entitled, within the Province of Manitoba, to take and use the title of "professional engineer" or any abbreviation thereof, or to practice as a "professional engineer" or act as engineer in laying, advising on, constructing or superintending the construction of any railway or public work or any work upon which public money is expended, the cost of which is in excess of one thousand dollars.

(2) Any person residing in the Province of Manitoba at the date of the passing of this Act, who is at that date and has been for one year previously practising as a professional engineer, shall be entitled to be duly registered as a member of the association without examination, provided that such person shall produce to the Council satisfactory proof of having so practised.

(3) Any person who may come to reside in the Province of Manitoba, and who at that time is a duly registered member of an association of engineers similarly constituted of any other province of the Dominion of Canada, may become a duly registered member of the association without payment of fee for that year, if he shall produce to the council a certificate of membership in good standing in such province, and an application for transfer of registry endorsed by the registrar of the province in which he lately resided.

(4) Any person not otherwise qualified as hereinbefore mentioned, and who may desire to become a registered member of the association, shall make application to the council, and shall submit to an examination, or shall submit credentials in lieu of examination, whichever the council may decide, and shall be admitted to registry as a member of the association on payment of prescribed fees after the council shall have certified in writing that such examination or credentials have been found satisfactory to it.

(5) Any person not residing in the Province of Manitoba who is a registered member of an association of engineers similarly constituted of any other province of the Dominion of Canada, may obtain from the registrar a license to practice as a professional engineer in the Province of Manitoba, upon production of evidence of his registry in such other province, and upon payment of a fee of one dollar. In the event of such person being unable by reason of emergency or neglect on the part of the registrar, or for any good and sufficient reason, to obtain such license within three months of his making application therefor, he shall be entitled to practice as a professional engineer in the province for such period of three months without holding such license.

(6) 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 practise his profession in an advisory or consultative capacity.

(7) Any person who is employed as a professional engineer by a public service corporation, a private corporation, public utility or government department, whose business is normally carried on in two or more of the provinces of Canada, and who is by reason of his employment required to practice as a professional engineer in other provinces other than that of his residence, may so practice in the Province of