

Alberta Association,  
Canadian Institute of Planners

***General Bylaws***

Bylaw 1/90 of May 16, 1990

**OFFICE CONSOLIDATION**

Amended by:

Bylaw 1/92 of May 22, 1992

Bylaw 1/93 of May 14, 1993

Bylaw 1/94 of December, 1994

Bylaw 1/95 and 2/95 of December, 1995

Bylaw 1/98 of April, 1998

Bylaw 1/2001, 2/2003 and 3/2001 of May 2001

Bylaw 1/2006 of January 2006

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**1.0 NAME**

- 1.1 The name of the Association shall be the "Alberta Association, Canadian Institute of Planners".

**2.0 PURPOSE**

- 2.1 The purpose of the Association is to further the objects of the Alberta Association, Canadian Institute of Planners in a manner compatible and in context with the Canadian Institute of Planners as contained in Bylaw No. 1/90 and amendments thereto.

**3.0 INTERPRETATION**

For the purpose of this bylaw:

- 3.1 "Affiliate Agreement" means an agreement between the Alberta Association, Canadian Institute of Planners and the Canadian Institute of Planners which establishes the mutually agreed terms of the relationship between the two. This agreement is reviewed and renewed from time to time.
- 3.2 "Association" means the Alberta Association, Canadian Institute of Planners.
- 3.3 "Corporate member" means a Member, Fellow, Provisional, Non-resident or Student member.
- 3.4 "Council" means the Council of the Alberta Association, Canadian Institute of Planners.
- 3.5 "Examination" means the Professional Practice Examination prescribed by Council and approved by the Universities Co-ordinating Council.
- 3.6 "Executive Director" means the Executive Director of the Canadian Institute of Planners.
- 3.7 "Fellow" means a Full Member of the Association, who has been elected by the Council of the Canadian Institute of Planners in recognition of a significant contribution to the planning profession.
- 3.8 "Institute" means the Canadian Institute of Planners.
- 3.9 "log book" means a written record in a form prescribed by Appendix "A" attached hereto, which documents responsible professional planning experience.
- 3.10 "member" means any person holding membership in the association.
- 3.11 "Member" or "Full Member" means any person who is qualified, has been accepted and paid annual fees as a full Member of the Association.
- 3.12 "National Council" means the Council of the Canadian Institute of Planners.
- 3.13 "Planning" means the process of planning the scientific, aesthetic and orderly allocation of land, community resources, facilities and services with a view to maintaining and improving the physical environment and the economic and social conditions of urban and rural communities.
- 3.14 "Responsible professional planning experience" means work:
- a) comprising analysis, projection, design or program development which specifically requires consideration of the interrelationships of space and time among resources, facilities and activities and which expresses this consideration in a manner to influence the disposition of land or the allocation of resources, facilities or services,
  - b) which shows a specific relationship to public policies or programs for controlling or influencing the development of communities, and
  - c) which comprises a substantive component of initiative, judgement, substantial involvement and personal accountability or definition or preparation of significant elements of the program of work.
- 3.15 "Portfolio" shall consist of examples of responsible planning experience and may include personal publications, reports and other documents submitted by the applicant, in accordance with the Portfolio Guidelines, as prescribed from time to time by Council, the purpose of which is to establish that applicants have the knowledge and skills required by the Institute.

**4.0 CLASSES OF MEMBERSHIP**

- 4.1 Corporate Membership in the Association is divided into six (6) classes:

Corporate Members

- 4.1.1 Member \*
- 4.1.2 Non-practising member
- 4.1.3 Provisional member \*
- 4.1.4 Student member \*
- 4.1.5 Fellow \*
- 4.1.6 Non-resident member

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- 4.2 Non-Corporate Status
- 4.2.1 Honorary member
- 4.2.2 Public Associate
- \* denotes the categories of membership which are subject to the rights and responsibilities of the Alberta Community Planners Regulation, a regulation of the Professional and Occupational Associations Registration Act in the Province of Alberta.
- 5.0 RESIDENCY OR LOCATION OF PRACTICE REQUIREMENTS**
- 5.1 A person qualifies for membership in the Association if that person:
- 5.1.1 is a member in good standing of the Institute permanently resident in the area served by the Association, and therefore shall automatically be granted an equivalent class of membership in the Association and shall acquire all the obligations of such membership, or
- 5.1.2 is a member in good standing of the Institute, other than an Honorary member or Fellow, non-resident but practising in the area served by the Association, who shall, on payment of a fee as set out in Section 11.5, be granted Non-resident membership in the Association and shall acquire the obligations of such membership, except the right to be elected to Council.
- 5.2 Any member covered in Section 5.1 shall inform the Secretary of the Association when the member moves into the area of jurisdiction of the Association.
- 6.0 QUALIFICATIONS FOR MEMBERSHIP**
- 6.1 An applicant who has acquired:
- 6.1.1 A doctorate, master's degree or a four-year bachelor's degree in planning recognized by the National Membership Committee and the Universities Co-ordinating Council; who has applied for and been elected as a Provisional member and has obtained at least two (2) years of responsible professional planning experience, which must be recorded in a log book, or
- 6.1.2 An undergraduate or master's degree, or doctorate recognized by the Universities Co-ordinating Council in a field related to planning as defined by the Universities Co-ordinating Council; who has applied for and been elected as a Provisional member; who has completed four (4) years of responsible professional planning experience which must be recorded in a log book and who has successfully completed a written examination, or successfully fulfilled the Portfolio requirement, or
- 6.1.3 A bachelor's or higher degree which is not related to planning; who has applied for and been elected as a Provisional member; who has completed a minimum of six (6) years of responsible professional planning experience of which four (4) years must be recorded in a log book and who has successfully completed a written examination, or successfully fulfilled the Portfolio requirement, and
- 6.1.4 successfully completed an oral examination.
- is entitled to be registered as a Full Member of the Association.
- 6.3 An applicant who has acquired:
- 6.3.1 a degree in planning recognized by the National Membership Committee and the Universities Co-ordinating Council; or
- 6.3.2 a degree in a field related to planning as recognized by the Universities Co-ordinating Council and who has obtained employment in the planning field, or
- 6.3.3 a degree which is not related to planning and who has obtained employment in the planning field
- is entitled to be registered as a Provisional member.

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- 6.4 An applicant
- 6.4.1 who is enrolled in a degree program in planning which is recognized by the National Membership Committee and the Universities Co-ordinating Council, or
- 6.4.2 who has been granted a degree in planning recognized by the National Membership Committee and the Universities Co-ordinating Council and is enrolled in another degree program,
- is entitled to be registered as a Student member.
- 6.5 A Full Member who has either temporarily or permanently retired from practice in planning and who has made the request in writing to the Registration Committee is entitled to be designated as a Non-practising member.
- 6.6 Any person or organization not eligible for any form of corporate membership but who has an interest in planning, and who has made the request in writing to the Registration Committee is entitled to be designated as a Public Associate of the Association.
- 6.7 On the recommendation of the Association, National Council may elect to be a Fellow of the Institute a Full Member who has been in good standing for a period of not less than ten (10) years and has in the opinion of the National Council, made an outstanding contribution to planning, and who has been nominated in writing by one (1) affiliate and at least six (6) members from more than two (2) affiliates.
- 6.8 The Association may elect to be an Honorary member a person who warrants recognition for having demonstrated special interest in or who has given outstanding service to or has made a significant contribution to the Association.

**7.0 APPLICATION FOR MEMBERSHIP**

- 7.1 Application for membership shall be made to the Chairman of the Association's Registration Committee on the forms prescribed for that purpose by Council, and shall be accompanied by such application fee or examination fee or both, as may from time to time be established by the members.
- 7.2 As part of the process of application for Provisional membership, the applicant shall submit the forms prescribed for that purpose by the Universities Co-ordinating Council to the Universities Co-ordinating Council accompanied by such fee as may be

established by the Universities Co-ordinating Council.

**8.0 ADMISSION TO MEMBERSHIP**

- 8.1 Any member registered in any class of membership in the Association shall also become a member of the Institute in that class and be subject to the provisions of the Association's Bylaws and the Institute's Bylaws, as well as the Alberta Community Planner Regulation.
- 8.2 An applicant whose application for membership is refused by the Registration Committee may, by notice in writing served on the Association Registrar within 30 days of receiving a notice of refusal and the reasons for it, appeal the refusal, and the notice of appeal shall set out the reasons why, in the applicant's opinion, the application for membership should be approved.
- 8.3 The applicant who requests an appeal pursuant to Section 8.2:
- 8.3.1 Shall be notified in writing by the Association Registrar of the date, place and time that Council will hear the appeal and
- 8.3.2 is entitled to appear with counsel and make representation to Council when it hears the appeal.
- 8.4 A member of the Registration Committee who is also a member of Council may participate in the appeal under this section but shall not vote on a decision of Council and shall not be counted for the purposes of a quorum.
- 8.5 On hearing an appeal under this section, Council may make any decision the Registration Committee may make, and shall notify the applicant of its decision.

**9.0 CESSATION OF MEMBERSHIP**

- 9.1 Any member of any class who ceases to be a member of the Institute automatically ceases to be a member of this Association.
- 9.2 Any member continuing to reside or practice in the area served by the Association and resigning membership in the Alberta Association also loses membership rights in the Institute.

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**10.0 MEMBERSHIP RIGHTS, PRIVILEGES AND RESPONSIBILITIES**

10.1 A Corporate member may, in accordance with this Bylaw:

10.1.1 Attend and take part in discussion at Annual General Meetings; and

10.1.2 Vote on any matter, unless otherwise specified in this Bylaw; and

10.1.3 Be elected to the Council; and

10.1.4 Be elected as an Officer of the Association provided the corporate member is a Full Member of the Institute; and

10.1.5 Be appointed to any Committee; and

10.1.6 Receive all publications of the Association; and

10.1.7 Resign from membership in the Association.

10.2 A member may not resign from the Association while in arrears of fees, or at a time when the professional conduct of a corporate member is the subject of investigation by the Association.

10.2.1 A member, in any class, who is suspended through a decision by the Discipline Committee or Council pursuant to Section 20 shall lose the rights and privileges of membership for the term of the suspension.

10.2.2 A member, in any class, who is struck from the membership through a decision by the Discipline Committee or Council pursuant to Section 20 shall lose the rights and privileges of membership in perpetuity.

10.3 A Non-practising or Provisional member has all the rights and privileges and responsibilities set out in this Bylaw, save that a person in these classes may not be an Officer of the Association.

10.3.1 A Fellow has all the rights and privileges and responsibilities of a Member.

10.3.2 A Non-resident member has all of the rights and privileges and responsibilities set out in the Bylaw except that a person in this class may not be a member of Council.

10.4 A Student member has:

10.4.1 All the rights and privileges and

responsibilities set out in this Bylaw save that a Student member may not be an Officer of the Association and may not vote except by ballot for Student member on Council.

10.4.2 Notwithstanding Section 10.4.1, a Student member who is elected to Council pursuant to Section 15.5 has the right to vote on matters before Council.

10.5 Persons who are accepted as corporate members shall:

10.5.1 Observe the Bylaws of the Institute and the Association;

10.5.2 Observe the Code of Professional Conduct as adopted by the Association; and

10.5.3 Do their utmost to ensure that all other persons admitted to membership also adhere to the Bylaws and the Code of Professional Conduct of the Association and Institute.

10.6 A Public Associate may:

10.6.1 Attend and take part in discussion at Annual General Meetings; and

10.6.2 Receive all publications of the Association; and

10.6.3 Resign from the Association.

10.7 No member or other person shall have any cause of action or lawful complaint against the Association, the Council or any member thereof, any member, or Officer, servant, Agent, Counsel or Solicitor of the Association by reason of anything done or omitted to be done or any other matter or thing conducted with or in respect of any investigation, enquiry, charge, hearing, report or recommendation, or any disciplinary proceeding, order or publication, made or done in good faith under this bylaw.

**11.0 ANNUAL FEES AND ARREARS**

11.1 Corporate members, excepting Fellows, are liable each year for such annual fee for each class of membership as the members of the Association may from time to time determine, such fee to be additional to the Annual Fee paid to the Canadian Institute of Planners. The fee schedule is outlined in Appendix "C".

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- 11.2 Honorary members are not liable for any annual fees.
- 11.3 A Public Associate is liable for such annual fees as the members of the Association may from time to time determine.
- 11.4 Annual fees are due and payable on the first day of January of each year.
- 11.5 Non-resident Corporate members shall not be assessed by the Association for that portion of the annual fees assignable to the Canadian Institute of Planners. The Institute's portion shall be assessed by the affiliate within whose jurisdiction a Non-resident member resides.
- 11.6 All classes of members, who are in arrears of fees for three (3) months shall be liable for a penalty of ten (10) percent of the amount of fees outstanding and shall be so notified in writing.
- 11.7 Where a member is in arrears of payment fees on the 30th day of April of the current year, such person shall cease to have membership of any class but may obtain reinstatement to membership upon payment of the annual fees in effect for the year plus such penalty or reinstatement fee as may be established from time to time.
- 11.8 Where a member is still in arrears on December 31st of the current year, such person is liable for payment of a fee equal to twice the annual fee which is current in the year of reinstatement.
- 11.9 Where a person has been suspended or struck from membership by Council pursuant to Section 20, that person shall not be returned any fees paid for membership in the Association for any year prior to suspension or for any year, or part thereof, of the term of suspension if these fees were already paid by that person.
- 11.10 Where a person has been suspended pursuant to Section 20 upon completion of the term of suspension that person, is subject to payment of arrears as outlined in Section 11.7 excepting a penalty or reinstatement fee.
- 11.11 Council may annually increase the Association's portion of the membership fees as shown in Appendix "C" by an amount not to exceed ten (10) dollars or ten (10) percent, whichever is the greater, by motion of Council. Any annual fee increases greater than this amount will require an amendment of this bylaw.

## **12.0 TIME LIMIT**

- 12.1 A person holding Provisional membership:
  - 12.1.1 with a degree referred to in Section 6.1.1 shall obtain Full Member status within five (5) years of obtaining Provisional membership; or
  - 12.1.2 with a related or unrelated degree referred to in Section 6.1.2 or 6.1.3 shall obtain Full Member status within seven (7) years of obtaining Provisional membership.
- 12.2 A person who is a Provisional member shall be required to apply for Full Member status following completion of the membership requirements and within the applicable time limits or will be stricken from the membership roll.
  - 12.2.1 Notwithstanding Section 12.2, any person who was a Provisional member and was stricken from the membership roll because Full Member status was not achieved within the applicable time limits shall still be allowed to write the exam at any time and upon successful completion of the membership requirements, become a Full Member.
- 12.3 A Provisional member who for a period of two (2) or more successive years fails to be engaged in responsible professional planning experience may cease to hold membership at the discretion of the Registration Committee.
- 12.4 A Student member ceases to hold Student membership one (1) year after ceasing to be enrolled full time in a planning program recognized by the National Membership Committee and the Universities Co-ordinating Council.
- 12.5 The Registration Committee may grant to a Member or a Provisional member a leave of absence from membership under circumstances as may be determined from time to time by resolution of the Registration Committee and the resolution shall specify the dates of the leave of absence and the rights and the responsibilities which shall be retained by the Member or Provisional member during the leave of absence.

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**13.0 THE COUNCIL AND OFFICERS**

13.1 Until the close of the Annual Meeting in 2002 and each succeeding second year, the Council of the Association shall consist of 11 persons, including officers, and shall be elected in accordance with this Bylaw. In 2003 and each succeeding second year, the Council of the Association shall consist of 10 persons, and shall be elected in accordance with this Bylaw. Ten (10) of the Council members shall be from the Association membership, at least five (5) of these shall be Full Members, the remainder may be from any class of Corporate membership of the Association (with the exception of a Non-resident member) and shall include not more than one (1) Student member. The eleventh Council Member shall be a public member appointed by the Government of Alberta to a two (2) year term.

13.1.1 Notwithstanding Section 13.1 where a Council Member and a Past President are the same person, Council shall consist of ten (10) persons.

13.2 The Officers of the Association are:

13.2.1 President

13.2.2 President Elect

13.2.3 Secretary

13.2.4 Treasurer, and

13.2.5 Past President, who may be the same person as the President.

13.3 The Officers shall be elected or appointed in the following manner:

13.3.1 The President Elect shall be elected by the total corporate membership, excluding Student members.

13.3.2 The Secretary and Treasurer shall be elected by Council from among its members, and

13.3.3 The Past President shall be the retiring President where the retiring President is not appointed to the office of President pursuant to Section 17.1 or is not elected to the office of President Elect or as a Councillor.

13.4 Beginning with the close of the Annual General Meeting in 2003, the AACIP Representative of the National Council shall be the Past President, who shall hold that office for two years. Until that time,

the AACIP representative of the National Council shall be appointed from Council by Council.

13.5 The term of office of Councillors, including officers, shall be:

13.5.1 The term of office of the President Elect shall be from the close of the Annual General Meeting at which the President Elect takes office until the close of the next Annual General Meeting. Beginning in 2002, the election for this office will be held every two years for a one year term.

13.5.2 After serving in the office of President Elect, the President Elect will then assume the office of the President whose term of office will be from the close of the Annual General Meeting at which the President takes office until the close of the next Annual General Meeting or until their successor has been duly elected to office if the election takes place after the close of the Annual General Meeting. Beginning with the close of the Annual General Meeting in 2003, the office of President will continue for two years until the close of that second year's Annual General Meeting.

13.5.3 The term of office of all Councillors is from the close of the Annual General Meeting at which their election is determined until the close of the Annual General Meeting the following year, or until their successors have been duly elected to office if the election takes place after the close of the Annual General Meeting. Three (3) members of Council will be elected each year for a two year term, which will begin with the close of the Annual General Meeting in the year in which they are elected and continue for a two year term, or until their successors have been duly elected to office if the election takes place after the close of the Annual General Meeting.

13.5.4 In the event that a President Elect vacates office on or before the date of becoming President, Council may either hold an election for President pursuant to the procedures prescribed in Sections 14 and 15 herewithin or appoint a qualified person to fill the vacancy.

13.6 All Councillors, including officers, will serve their term of office without remuneration except for expenses properly incurred and approved by Council.

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13.7 At its first meeting following the election of a new Council, Council shall appoint a Registrar of the Association whose duties shall be those specified in this Bylaw, in the Alberta Community Planner Regulation, and in the AACIP Policy Manual, each as amended from time to time.

#### **14.0 NOMINATIONS AND BALLOTING**

14.1 At least 150 days prior to the next Annual General Meeting the Council shall appoint a Nominating Committee of at least three (3) persons who shall be Full Members, Fellows or Non-practising members.

14.2 The Nominating Committee shall:

14.2.1 On a biannual basis, beginning in 2002, nominate at least one (1) Full Member for election as President Elect; and

14.2.2 In 2002, nominate at least three (3) qualified people for election to Council, willing to serve for a two year term, and at least three (3) qualified people for election to Council willing to serve for a one year term. Following 2002, the Nominating Committee shall nominate, on an annual basis, at least three (3) qualified people for election to Council, having regard for the qualifications of the continuing members of Council so that, if the candidates are acclaimed, Section 13.1 will be satisfied; and

14.2.3 On an annual basis, nominate at least one (1) Student member for election to Council as the student member on council; and

14.2.4 Ensure that each person nominated for election as a member on Council is nominated for only one (1) position on Council per election.

14.2.5 At least 90 days before the Annual General Meeting submit to the Secretary a written report containing the names of the persons nominated, their qualifications, and certification that each nominee has accepted the nomination.

14.2.6 The Nominating Committee shall appoint a Returning Officer who is not seeking election to Council.

14.3 At least 60 days prior to the Annual General

Meeting the Secretary shall send to all members, except Student members, the report of the Nominating committee along with a description of the procedure for making additional nominations.

14.4 If there are sufficient nominations to require an election for the position of Student member, the secretary shall prepare a ballot for the election of a Student member on Council.

14.4.1 The ballot for election of a Student member shall be sent to all Student members at least 60 days before the Annual General Meeting.

14.5 Any three (3) Full Members, Provisional members, Fellows, Non-practising, or Non-resident members may nominate another qualified person as a candidate for election as President Elect or Councillor.

14.6 A nomination made under Section 14.5 shall:

14.6.1 Be made in writing; and

14.6.2 Shall indicate the nominee's qualifications; and

14.6.3 Shall be signed by the three (3) nominators and the nominee; and

14.6.4 Shall be received by the Secretary not later than 35 days nor earlier than 90 days before the Annual General Meeting.

14.7 The Returning Officer, after the close of nominations as permitted under Section 14.6, shall:

14.7.1 Examine all nominations to ensure that all nominees are qualified to run and the nominators are qualified to nominate.

14.7.2 If there are sufficient nominations to require an election or elections,

14.7.2.1 prepare a ballot for the election of a President Elect if necessary; and

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14.7.2.2 prepare a ballot for the election of members of Council, if necessary, and this ballot shall indicate that those eligible to vote may vote for up to but not more than six (6) members for Council; and

14.7.3 Not less than 25 days before the Annual General meeting send ballots, if required under 14.7.2, for the election of President Elect and/or Council to all Corporate members except Student members.

14.7.4 Accept postal ballots for all positions, including Student member, until, but not after 5:00 P.M. on the afternoon of the fifth day preceding the day set for the Annual General Meeting.

14.7.5 Accept ballots delivered by hand, until but not after one (1) hour prior to the opening of the Annual General Meeting.

14.8 The Ballots shall be in a form determined by Council.

## **15.0 ELECTION PROCEDURES**

15.1 Unless elected by acclamation, the person receiving the most votes for President Elect shall be elected President Elect.

15.2 In any given year, unless vacancies on Council are filled by acclamation, or Section 13.1 is not satisfied by the Councillors in office, the persons receiving the most votes shall be elected as Councillors.

15.3 In any given year, if five (5) councillors, including the President-Elect (when applicable), the President and Past President, are not Full Members of the Association, as required by Section 13.1, the candidates who are Full Members receiving the greatest number of votes shall be elected to satisfy Section 13.1 and the remaining positions shall be filled on the basis of the most votes received.

15.4 Unless elected by acclamation, the person who receives the most votes for Student member on Council is elected Student member on Council.

15.5 At least one day prior to the Annual General Meeting the Council shall appoint two (2) scrutineers,

15.5.1 Who shall be persons holding Corporate membership excluding Student membership, who are not members of Council and are not seeking election to

Council; and who shall count the ballots under the supervision of the Returning Officer commencing no sooner than 24 hours prior to the opening of the Annual General Meeting.

15.5.2 When the scrutineers cannot say that a nominee has been elected because two (2) or more nominees have received an equal number of votes, the scrutineers shall place in a ballot box or in a hat one (1) name for each of the nominees who have so received an equal number of votes and the nominee is elected whose ballot is withdrawn from the ballot box or hat by the Secretary who shall draw the necessary number of names, sight unseen.

15.5.3 The scrutineers shall report the results of the count to the presiding officer of the Annual General Meeting who shall announce to the meeting the names of the Councillors elected.

## **16.0 DUTIES OF COUNCIL**

16.1 With the exception of President Elect, President and Past President, the Officers of the Association for the ensuing term of office shall be elected by Council from amongst the Full members on Council, at the first meeting following the annual election.

16.2 The Council shall manage the affairs of the Association in accordance with the Bylaws.

16.3 The Council shall meet:

16.3.1 At the call of the President at least three (3) times during its term of office,

16.3.2 At the call of the Secretary if three (3) members of the council make written request to the Secretary for such a meeting.

16.4 Not less than ten (10) days before each meeting of the Council, the Secretary shall send to each member of the Council a notice of the meeting together with the agenda of the business to be transacted at the meeting.

16.5 Four (4) members of the Council including at least one (1) Officer of the Association constitute a quorum.

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- 16.6 In the absence from a meeting of the President and the President Elect, the Council may elect one (1) of its members to be acting Chairman to preside at the meeting.
- 16.7 In voting:
- 16.7.1 Unless otherwise prescribed in this Bylaw, the Council shall be bound by the vote of the majority of the members of the Council who are present and vote.
- 16.7.2 Each member of the Council has one (1) vote on any question and in the event of a tie vote the presiding officer shall cast an additional vote to decide the question.
- 16.7.3 The Council may determine votes at its meeting by a show of hands.
- 16.7.4 A member of the Council who is unable to attend a meeting of the Council may write to the Secretary setting forth views on any matter on the agenda for the meeting and the Secretary shall lay this correspondence before the Council at the meeting.
- 18.3.1 Present the business for meetings of the Council and for General Meetings of the Association.
- 18.3.2 Keep a record of all documents of incorporation and all bylaws and the proceedings of meetings of the Council and of General Meetings of the Association.
- 18.3.3 Attend to and keep records of the correspondence of the Association.
- 18.3.4 Maintain a register containing the names and business addresses of all persons who hold membership in the Association.
- 18.3.5 Prepare for presentation to the Annual General Meeting a report of the affairs of the Association and the activities of the Council and committees for the preceding year and submit on behalf of the Registrar this report to the Registrar of the Professional and Occupational Associations Registration Act (POARA) in the Province of Alberta.

### **17.0 VACANCIES ON COUNCIL**

- 17.1 The Council shall appoint a qualified person to fill any vacancy of the Council for the remainder of the term of office.
- 17.2 Notwithstanding Section 17.1 upon resignation of the President, the President Elect shall become President and if the President Elect refuses, or if the resignation occurs in a year when a President Elect is not a member of Council, then Section 17.1 shall apply.
- 18.3.6 Prepare for presentation to the Annual General Meeting of the Canadian Institute of Planners, a report of the previous year's work of the Association.
- 18.3.7 File annually with the Registrar of POARA a list of business addresses and other returns as may be required under POARA.
- 18.3.8 Carry out the procedures for election of a new Council as provided for in Section 14 of these Bylaws.

### **18.0 DUTIES OF OFFICERS**

- 18.1 Every officer shall perform the duties and discharge the responsibilities set forth in this Bylaw.
- 18.2 The President, or in the President's absence, the President Elect or in years where there is no President Elect, a member of Council elected by the remaining Council members, without restricting the generality of Section 18.2 shall:
- 18.2.1 Preside at meetings of Council, and
- 18.2.2 Preside at General Meetings of the Association, and
- 18.2.3 Be ex-officio a member of all Committees.
- 18.3 The Secretary, without restricting the generality of Section 18.3, shall:
- 18.3.9 Perform other duties as may be assigned from time to time by Council, and may assign any of the above duties with the approval of Council to any other members of Council or to the Registrar appointed by Council.
- 18.4 The Treasurer, without restricting the generality of Section 18.4 shall:
- 18.4.1 Fulfil the Association's responsibilities pursuant to the Affiliate Agreement with the Institute, particularly with respect to fee transfers and notification of changes in the Association's roster.

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- 18.4.2 Receive fees and other moneys due to the Association and accept in the name of the Association any gifts, endowments or bequests made to the Association.
- 18.4.3 Deposit in the name of the Association all moneys of the Association in an account or accounts in such bank as the Council, from time to time, may determine.
- 18.4.4 Disburse the funds of the Association under the direction of the Council.
- 18.4.5 Keep a record satisfactory to the Council, of all receipts and disbursements.
- 18.4.6 Have prepared by a professional chartered accountant appointed by Council, a statement of the financial affairs of the Association for the preceding financial year, including all general and special accounts, for presentation to the membership at the Annual General Meeting and to the registrar of the Professional and Occupational Associations Registration Act (POARA).
- 18.4.7 Provide the Secretary, not less than five (5) days prior to the Annual General Meeting, with a statement in the form of a balance sheet which shall be audited and signed by the two (2) members of Council responsible for auditing and shall contain general particulars of the assets, liabilities, revenues and expenditures of the Association.
- 18.4.8 Perform such other duties as may be assigned from time to time by Council, and may assign any one of the above duties with the approval of Council and under the supervision of the Treasurer to any member of Council or to the Registrar or to a person employed or contracted by the Council to assist the Treasurer with bookkeeping duties.
- 20.1 The Association hereby adopts the Code of Professional Conduct for the membership attached as Appendix "B" to this Bylaw.
- 20.2 There is hereby established the Practice Review Committee consisting of
- 20.2.1 one (1) Full Member of the Council, and
- 20.2.2 at least three (3) other Full Members who are not members of the Council, one (1) of whom shall be appointed as chairman.
- 20.3 The Practice Review Committee shall be appointed by the Council annually.
- 20.3.1 The Practice Review Committee shall meet at the call of the chairman.
- 20.3.2 A quorum at a meeting of the Practice Review Committee is three (3) members.
- 20.3.3 The Practice Review Committee may on its own initiative, with the approval of Council and shall at the request of Council, conduct a review of the practice of any member related to unskilled practice of the profession or professional misconduct pursuant to Part 3 of the Professional and Occupational Associations Registration Act.
- 20.3.4 The Practice Review Committee shall give reasonable notice to a member of its intention to conduct a review of the practice of that member.
- 20.3.5 After each inquiry or review under Section 20.3.3, the Practice Review Committee:
- 20.3.5.1 shall make a written report to Council on the inquiry or review and, where appropriate, on its decision,
- 20.3.5.2 may make recommendations, together with reasons, to Council regarding the matter inquired into or reviewed,
- 20.3.5.3 may make recommendations to a member as to that member's conduct in the practice of planning, and

## **19.0 INABILITY TO PERFORM DUTIES**

- 19.1 Notwithstanding any other provisions of these Bylaws, when an Officer, including the President or President Elect, is, in the opinion of the Council, unable to perform the Officer's duties the Council may meet and may appoint another member of the Council to assume the duties until the officer is able to perform his duties or until the next Annual General Meeting, whichever first occurs.

## **20.0 PROFESSIONAL CONDUCT**

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20.3.5.4 shall if it is of the opinion that the conduct of a member constitutes or may constitute either unskilled practice of the profession or professional misconduct pursuant to Part 3 of the Professional and Occupational Associations Registration Act, forthwith refer the matter relating to that conduct to the Chairman of the Discipline Committee to be dealt with as if it were a complaint.

20.3.6 The Practice Review Committee may at any time during an inquiry or review under Section 20.3.3 refer any matter to the Chairman of the Discipline Committee to be dealt with and in such case the Discipline Committee shall deal with it as if it were a complaint.

20.4 There is hereby established the Discipline Committee consisting of not fewer than three (3) and not more than five (5) Full Members none of whom shall be members of the Council, and one (1) of whom shall be appointed as chairman.

20.5 The members of the Discipline Committee shall be appointed by the Council annually.

20.6 The Discipline Committee shall meet as required.

20.7 A quorum at a meeting of the Discipline Committee shall be a majority of the members of the Committee.

20.8 A complaint made to the Discipline Committee shall be in writing and sent to the official address of the Association marked to the attention of the Discipline Committee and shall be signed by the complainant.

20.9 A Discipline Hearing shall be conducted pursuant to the proceedings outlined in Part 3 of the Professional and Occupational Associations Registration Act attached to the Bylaw as Appendix "D".

20.10 The Discipline Committee, with respect to hearings before it and the Council with respect to reviews by it is empowered to assess costs or carry out any function contained in the Alberta Community Planner Regulation.

## **21.0 COMMITTEES**

21.1 Council shall appoint annually the following standing committees:

21.1.1 The Registration Committee consisting of

at least three (3) Full Members of the Association, of whom one (1) shall be a member of Council; and

21.1.2 The Discipline Committee consisting of not less than three (3) nor more than five (5) Full Members, none of whom shall be a member of Council; and

21.1.3 The Practice Review Committee consisting of at least four (4) Full Members of the Association, one (1) of whom shall be a member of Council.

21.2 Council, as it deems necessary from time to time to enable it to conduct the business of the Association, may appoint any standing or ad-hoc committee consisting of members of Council, other persons holding membership or any other person whom the Council deems suitable for the purpose.

21.3 When a vacancy occurs on any Committee appointed by Council, it may appoint a qualified person to fill the vacancy.

## **22.0 EMPLOYEES**

22.1 The Council, from time to time, may employ such persons as it may deem necessary to carry out such duties as the Association may require.

## **23.0 FISCAL YEAR**

23.1 The fiscal year of the Association is from January 1 of each calendar year to December 31 of the same calendar year.

## **24.0 SIGNING OFFICERS**

24.1 For all banking transactions conducted in the name of the Association, the Treasurer, the President and one (1) other member of Council shall be appointed by Council to be authorized signing officers.

24.2 All banking transactions conducted in the name of the Association shall be authorized and signed by the Treasurer and one (1) other authorized signing officer.

24.3 Notwithstanding Sections 24.1 and 24.2, where a special account is established by Council to facilitate a function of the Association approved by Council, the account shall be named by Council and two (2) signing officers shall be designated for that account by Council, one (1) of whom shall be the Treasurer.

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24.4 Banking transactions shall not include borrowing in that, under these bylaws, the Association has no power in this respect.

### **25.0 HEAD OFFICE**

The Head Office of the Association is in the Municipality of residence of the Secretary for the duration of the Secretary's term of office or at any other location deemed acceptable by Council.

### **26.0 SEAL OF ASSOCIATION**

26.1 The Corporate Seal of the Association shall remain at all time in the custody of the Secretary who shall certify all documents required to be certified under the seal.

### **27.0 GENERAL MEETINGS**

27.1 The Annual General Meeting of the Association shall be held each year not more than 13 months following the previous Annual General Meeting.

27.2 The President shall call a Special General Meeting of the Association at the request of Council.

27.3 The Secretary shall send, at least 21 days prior to the Annual General Meeting, or a Special General Meeting, written notice of the time and place of such General Meeting to all persons holding membership.

27.4 At a General Meeting, 25 persons or 25 percent whichever is the lesser, of the persons qualified to vote at the time of the meeting shall constitute a quorum.

27.5 Each person who holds a Corporate class of membership other than Student membership is entitled to one (1) vote at a General Meeting.

27.6 Questions put to a General Meeting shall be decided by a majority of those voting unless otherwise directed in this Bylaw.

27.7 Votes at a General Meeting shall be determined by a show of hands unless a recorded ballot is requested by a majority of those voting.

27.8 In the event of a tie vote at a General Meeting the presiding officer shall cast an additional vote to decide the question.

### **28.0 EXTRAORDINARY RESOLUTION**

28.1 Questions required by these Bylaws to be passed by Extraordinary Resolution shall be

passed by a majority of not less than three-fourths of such members entitled to vote as are present in person, and vote, at a General Meeting of which 21 days written notice specifying the intention to propose the resolution as an extraordinary resolution has been duly given.

### **29.0 AMENDMENT OF BYLAW**

29.1 The Council, or any five (5) corporate members of the Association, may propose an amendment to this Bylaw.

29.2 Any proposed amendment approved by Council shall be sent by the Secretary to each member qualified to vote, in the form of the text of the proposed amendment and an explanation therein, together with a notice of the General Meeting at which the proposed amendment is to be considered.

29.3 The proposed amendment may be voted on only in person by Corporate Members, with the exception of Student members, at the General Meeting and may be passed only by an extraordinary resolution under Section 28.

29.4 Notwithstanding Sections 29.1, 29.2 and 29.3, Council may authorize that a Bylaw Amendment be determined by a postal ballot in accordance with the following procedures:

29.4.1 Council shall appoint a Returning Officer from amongst the membership who shall supervise the voting.

29.4.2 Council shall appoint two (2) or more scrutineers as deemed appropriate to assist the Returning Officer.

29.4.3 The ballot in a form determined by Council shall consist of the question to be decided together with an explanatory note as to the intent of the question and shall indicate the final date for returning the ballot to the Returning Officer.

29.4.4 A ballot shall be mailed by first class mail to each Corporate member, with the exception of Student members.

29.4.5 Ballots shall be accepted by the Returning Officer at the Association's head office address until 17:00 hours local time on the 30th day from the date of the mailing of the ballot.

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29.4.6 The scrutineers shall tabulate the vote under the supervision of the Returning Officer who shall report the results of the vote to Council.

29.4.7 The Returning Officer shall destroy all ballots on the instruction of Council.

29.4.8 The Bylaw Amendment must be passed by a simple majority of not less than fifty percent (50%) plus one of the ballots received.

29.5 If any Bylaw Amendment is passed, it shall be forwarded to the Registrar of POARA.

**30.0 REVOCATION OF PREVIOUS BYLAW  
AND ENACTMENT OF THIS BYLAW**

30.1 Upon approval of this Bylaw Number 1/90 by the members, Bylaw Number 2 (1988) of the Alberta Association, Canadian Institute of Planners is hereby revoked.

30.2 This Bylaw shall come into effect upon approval by the members.

END OF SECTION

**APPENDICES** – follow

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**APPENDIX "A" - LOG BOOK**

ALBERTA ASSOCIATION, CANADIAN INSTITUTE OF PLANNERS  
Record of Responsible Professional Planning Experience

<b>Instructions to Provisional Member:</b> For each position held, a separate record <b>should</b> be submitted every six months. Complete all sections of this record.
<b>Applicant Details:</b> Name of Provisional Member: _____ Ph: _____ Experience During Period From: _____ To: _____ Title of Position Held During Period: _____ Name of Organization or Firm: _____ Name of Supervisor or Responsible Superior: _____ Ph: _____ Name of Sponsoring CIP Member: _____ Ph: _____ <b>Please attach an accurate and complete description of the work which you have personally done, indicating your specific degree of responsibility for work which was carried out jointly with others, and indicating how this work satisfies the definition of "responsible professional planning experience". Please note that the sponsoring member should initial all attachments.</b> Define the type of planning experience that the description of work represents: Scale: _____ Process: _____ Subject Matter: _____ Number of Full Months of Experience Represented by the work described: _____ _____ <i>Signature (Applicant)</i> _____ <i>Date</i> _____
<b>Supervisor or Responsible Superior:</b> <i>As immediate supervisor or directly responsible superior to the candidate, I hereby certify the foregoing as a true record of experience performed under my direction or on my behalf.</i> _____ <i>Signature (Supervisor or Responsible Superior)</i> _____ <i>Date</i> _____
<b>Sponsoring CIP Member Authorization:</b> <i>As a professional colleague to this candidate, I hereby confirm that I am knowledgeable about the planning work and level of responsibility undertaken as described and am satisfied that the foregoing is a fair and accurate representation of responsible professional planning experience as defined in the AACIP bylaws and as set out on the reverse of this form.</i> _____ <i>Signature (Sponsoring CIP Member (MCIP))</i> _____ <i>Date</i> _____
<b>Registration Committee Validation: (Office Use Only)</b> <i>Endorsed and validated by the Registration Committee as _____ months of responsible professional planning experience.</i> _____ <i>Signature (Chair, AACIP Registration Committee)</i> _____ <i>Date</i> _____

**APPENDIX "B" - CODE OF PROFESSIONAL CONDUCT**

- 1.0 A Corporate member shall assist in maintaining the integrity and competence of the planning profession, and specifically:
- 1.1 shall provide independent professional judgement to a client or employer,
  - 1.2 shall only accept employment to perform planning services which the corporate member is competent by education or experience to perform,
  - 1.3 shall not neglect planning services which the Corporate member has agreed to perform, nor render service without research and preparation adequate in the circumstances,
  - 1.4 shall not advertise in self-laudatory language nor in any other manner derogatory to the dignity of the profession,
  - 1.5 shall not maliciously or falsely injure the professional reputation, prospects or practice of another Corporate member,
  - 1.6 shall respect colleagues in their professional capacity, and when evaluating the work of another planner for the same client shall show evidence of objectivity and justice, and be willing to publicly defend the evaluation,
  - 1.7 shall not seek to displace another planner knowing that a firm commitment has been made towards the other's employment,
  - 1.8 shall not undertake to do work for a client if a planner knows, or has reason to believe, that another planner has been retained for the same purpose by the same client. However, a planner may accept such work if the planner is notified in writing by the client that the engagement of the other planner has been terminated and the planner has been paid for work undertaken,
  - 1.9 shall not give compensation in any form to a person or organization to recommend or secure employment, or as a reward for having made a recommendation resulting in employment,
  - 1.10 shall not accept anything of value, or the promise of anything of value, including prospective employment, from any person
- when it could appear that the offer is made for the purpose of influencing the corporate member's actions as an advisor to a public planning agency,
- 1.11 shall not hold out or be permitted to be held out, as being prepared to provide planning services at fees that are less than reasonable and appropriate in the circumstances,
  - 1.12 shall not engage in professional practice in conduct involving dishonesty, fraud, deceit or misrepresentation,
  - 1.13 may offer services to disadvantaged groups in society to ensure that their rights and interests are protected without fee or with minimal fee. This public service shall not jeopardize any other principles outlined in this Code of Professional Conduct.
- 2.0 A Corporate member shall maintain a professional and ethical relationship with a client or employer and specifically:
- 2.1 shall, in matters where the public interest may be adversely affected, firstly inform the employer or client and secondly if necessary inform other affected parties and give public disclosure of the consequences, together with the Corporate member's professional recommendations,
  - 2.2 except with the consent of the client or employer or except as required by law, court or administrative order or subpoena, a Corporate member shall not reveal, use to the Corporate member's own personal advantage or to the advantage of a third person, information gained in the professional relationship or employment that the client or employer has requested to be held inviolate, or the disclosure of which would be likely to be detrimental to the client or employer,
  - 2.3 shall not knowingly engage in anything which may conflict with the Corporate member's professional duties to a client or employer, except with full disclosure by the Corporate member to the client or employer of a possible conflict of interest and duty, and specifically:
    - 2.3.1 shall have no financial interest in the result of the Corporate member's work

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- which has not been disclosed to and received the approval of the Corporate member's client or employer,
- 2.3.2 a salaried employee of a public planning agency shall not give professional planning advice to a private client or employer within the area of jurisdiction of the public agency, or otherwise engage in any outside professional activities which may lead to a conflict of interest without the prior written authorization of the agency,
- 2.3.3 a consultant to a public planning agency shall not within the area of jurisdiction of the agency during the period of the contract with the agency, give professional planning advice to others related to the contracted work without prior written authorization of the agency,
- 2.3.4 a salaried employee of, or consultant to, any public planning agency shall not directly or indirectly advise the agency on the granting or refusal of an application which the Corporate member has submitted on the Corporate member's own behalf to the agency; however, the Corporate member may appear to present the application.
- 3.0 The Corporate member shall endeavour to practice good employee relations and specifically:
- 3.1 so far as is compatible with the Corporate member's responsibilities shall give employees every opportunity of access to such work as will allow them to develop their full potential,
- 3.2 shall endeavour to give staff every opportunity for advancement, study and achievement,
- 3.3 shall recognize a special obligation to Students and junior members and, so far as it is possible, give them the benefit of the member's time and knowledge to further their professional advancement.

**APPENDIX "C" - SCHEDULE OF FEES**

**Alberta Association Canadian Institute of Planners Fee Schedule as of January 1, 2008**

**1. Membership**

	<b>AACIP</b>	<b>CIP</b>	<b>CIP Insurance</b>	<b>Total</b>
Full	\$175.85	\$178.40	\$57.75	\$412.00
Provisional	\$175.85	\$178.40	\$57.75	\$412.00
Fellow	\$0	\$178.40	\$57.75	\$412.00
Non Practicing	\$38.65	\$69.60	\$57.75 (optional)	\$166.00
Non Resident	\$174.00	N/A	N/A	\$174.00
Student	\$31.40	\$20.60	\$ 52.00	
Associates	\$115.00	N/A	N/A	\$115.00

**2. Membership Applications**

Student	no fee
Provisional	\$150.00

**3. Examinations**

Written Exam or Portfolio Submission	\$150.00
Professional Practitioner Course & Exam	\$425.00
Oral Exam	\$150.00

**4. Consultant Directory**

All listings with member(s) only	\$150.00
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**5. Job Postings/Event Postings**

Member Rate	\$500.00
\$100 for each additional job submitted and posted at the same time as the initial Member Rate posting	
Non Member Rate	\$750.00
\$250.00 for each additional job submitted and posted at the same time as the initial Non Member Rate posting	

**6. University Degree Recognition**

	<b>AACIP</b>	<b>CIP</b>
Annual Accreditation Application Fee	nil	nil

## APPENDIX "D" – DISCIPLINE HEARING

# PROFESSIONAL AND OCCUPATIONAL ASSOCIATIONS REGISTRATION ACT

Part 3  
Complaint Proceedings

Conduct

19 Any conduct of a member of a registered association that in the opinion of a Discipline Committee or of a governing body reviewing an order pursuant to section 35

- (a) is detrimental to the best interests of the public,
- (b) harms or tends to harm the standing of the profession or occupation generally, or
- (c) displays a lack of knowledge of or a lack of skill or judgment in the practice of the profession or occupation,

whether or not that conduct is disgraceful or dishonourable, constitutes either professional or occupational misconduct or unskilled practice of the profession or occupation, whichever the Discipline Committee or the governing body finds.

1985 cP-18.5 s19

Making a complaint

20**(1)** A person who has a complaint that the conduct of a member of a registered association constitutes

- (a) unskilled practice of the profession or occupation, or
- (b) professional or occupational misconduct,

may submit a signed, written complaint to the chair.

**(2)** Proceedings on a complaint with respect to a member of a registered association whose registration was cancelled or suspended pursuant to this Act may, notwithstanding the cancellation or suspension, be commenced within one year following the date of cancellation or suspension as if the cancellation or suspension had not occurred.

1985 cP-18.5 s20

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Notice of complaint

**21(1)** On receiving a complaint under section 20, the chair shall serve notice of the complaint on the member of the registered association named in the complaint.

**(2)** The notice shall include a request for a written response to the complaint in accordance with the regulations.

**(3)** Within 30 days after service of the notice under subsection (1), the chair shall direct

(a) that no further action be taken, if the chair is satisfied that the complaint is frivolous or vexatious, or

(b) that a hearing be held before a Discipline Committee not more than 60 days after receipt of the complaint, or within any longer period on which the chair and the member agree, to consider the complaint.

1985 cP-18.5 s21

Notice of direction

**22(1)** The chair shall serve the investigated person and the complainant with notice of any direction made under section 21(3).

**(2)** A complainant who is served with a notice informing the complainant that a direction under section 21(3)(a) has been made may, within 30 days after receipt of the notice, appeal that decision to the governing body of the registered association by a signed written notice served on the president of the registered association.

**(3)** On an appeal under subsection (2), the governing body shall at its next scheduled meeting determine whether

(a) the complaint is frivolous or vexatious, or

(b) the complaint should be referred to the Discipline Committee for a hearing in accordance with this Act and, if so, the time limits, if any, within which the hearing must be held, and shall serve its written decision on the complainant, the investigated person and the chair.

1985 cP-18.5 s22

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Notice of hearing

23 If a hearing is to be held pursuant to section 21(3)(b) or 22(3)(b), the chair shall, at least 30 days before the hearing, serve on the investigated person and the complainant a notice stating the date, time and place at which the Discipline Committee will hold the hearing.

1985 cP-18.5 s23

Adjournment

24 A Discipline Committee may adjourn a hearing from time to time.

1985 cP-18.5 s24

Suspension

25 Notwithstanding anything in this Act, a Discipline Committee may suspend the registration of an investigated person pending its decision on the complaint.

1985 cP-18.5 s25

Counsel

26 The investigated person may make oral representations and be represented at a hearing by an agent or counsel.

1985 cP-18.5 s26

Private proceedings

27 All proceedings before a Discipline Committee and the governing body with respect to complaints may be held in camera.

1985 cP-18.5 s27

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Evidence

**28(1)** Evidence may be given before a Discipline Committee in any manner that the Committee considers appropriate, and the Committee is not bound by the rules of law respecting evidence applicable to judicial proceedings.

**(2)** For the purposes of a hearing under this Act, any member of the governing body or a Discipline Committee has the power of a commissioner for oaths under the *Commissioners for Oaths Act*.

1985 cP-18.5 s28

Witness

**29(1)** The investigated person and any other registered member of the association who in the opinion of a Discipline Committee has knowledge of the subject-matter of a hearing are compellable witnesses in a hearing under this Part.

**(2)** A witness referred to in subsection (1) may be examined under oath on all matters relevant to the investigation and shall not be excused from answering any question on the ground that the answer might

- (a) tend to incriminate the witness,
- (b) subject the witness to punishment under this Part, or
- (c) tend to establish the witness's liability
  - (i) to a civil proceeding at the instance of the Crown or of any other person, or
  - (ii) to prosecution under any Act or regulations under any Act,

but if the answer so given tends to incriminate the witness, subjects the witness to punishment or establishes the witness's liability, it shall not be used or received against the witness in any civil proceedings, in a prosecution under Part 4 or in any proceedings under any other Act, except in a prosecution for or proceedings in respect of perjury or the giving of contradictory evidence.

**(3)** For the purpose of obtaining the testimony of a witness who is out of Alberta, a judge of the Court of Queen's Bench on an application made ex parte by the registered association may direct the issuing of a commission for the obtaining of the evidence of the witness, and the commission shall be issued and the evidence taken pursuant to the *Alberta Rules of Court*.

1985 cP-18.5 s29

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Witness attendance, production

**30(1)** The attendance of witnesses referred to in section 29(1) before a Discipline Committee and the production of reports, books, papers and other documents, materials or records that are relevant to the investigation may be enforced by a notice issued by the chair requiring the witness to attend and stating the date, time and place at which the witness is to attend and the reports, books, papers and other documents, materials or records, if any, that the witness is required to produce.

**(2)** On the written request of the investigated person or of that person's counsel or agent, the chair shall without charge issue and deliver to that person or that person's counsel or agent any notices that may be required under subsection (1).

**(3)** A witness, other than the investigated person, who has been served with a notice under subsection (1) or (2) is entitled to be paid the same fees as are payable to a witness in an action in the Court of Queen's Bench.

1985 cP-18.5 s30

Failure to attend or give evidence

**31(1)** Proceedings for civil contempt of court may be brought against a witness

(a) who fails

(i) to attend before the Discipline Committee in compliance with a notice to attend, or

(ii) to produce anything referred to in section 30(1) in compliance with a notice to produce it,

or

(b) who refuses to be sworn or to answer any question directed to be answered by the Discipline Committee.

**(2)** If the witness referred to in subsection (1) is the investigated person, the witness's failure or refusal may be held to be professional or occupational misconduct as determined by the Discipline Committee.

1985 cP-18.5 s31

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Hearing in absence of investigated person

32 A Discipline Committee, on proof of service of the notice of hearing on the investigated person, may

- (a) proceed with the hearing in the absence of the investigated person, and
- (b) act, decide or report on the matter being heard in the same way as though the investigated person were in attendance.

1985 cP-18.5 s32

Order

33**(1)** If a Discipline Committee is satisfied that a complaint against the investigated person of professional or occupational misconduct or unskilled practice of the profession or occupation has been proved in whole or in part, it may, by order, do any one or more of the following:

- (a) direct the suspension of the registration of the investigated person for a stated period with or without conditions, including completion of a specified course of studies or obtaining supervised practical experience;
- (b) direct the cancellation of the investigated person's registration;
- (c) require the investigated person to complete the training prescribed by the Discipline Committee at the times and in the manner specified in the order.

**(2)** A Discipline Committee shall

- (a) serve any order it makes, together with written reasons for making the order, on the investigated person, and
- (b) inform the complainant in writing of the nature of the order.

End of Document