



HANDBOOK

For Candidates Applying to Become
Newfoundland Land Surveyors
Pursuant to the Labour Mobility provisions
Under the Agreement on Internal Trade

Containing rules, regulations and guidelines

**PREPARED BY THE BOARD OF EXAMINERS OF THE
ASSOCIATION OF NEWFOUNDLAND LAND SURVEYORS
REVIEWED BY COUNCIL**

(September 2011)

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General Information

Under direction of the Premiers, governments across Canada have been working with regulators to strengthen the labour mobility provisions of the Agreement on Internal Trade (AIT).

On December 5th, 2008, Trade Ministers met and approved the legal text of an amended Chapter 7 on Labour Mobility, as recommend by Labour Market Ministers. With the formal signing off, the amended text came into force on April 1, 2009.

Under the amended AIT, any worker certified for an occupation shall, upon application, be certified for that occupation by each other Party which regulates that occupation without any requirement for any material additional training, experience, examinations or assessments as part of that certification process.

The Association of Newfoundland Land Surveyors has determined that land surveyors who are licensed in a Canadian province or licensed as a Canada Lands Surveyor will only be required to complete one jurisdictional examination to be eligible for a land surveyor's licence in the province of Newfoundland and Labrador.

Making Application

A land surveyor licensed in a Canadian province or a licensed Canada Lands Surveyor (the candidate) who wishes to be licensed as a Newfoundland Land Surveyor (NLS) must complete the application form (attached) and arrange to have the home association provide a "good standing" letter directly to the Association of Newfoundland Land Surveyors. The candidate must hold a license that is not encumbered or restricted in any way within the home association.

Once the Association of Newfoundland Land Surveyors has received the appropriate fees, the application form, the "certificate of conduct", and the "good standing" letter from the home association, the candidate is eligible to write the jurisdictional examination. The jurisdictional examination shall be offered within thirty business days of The Association of Newfoundland Land Surveyors receiving and approving the required documentation, as noted above.

Writing the Jurisdictional Examination

Candidates will be examined on their knowledge and comprehension of the Newfoundland & Labrador legal systems and statute law as it applies to surveying in Newfoundland and Labrador. The jurisdictional examination will include practical questions on survey requirements, legalities, problems, and possibilities likely to be encountered in surveys of land in Newfoundland and Labrador. Particular emphasis will be placed on the evaluation of survey evidence as it relates to the practice of land surveying in Newfoundland and Labrador.

The Jurisdictional Examination is a closed-book exam and shall last no longer than half-a-day.

The price to write the Jurisdictional Examination is **\$150.00** plus HST.

Syllabus and Reading List

Candidates will be expected to demonstrate a thorough knowledge of the surveying profession in Newfoundland and Labrador which may include:

1. Scope of the surveying profession;
2. Ethical basis of the profession;
3. Current affairs of Newfoundland Land Surveyors;
4. Current Bylaws, Regulations & Policies governing standards of practice;
5. Crown Titles Regulation for survey returns;
6. Interrelationships between member associations and other land related disciplines in the field of Geomatics;
7. Structure of Crown Lands Administration. Knowledge of the application process for all types of land tenure, the separate regions, terminology, etc.

Suggested Reading: Textbooks & Printed Material:

1. Land surveyors Act 1991.
2. Bylaws of the Association of Newfoundland Land Surveyors.
3. Crown Titles Regulations for Survey Returns.
4. PSC Newsletters – review three years from current date.
5. Regulations & Policies adopted by the Association of Newfoundland Land Surveyors.
6. Association of Newfoundland Land Surveyors Newsletters.
7. Association of Newfoundland Surveyors Manual of Practice.
8. Crown Lands Administration. www.env.gov.nl.ca/env/lands/index.html

Note: For all material related to the Association, visit www.surveyors.nf.ca

Reference Books:

1. Survey Law in Canada – Chapter 11, The Surveying Profession, Allred, G.K. (Carswell 1989).

Statute Law

Candidates will be examined on legislation governing land tenure within the province of Newfoundland & Labrador. Knowledge of our Deeds Registry System, Crown Titles System, Mineral Lands Claim Registry System and Registration of Letters of Probate is vital. The candidate will be expected to understand the principle workings of each, including the physical location of each and the governing Department. Candidates will be questioned on survey requirements, legalities, problems and possibilities of a practical nature likely to be encountered in surveys of land in Newfoundland and Labrador. Emphasis will be placed on situations requiring some degree of discretion and professional judgment.

The province of Newfoundland & Labrador is unique in its method of dealing with land tenure. The basis of a majority of land ownership is adverse possession. The Government of Newfoundland & Labrador

over the years has struggled with issues related to land ownership and developed statutes to address problems surrounding land claims.

In addition to adverse claimants, there exist a Land Titles System (administered by the Department of Government Services & Lands) and a Minerals Registry System (permits issued for mineral exploration and extraction/mining).

List of provincial statutes recommended for studying:

(Can be viewed @ <http://assembly.nl.ca/legislation/sr/titleindex.htm#L>)

1. Limitations Act (1996)
2. Lands Act amend (1991)
3. Condominium Act
4. Quieting of Titles Act
5. Aquaculture Act & Regulations for Legal Surveys
6. Undeveloped Mineral Areas Act
7. Urban & Rural Planning Act
8. Works Services & Transportation Act
9. Conveyancing Act
10. Evacuated Communities Act
11. Expropriation Act
12. Fraudulent Conveyances Act
13. Forestry Act
14. Labrador Lands Reservation Act
15. Labrador Act
16. Leaseholds in St. John's Act
17. Mining Act
18. Newfoundland & Labrador Act
19. Oath's Act
20. Public Utilities Acquisition Act
21. Registration of Deeds Act
22. Wills Act
23. Municipalities Act
24. Quarry's Act

Jurisdictional Examination Results

Candidates must receive a mark of 70% or higher in order to pass the Jurisdictional Examination.

The Association shall attempt to provide the results of the Jurisdictional Examination within ten business days of the exam being written.

If the candidate passes the Jurisdictional Examination, then the candidate is eligible to be registered as a Newfoundland Land Surveyor (NLS).

If the candidate does not pass the Jurisdictional Examination he/she may appeal in writing to the Registrar. An appeal fee of **\$100.00** plus HST will apply.

If a candidate does not achieve a pass mark in his or her first attempt at the Jurisdictional Examination, the Association of Newfoundland Land Surveyors may require the candidate to wait a period of time before attempting the written jurisdictional examination again. For the second attempt at the **jurisdictional examination** by an **applicant** the examination will be available within a maximum 30 calendar days after the appeal period for the first attempt expires, or if the right to appeal is waived by the **applicant** within a maximum 30 calendar days of receiving the notice of waiving the right to appeal. The third and subsequent attempts at the **jurisdictional examination** by an **applicant** the examination will be available after a minimum of 90 calendar days or at the next regular sitting of the host association's entrance exams.

If the host association determines that an applicant does not have the required level of jurisdictional knowledge to successfully complete the requirements then experience may be the way to gain that knowledge. The onus is on the applicant to gain the required knowledge by whatever means he or she chooses. The onus is not on the host association to define a period or type of training although the host association may make recommendations.

Registration as a Newfoundland Land Surveyor

Pursuant to the requirements of the Land Surveyors Act, (1991), Regulations and Bylaws pursuant thereto, an individual applying for registration as a Newfoundland Land Surveyor (NLS) must:

- (a) Be at least 18 years of age,
- (b) Be of good character,
- (c) Pay the prescribed fees as per Schedule A,
- (d) Take and subscribe the Oath of Allegiance and Oath of Office as prescribed in The Lands Surveyors Act (Newfoundland & Labrador),
- (e) Provide proof of professional liability insurance coverage.

Correspondence

All inquiries with respect to the procedures relating to the admission of candidates, examinations and other information should be made to:

Registrar

The Association of Newfoundland Land Surveyors
62-64 Pippy Place, Suite 203
St. John's, NL A1B 4H7

Telephone: 709.722.2031
Fax: 709.722.4104
Email: anls@nf.aibn.com



SCHEDULE A - APPLICATION FOR JURISDICTION EXAMINATION

Name: _____

Address: _____

City/Town: _____

Phone: _____ Fax: _____

Email: _____

Do you have any pending, ongoing, or outstanding complaints or disciplinary proceedings that relate to your competence or conduct? (Agreement on Internal Trade, Ninth Protocol of Amendment, Article 706,4,(a): _____

NOTE: The jurisdictional examination may only be written where there is an approved invigilator available. The location of the examination will be the Association’s office.

Preferred Examination Date: _____

Examination Fee: **\$150** plus HST *Please Note: The examination fee is non-refundable.*
Please pay by cash or cheque.

Cheque enclosed: \$ _____ plus HST \$ _____ for a total of \$ _____ (HST # R103573184)

Please return this form with the required fee of \$150.00 (plus HST) and a letter of good standing from the appropriate association in which you have current membership to:

Please return to

**Association of Newfoundland Land Surveyors
62-64 Pippy Place, Suite 203
St. John’s, NL
A1B 4H7**

Fax: 709.722.4104 E-mail: anls@nf.aibn.com

ANLS OFFICE USE ONLY

Jurisdictional Examination Date _____



SCHEDULE B - CERTIFICATE OF CONDUCT

This Certificate of Conduct is to be completed by the Registrar, or designate, of the **Home Association** on behalf of a land surveyor, who has applied to be a land surveyor in a **Host Association** through the Agreement on Internal Trade.

Home Association:			
Host Association:			
Applicant Full Name:			
Commission/ License #:		Date of Issuance:	
Current Status or Standing:			
Does this applicant have any restrictions or conditions of practice imposed on them in the Home Association:			
Name of Individual Completing this Form:			
Title of Individual Completing this Form:			
Signature of Individual Completing this Form:		Date:	

SCHEDULE C - FEES & DUES

Fees are set by the Association of Newfoundland Land Surveyors and are subject to change by ratification at an Annual or Special General Meeting of the ANLS.

Jurisdictional Examination	\$150 plus HST
Appeal Fee	\$100.00 plus HST
NSF Fee	\$100.00

Applicable Dues will also be required for current year as advised by ANLS.

ANLS 2011 schedule of fees can be found under Section 11. Fees and Dues in the 2011 Bylaws <http://www.surveyors.nf.ca/bylaws.pdf>



SCHEDULE D - OATH OF OFFICE FORM

**For Invigilating the AIT Examination for the
Association of Newfoundland Land Surveyors (ANLS)**

This form is to be filled out and returned by the invigilator to the Association of Newfoundland Land Surveyors prior to invigilating the AIT examination.

Acceptance of Appointment

I declare that:

- I will be available until all invigilation has been completed.
- I will not allow any unauthorized person access to the examination room.
- I will not allow any textbooks, reference material, notes, devices, electronic or otherwise to be used during the examination and understand that the examination is to be a “closed book” examination.
- I will maintain the strictest secrecy and confidentiality with regard to any examination content, information or process related to the examination conducted.
- I will not copy, reveal or convey any examination-related material to any party other than the AIT candidate.
- I will not allow any examination material to leave the examination room other than for the purpose of sending the examination paper and answer papers to the ANLS.
- I will not assist any candidate in writing the examination other than to ensuring proper form for the examination is being carried out.
- I will report any breach or attempted breach of examination rules in writing to the ANLS
- I fully understand and accept that, should I not follow the rules under this oath of office for invigilators, I shall be liable to disciplinary action against me. I fully understand that any such actions may lead to discipline, and/or suspension by my home association against me.

Signature of Invigilator

Date

Name: _____

Home Surveying Association: _____

Address: _____

Phone Number: _____

Email: _____



SCHEDULE E - APPEAL FORM

Appeal for the:

Association of Newfoundland Land Surveyors
AIT Jurisdictional Examination

Candidate Number: _____

Date of Last AIT Jurisdictional Examination: _____

Total Number of previous unsuccessful AIT Examinations
in Newfoundland & Labrador: _____

Date of Application: _____

Please enclose Appeal fee of **\$100.00** plus H.S.T.

Please send this form and payment to:

Registrar

The Association of Newfoundland Land Surveyors
62-64 Pippy Place, Suite 203
St. John's, NL A1B 4H7

Telephone: 709.722.2031

Fax: 709.722.4104

Email: anls@nf.aibn.com