

Regulations

These Regulations are made by the Council of Management of the Association of Newfoundland Land Surveyors, pursuant to section 11 of the *Land Surveyors Act, 1991*.

This section has been included to assist anyone seeking specific information about the rules governing the Association of Newfoundland Land Surveyors. More information is available in the Association By-Laws, Association Act, and Association Policy Statements.

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1. Short Title

These regulations may be cited as the *Land Surveyors Regulations, 2013*.

2. Definitions

In these regulations:

- (a) "Act" means the *Land Surveyors Act, 1991*;
- (b) "association" means the Association of Newfoundland Land Surveyors of the Province of Newfoundland continued under section 4;
- (c) "board" means the board of examiners established under section 16;
- (d) "boundary" means the demarcation of the spatial extent of rights or interests in land, water and air;
- (e) "complainant" means a person making a complaint under section 4(1) of these regulations;
- (f) "complaint" means a written document that alleges that a land surveyor or articulated student has been guilty of unskilled practice of land surveying or unprofessional conduct;
- (g) "council" means the council of management of the association;
- (h) "discipline committee" means the discipline committee established under section 41;
- (i) "DCIP" means the Discipline Committee Investigative Panel referred to in section 4(2) ;
- (j) "DCHP" means the Discipline Committee Hearing Panel referred to in section 4(2);
- (k) "investigated person" means a member or articulated student who is the subject of an inquiry or investigation under sections 39 to 61 of the Act;
- (l) "land surveying" means the interpretation of boundary evidence, the spatial measurement, the demarcation and the textual and graphical definitions of either or both boundaries and points on, over or under the earth or a combination or all of those;
- (m) "land surveyor" means a person registered as a land surveyor under the Act;
- (n) "member" means a member of the association registered under subsections 14(1) and (2) of the Act;
- (o) "respondent" means a land surveyor or articulated student against whom a complaint is made;

- (p) "registrar" means the registrar appointed under section 20; and
- (q) "secretary-treasurer" means the secretary-treasurer elected under section 10.

3. General Use of Stamp, Seal and Digital Seal

- 3(1) A stamp or seal issued to a member shall at all times remain the property of the Association.
- 3(2) A stamp or seal shall not be physically located in a manner that would allow its use by other than the member whom it was issued.
- 3(3) A stamp or seal shall be accompanied by the signature of the member to whom it was issued and the date on which it was applied.
- 3(4) A stamp or seal may be applied to the cover page or final page of reports and specifications in a manner which clearly indicates acceptance of professional responsibility for the reports and specifications without being applied to each page.
- 3(5) A stamp or seal shall bear the impression of the name of the land surveyor to whom it is issued and the words "Newfoundland Land Surveyor, province of Newfoundland and Labrador," and shall be applied in a manner that will distinguish the respective document as an original.

4. Discipline

Authority

4(1) Complaints of unskilled practice or unprofessional conduct against a land surveyor or an articulated student shall be in writing and be received by the Secretary Treasurer [s. 39(1) of the Act] of the Association, and may originate from:

- Council of the Association;
- Members of the general public;
- Members of the Association.

Disciplinary Model

4(2) The Discipline Committee will operate with two panels:

(a) The Discipline Committee Investigative Panel (DCIP) shall be responsible to receive complaints/allegations of unprofessional conduct from the

secretary-treasurer, and conduct an investigation to form an opinion whether the complaint / allegation is warranted and whether there is sufficient evidence of unskilled practice or unprofessional conduct or if it should be dismissed. If in the opinion of the DCIP there is sufficient evidence of unskilled practice or unprofessional conduct, the DCIP shall formulate a formal complaint in accordance with these regulations.

(b) The Discipline Committee Hearing Panel (DCHP) shall be responsible to conduct impartial hearings of formal complaints put forth by the DCIP in accordance with these regulations.

The Role of the DCIP

4(3) The Discipline Committee Investigation Panel shall be established consisting of five (5) persons appointed by Council of the Association of Newfoundland Land Surveyors, of whom at least three (3) must be members of the Association, one of whom shall be designated as the chairperson and of whom at least one shall not be a land surveyor or member of the Association.

(a) On a rotational basis, one (1) of the five (5) members appointed, excluding the public member to the DCIP will take a lead investigatory role that will conduct a preliminary investigation of the complaint and will report to the DCIP in the form of a quorum.

(b) The term will be 2 years.

4(4) No member of the Discipline Committee Investigative Panel shall be a member of the Council or of the Discipline Committee Hearing Panel.

Quorum of the DCIP

4(5) Quorum of the Discipline Committee Investigative Panel shall be set at three (3) persons, two (2) of whom shall be members of the Association and one of whom shall not be a land surveyor or member of the Association.

4(6) A decision of the Disciplinary Committee Investigative Panel to forward a complaint to a disciplinary hearing can only be made when a quorum exists.

4(7) Investigative processes such as interviews with the person making allegations against a respondent or with the respondent, may be undertaken without a quorum; however, all information must be reviewed by the DCIP as a whole, or where there is a vacancy, with a quorum of the DCIP.

Scope of the Investigation

4(8) The DCIP shall conduct an investigation into the subject matter of the Complaint. The DCIP may at its discretion, gather evidence of other instances of alleged unskilled practice or unprofessional conduct by the respondent that they become aware of during the course of their investigation. Any such additional information or evidence will be provided to the member.

Interviewing the Respondent

4(9) Where the DCIP is requested by the secretary-treasurer to consider a complaint or is in receipt of a written complaint, the DCIP shall:

- (a) review the complaint;
- (b) appoint a lead investigator;
- (c) investigate the complaint by taking any steps it considers necessary, including summoning before it the member or articulated student whose conduct is the subject of the complaint.

Production of Records

4(10) Every member and every person who keeps any of a member's records or other property shall comply with a demand of a person designated by the DCIP to produce any of the member's records or other property that the person designated by the DCIP reasonably believes are required for the purposes of an investigation pursuant to these regulations.

4(11) Pursuant to Section 52 of the Act, all council, the discipline committee and each member of the council or the discipline committee has the powers that are or may be conferred on a commissioner under the *Public Inquiries Act, 2006*. All members shall comply with any requests of an investigator or the DCIP as outlined in the *Public Inquiries Act, 2006*.

4(12)(1) Where a person believes it is reasonably necessary to the conduct of an investigation, the DCIP, or a person whom the DCIP may authorize for the purpose, may

- (a) at reasonable times enter a premises to view or inspect the premises;
- (b) require the production of records, documents, including documents or records maintained in electronic form, or other things relating to the subject of the inquiry and may examine those records, documents or other things or remove them for the purpose of making copies of them; and

(c) make inquiries of a person on the premises into all matters relating to the subject of the inquiry.

(2) Where a DCIP or a person authorized by the DCIP removes records, documents or other things under paragraph (4)(12)(1)(b), the DCIP or person shall give to the person from whom they were taken a receipt for them and shall immediately make copies of them where possible and return the originals to the person who was given the receipt.

4(13) A copy or extract of a member's records or other property certified by a person mentioned in subsection (10) who made the copy or extract is admissible in evidence in any action, proceeding or prosecution as proof, in the absence of evidence to the contrary, of the original record or property and its contents without proof of the signature or capacity of the person purporting to have signed the record.

Laying the Formal Complaint

4(14) On completion of its investigation, the DCIP shall make a written report:

- (a) to the DCHP recommending that the DCHP hear and determine the formal complaint set out in the written report; or
- (b) to Council, or their designate, stating that no further action be taken with respect to the matter under investigation.

4(15) The formal complaint set out in a written report made pursuant to clause (14)(a) may relate to any matter disclosed in the complaint received pursuant to subsection 2(1) or in the investigation conducted pursuant to subsections 4(8) – 4(12).

4(16) A report signed by a quorum of the DCIP is a decision of that committee.

4(17) The DCIP shall provide, or cause the registrar to provide, a copy of a written report made pursuant to subsection 4 (14) to:

- (a) the DCHP or to Council per subsection (14)(a) or (14)(b);
- (b) the person, if any, who made the initial complaint; and
- (c) the respondent whose conduct is the subject of the complaint.

4(18) The formal complaint must:

- (a) Outline the conduct amounting to unskilled practice or unprofessional conduct.

- (b) Inform the person charged of the charge against him or her, with sufficient particulars to enable the accused to properly prepare a defence.

Notice of Hearing

4(19) Where a report of the DCIP recommends that the DCHP hear and determine a complaint, the registrar shall, at least 30 days prior to the date the DCHP is to sit, serve a notice of hearing to the investigated respondent and complainant in accordance with Section 47(2) of the Act.

Adding or Amending Charges after the Formal Complaint has been Laid

4(20) If, during the course of a hearing, the evidence shows that the respondent whose conduct is the subject of the hearing may be guilty of a charge different from or in addition to any charge specified in the formal complaint, the DCHP shall:

- (a) Notify the respondent of the fact; and
- (b) If the DCHP proposes to amend, add to or substitute the charge in the formal complaint, unless the respondent otherwise consents, adjourn the hearing for any period that the DCHP considers sufficient to give the respondent an opportunity to prepare a defence to the amended formal complaint.

Suspension and other Issues when Criminal Charges are laid against the Accused

4(21) On the application of Council, a judge may direct that a member be suspended pending the disposition of a criminal charge where:

- (a) a criminal charge is laid against the member; and
- (b) the member has applied to the court for a stay of any disciplinary proceedings against the member.

Conduct of the Hearing by the Committee

4(22) The DCHP shall hear the formal complaint and shall decide whether or not the respondent is guilty of unskilled practice or unprofessional conduct. Such hearings shall be conducted in-camera (not public) unless requested otherwise by the investigated person.

4(23) The association shall prosecute or direct the prosecution of the complaint.

Quorum

4(24) The DCHP shall be made up of a minimum of three persons (3), at least two (2) of which shall be members of the Association of Newfoundland Land Surveyors. Members will be appointed for specific terms, which may be renewed. **A Chair for a specific panel hearing a complaint will be appointed for each hearing.**

4(25) Two association members and one lay person shall constitute a quorum of the DCHP.

4(26) All decisions of the DCHP shall be signed by members of the said panel.

4(27) Where an investigation is commenced by the DCIP or a hearing is commenced by the DCHP and the term of office of a member on either of the panels expires before the investigation or hearing is disposed of, the person shall remain a member of the DCIP or the DCHP, as the case may be, for the purpose of completing the investigation or hearing in the same manner as if the member's term of office had not expired.

The Role of Legal Counsel

4(28) The Discipline Committee Investigation Panel and the Discipline Committee Hearing Panel may employ, at the expense of the Association, any legal or other assistance that it considers necessary.

4(29) The respondent whose conduct is the subject of the hearing, at his or her own expense, may be represented by counsel.

Attendance of the Respondent

4(30) Where the respondent whose conduct is the subject of the hearing fails to attend the hearing, the DCHP, on proof of service of the notice to the respondent, may proceed with the hearing in his or her absence.

Role of the Complainant

4(31) The person, if any, who made the complaint pursuant to section 2(1):

- (a) shall be advised by the registrar of the day, time and place of the hearing;
and
- (b) is entitled to attend the hearing, and to be represented by counsel
[Section 50 of the Act].

The Right to a Hearing

4(32) Where a report of the Discipline Committee Investigation Panel recommends that the Discipline Committee Hearing Panel hear and determine a complaint, the DCHP shall hear the complaint and shall decide whether or not the respondent is guilty of unskilled practice or unprofessional conduct.

The Form of the Hearing

4(33) The DCHP shall hold oral hearings, which shall be recorded by electronic audio recording equipment operated by qualified personnel.

Rules of Evidence

4(34) The DCHP may accept any evidence that it considers appropriate and is not strictly bound by rules of law concerning evidence.

Disclosure of Evidence to the Accused

4(35) The DCIP shall disclose all evidence gathered during the investigation to the respondent. The DCHP shall provide the respondent sufficient time to prepare a full answer and a defence to the evidence gathered against him or her.

Calling and Cross Examining Witnesses

4(36) The testimony of witnesses is to be under oath or affirmation administered by any member of the DCHP.

4(37) At a hearing by the DCHP, there is to be full right:

- (a) to examine, cross-examine and re-examine all witnesses; and
- (b) to present evidence in defence and reply.

Witness Statements and Affidavits

4(38) Written testimony of witnesses is permissible if the evidence is considered non-controversial and the statement is signed and witnessed.

Compelling the Respondent to Testify

4(39) A member or articled student whose conduct is the subject of a hearing is competent and compellable to give evidence at the hearing.

Subpoena of Witnesses and Documents

4(40) On the application of a party to a hearing, the DCHP, on payment of the appropriate fees, shall issue subpoena Summons for a person to appear or for a

person to produce documents as provided for in the *Public Inquiries Act, 2006*, and, where a summons is disobeyed, the proceedings and penalties are those applicable in civil cases in court.

Imposing the Penalty: Procedural Fairness

4(41) Within sixty (60) days of the conclusion of the discipline committee hearing, the DCHP shall submit a written decision to the Council containing its findings, recommendations and reasons for its findings and recommendations [**Section 47(3) of the Act**] and to the Respondent, signed by the members of the DCHP.

- (a) The written decision of the DCHP shall have considered all evidence presented before it, which consists of:
 - i. All exhibits;
 - ii. all documents and records;
 - iii. all oral evidence presented at the hearing.
 - iv. A complete record of all evidence presented at a hearing will be maintained by the Discipline Committee, and a written transcript of all testimony given will be provided if required, for example, in the case of an appeal.

4(42) Where the Council receives a report from the DCHP that a member is guilty of unskilled practice or unprofessional conduct, and following Council's determination that the respondent is guilty of unprofessional conduct or unskilled practice of land surveying or both [**Section 53 of the Act**], the registrar shall notify the respondent of the decision and any associated penalty.

4(43) Where the respondent fails to attend the meeting, the Council, on proof of service of the notice mentioned in clause 4(44)(b), may proceed with the meeting in his or her absence.

4(44) At a meeting called pursuant to subsection 4(44)(a), Council may make any one or more orders pursuant to section 53 of the Act.

The Decision and Reasons

4(45) Orders issued pursuant to 4(46) shall be in writing and be:

- (a) delivered to the Respondent,
- (b) delivered to the Complainant, and
- (c) set out the reasons for any decision made by Council.

4(46) The Council or its delegate shall inform a respondent's employer of the order made against the Respondent where that respondent has been found guilty of unskilled practice or unprofessional conduct.

Fines

4(47) A respondent convicted as a result of a discipline proceeding is liable to such disciplinary sanctions as outlined in section 53, section 54 and section 55.

Disciplinary Costs

4(48) Council may collect the total cost or expenses or a reasonable portion of the costs or expenses as outlined in section 54.

4(49) The time period for payment of such expenses mentioned in 4(49)(a) and (b) and or fines levied by Council shall be set by Council at their discretion.

4(50) Council may, after receiving a written request from an investigated person, cause the period of payment for expenses to change to accommodate the financial situation of the said investigated person.

Reinstatement of Disciplined Individual

4(51) A member whose registration has been cancelled as a result of a disciplinary proceeding may apply to Council to be reinstated.

4(52) An application under section 4(55) shall not be made until at least one year after the date on which the registration was cancelled or from the date on which the court makes an order confirming or varying the decision of Council, or the date the Council ruled on a previous application.

4(53) Council may establish a Committee of Inquiry to consider the application for reinstatement and make recommendations to Council.

4(54) In the case of a member whose registration was cancelled, Council may require the former member to demonstrate, by means prescribed by Council, the competency to re-engage in the practice of land surveying.

5. Surcharge on Late Fees and Dues

5(1) Members who have not paid their annual fees and dues by March 31 of each calendar year will be surcharged \$100.00, plus any applicable taxes.

6. New Entrants Admission to the Association of Newfoundland Land Surveyors

6(1) Applicant for admission to the Association must, in addition to any requirements set out in the Act:

- (a) Meet the requirements set out by the Canadian Board of Examiners for Professional Surveyors (CBEPS).
- (b) Obtain a certificate of completion from CBEPS.
- (c) Pay all the applicable fees as outlined in Section 11 of the By-Laws.
- (d) Complete an Application for Articles.
- (e) Provide written confirmation from the sponsoring Newfoundland Land Surveyor stating his/her willingness to supervise.
- (f) Serve a period of articleship as set out by the Board of Examiners , but no less than one year.
- (g) Complete a professional survey project prior to sitting for the exams. The Board of Examiners will review the proposed project and either accept or reject the project with recommendations. The final project returns shall be submitted to the Board of Examiners not less than thirty days prior to the oral exam.
- (h) Upon completion of the Articles, the candidate must write examinations and sit for one oral examination. These exams will cover, but not limited to, the following components:
 - i. Professional Practice
 - ii. Statute Law
 - iii. Practical Applications
- (i) The pass mark of the examinations is set at 70%. After the third attempt to pass any component, the candidate will be required to do additional training as determined by the Board of Examiners.

6(2) Requirements are to be met within five (5) years of the commencement date of the articleship; however, under extenuating circumstances, outside the control of the candidate, the Board of Examiners may make provisions for additional articleship time for the completion of the requirements on a case by case basis.

6(3) All exams are set at the Board of Examiners' discretion or at a minimum of once a year if there are articulated students eligible. The exams will take place at a time and place designated by the board.

7. Responsibility of a Newfoundland Land Surveyor Sponsoring an Articled Student

7(1) The Newfoundland Land Surveyor must:

- (a) Have been previously engaged in the active practice of surveying and held Certificate of Registration for the past two years;
- (b) Be a member in good standing; and,
- (c) Be capable of providing adequate practical experience as stated in the section “Guidelines for the Articling Period” in the Student Manual.

8. Cancellation of Registration or Certificate of Authorization

8(1) Council may direct the Registrar to cancel the registration of:

- (a) A member who is in default of payment of annual fees, a disciplinary finding, costs, expenses or any other fees, dues or levies payable under the Act, the regulations or the bylaws,
- (b) A certificate of authorization for a firm, partnership, association of persons, or corporation that does not have members, employees, partners, shareholders, directors or officers as required by the Act, these Regulations, or the By-laws of the Association,
- (c) A surveyor who does not comply with the business address requirements of the regulations, as per 25(1) of the Act and Code of Ethics 8.1.5 in Regulations
- (d) A member who does not meet the minimum mandatory continuing professional development (MCPD) requirements.

(2) Cancellation of registration is effective upon the expiration of 30 days following the service on the member of a written notice by Council pursuant to subsection (3), unless the member or firm, partnership, association of persons, or corporation on whom the notice is served complies with the notice.

8(3) The notice under subsection (1) shall state that the Registrar may cancel the registration unless, as the case may be,

- (a) The fees, penalties, costs, dues or levies are paid as indicated in the notice, or
- (b) Evidence satisfactory to Council is received by it within the time prescribed in the notice indicating that
 - i. The Newfoundland land surveyor is complying with the residency requirements;
 - ii. The firm, partnership, association of persons or corporation has members, employees, partners, shareholders, directors or officers as required by the Act, these Regulations, or the By-laws of the Association;
 - iii. The surveyor’s partnership meets the requirements in respect of partners whereby 51% of the partnership is formed by practicing land surveyors holding a certificate of authorization.
 - iv. The member has complied with the business address requirements.

- v. The member establishes to the satisfaction of the Registrar that there are extenuating circumstances which may give rise to an exemption.

8(4) Council may direct the Registrar to cancel a registration made in error in the register.

8(5) If the registration of a member is cancelled under this section, the former member shall forthwith surrender to the Registrar any certificate, permit or stamp issued to the former member.

9. Appeal of Registration Denial

9(1) If the decision made by the Registrar is to refuse or defer registration of an applicant, reasons for the decision must be sent in writing to the applicant.

9(2) An applicant whose application for registration has been refused by the Registrar may, within 30 days after receiving a notice of refusal and the reasons for the refusal, request Council to review the application by serving on the Registrar a written request for review by the Board of Examiners setting out the reasons why, in the applicant's opinion, the applicant's registration as a Newfoundland land surveyor should be approved.

9(3) Council shall, after receipt of a request for review under this section, review the application.

9(4) The applicant for registration:

- (a) Shall be notified in writing by Council of the date, place and time that it will review the matter, and
- (b) Is entitled to appear and to make representations to Council when it reviews the matter.

9(5) A member of the Board of Examiners who is also a member of Council may participate at a review by Council under this section but shall not vote in a decision of Council.

9(6) On considering a review under this section, Council may make any decision the Board of Examiners may make under this Section.

10. Code of Ethics

(10)1 A Newfoundland Land Surveyor shall assist in preventing the unauthorized practice of his profession by:

10.1.1 Not signing a Surveyors Real Property Report, Survey Description, Survey Plan, Newfoundland Land Surveyors Report or any other plan of works that was not completed and prepared under his or her personal supervision and for which the Newfoundland Land Surveyor assumes professional responsibility;

10.1.2 Not entering into any agreement or partnership that would enable any unauthorized person or corporate body to practice the profession of Land Surveying directly or indirectly;

10.1.3 Not knowingly and willingly becoming an accessory to a misdemeanor by failing to report any unauthorized practice to Council;

10.1.4 Prohibiting his or her non-professional staff from performing activities that may be interpreted by the public as professional in nature;

10.1.5 Not establishing branch offices unless these offices are under the direction and management of a resident Newfoundland Land Surveyor.

(10)2 A Newfoundland Land Surveyor shall assist in maintaining the integrity and competence of the Land Surveying Profession, and should assist in improving the Land Surveying system by:

10.2.1 Assuming the professional responsibility for all works carried out by his or her non-professional staff;

10.2.2 Not furthering the application for admission to his profession of another person known by the Newfoundland Land Surveyor to be unqualified by nature to his or her character, education or other attributes;

10.2.3 Continually advancing his or her knowledge and skills by participating in Association activities and any relevant continuous education programs;

10.2.4 Maintaining clear and concise field notes and records, properly certified by the Newfoundland Land Surveyor of all land surveying activities involving the evaluation of evidence, monumentation, measurements and other details;

10.2.5 At all times, serving his or her client or his or her employer to the best of his or her knowledge and ability within the guidelines of his or her professional responsibility as outlined in the Act and By-Laws

(10)3 A Newfoundland Land Surveyor shall assist his or her pupils and employees to achieve their optimum level of contribution to society by:

10.3.1 Instructing his or her pupils in the practical aspects of land surveying to the best of his or her ability.

10.3.2 Assisting his or her pupil in obtaining instruction in theoretical aspects of land surveying as required.

10.3.3 Assuring his or her employees and pupils of proper working conditions, and equitable remuneration.

10.3.4 Instilling into his or her employees, along with professional technique, a deep regard for the utmost integrity which is the fundamental quality of a Newfoundland Land Surveyor.

(10)4 A Newfoundland Land Surveyor should perform his or her professional services, assess and receive fair and just compensation from his or her client commensurate with the technical complexity, level of responsibility, and liability potential of the services performed by:

10.4.1 Not entering into any fee-splitting arrangement with any person other than another Newfoundland Land Surveyor engaged in the same works.

10.4.2 Not making any fraudulent or exorbitant charges for his or her services.

10.4.3 Making available to his or her client, on request, details relevant to the assessment for compensation.

10.4.4 Not unfairly or unethically competing with other surveyors for survey work to be done under contract or otherwise.

(10)5 A Newfoundland Land Surveyor shall avoid even the appearance of professional impropriety by:

10.5.1 Disclosing to his or her client any conflict of interest, affiliation or prior involvement that could impair the quality of his or her services to the client.

10.5.2 Preventing his or her name being used in a professional way with any persons or enterprises of a dubious or doubtful character.

10.5.3 Refraining from criticism of the works or actions of his or her colleagues in public.

10.5.4 Not receiving compensation for the same service from more than one source, except with the knowledge of the involved parties.

10.5.5 Ensuring that his or her client has knowledge of any available appeal procedures with respect to disputes over accounts.

(10)6 The Newfoundland Land Surveyor shall preserve the confidences of his or her client and regard as privileged the information the Newfoundland Land Surveyor may obtain regarding the affairs of his or her client by:

10.6.1 Carrying the obligation of confidentiality with respect to the client's affairs after the completion of the Newfoundland Land Surveyor's assignment or termination of his or her employment;

10.6.2 Being responsible for the adherence to this Article by his or her articulated students and staff.

(10)7 The Newfoundland Land Surveyor shall exercise independent professional judgement on behalf of a client, and should represent a client competently by:

10.7.1 Disregarding compromising interests and loyalties within the limits of the law, shall confine his or her activities to the sole benefit of his or her client;

10.7.2 Not accepting assignments beyond his or her professional competence without the knowledge of the client, and unless competent consultative support is available.

10.7.3 Not endeavoring by contract or otherwise, to limit his or her individual liability to his or her client for his or her malpractice.

(10)8 Not accepting assignments that are beyond his resources to complete in a time satisfactory to his or her client.

(10)9 The Newfoundland Land Surveyor shall maintain dignity of the profession through his or her associations with his or her clients, colleagues and subordinates by not attempting to injure falsely or maliciously, directly or indirectly, the professional reputation, and business prospects of any other Newfoundland Land Surveyor.

(10)10 Before a Newfoundland Land Surveyor may stamp and sign a survey plan he or she must visit the work site to inspect the work procedure and in the office must inspect all calculations and drafting directly.

(10)11 The Newfoundland Land Surveyor shall not engage in providing Professional Services to the general public without first having a Professional Liability Insurance Plan in place and approved by the Association.

(10)12 The Newfoundland Land Surveyor must reply promptly and completely to any communication for the Association and Council.

(10)13 The Newfoundland Land Surveyor shall comply with terms or conditions of an undertaking to or agreement with the Association and/or Council.

(10)14 The Newfoundland Land Surveyor shall not make a misrepresentation to the Association and /or Council or agent thereof.

10(15) The Newfoundland Land Surveyor shall allow an authorized representative of the Council to enter at a reasonable time the office in which the Land Surveyor is engaged in the practice of land surveying for the purpose of an inspection and examination of the office records and equipment of the Land Surveyor in connection with his or her practice.

These regulations were approved by the Council of Management of the Association of Newfoundland Land Surveyors this 27th day of October, 2017.

Robert Goodland

President