

Agrologist Act Comparative

Proposed Act	Current Act	Notes
<p>Citation 1. This Act may be cited as the <i>Agrologist Act</i></p>	<p>Short title 1 This Act may be cited as the <i>Agrologists Act</i>. R.S., c. 8, s. 1.</p>	
<p>Interpretation 2. In this Act,</p> <ul style="list-style-type: none"> a. "agrologist" means a person licenced to practice agrology under this Act; b. "agrology" means the science and management of agriculture and associated natural resources, related life sciences, environment, ecology, business and food systems; c. "practising agrology" means the professional practice of those investigating, experimenting with, teaching or providing knowledge and advise on the application of scientific principles involving agrology; d. "articling agrologist " means a person licenced as an agrologist in training under this Act; e. "by-law" means a by-law of the Institute; f. "Certificate of designation" means a certificate issued by the Council that certifies the designation in accordance with the Act and regulations; g. "Council" means the Council of the Institute; h. "complaint" means a notice in writing pursuant to this Act, indicating possible violation of any of the provisions of this Act, breach of the professional ethics of the Institute, or disgraceful or improper conduct; i. "Court" means The Court of Queen's Bench of Nova Scotia; j. "current licensee list" means the list of all persons who are a licensee in good standing k. "Institute" means the Nova Scotia Institute of Agrologists; l. "licensee" means a person of the Institute to whom a valid licence has been issued in accordance with Part II of this Act and is entitled to engage in the practice of agrology in accordance with the restrictions granted by their certificate of designation and license to practice pursuant to the regulations "licensee in good standing" means a person who is current with respect to any fees and any other reporting required by the Institute; m. "licence to practice" means a licence to practice agrology issued to a person in good standing; n. "Minister" means the Minister of Agriculture; o. "Non-practicing licensee" means a person who voluntarily suspends their license for a period of time for which that time is prescribed in the regulations; p. "professional agrologist" means a person registered as a professional agrologist under this Act q. "Registrar" means the Registrar who is appointed by the Council pursuant to this Act; 	<p>Interpretation 2 In this Act,</p> <ul style="list-style-type: none"> (a) "agrologist" means a person registered as a professional agriculturist under this Act; (b) "agrologist in training" means a person registered as an agrologist in training under this Act; (c) "Council" means the Council of the Institute; (d) "Institute" means the Nova Scotia Institute of Agrologists; (e) "member" means a member of the Institute; (f) "practising agrology" means teaching or demonstrating the science or art of agriculture or advising or conducting scientific experiments and research in relation thereto as a chief occupation; (g) "Registrar" means the Registrar of the Institute. R.S., c. 8, s. 2. 	

<ul style="list-style-type: none"> r. "regulations" means the regulations approved by the Governor in Council pursuant to this Act; s. "technical agrologist" means a person registered as a technical agrologist under this Act; t. "temporary licence" means a temporary licence to practice agrology in Nova Scotia. 		
<p>Part 1 Nova Scotia Institute of Agrologists</p>	<p>INSTITUTE</p>	
<p>Institute of Agrologists</p> <p>3. The Nova Scotia Institute of Agrologists, as at present constituted, is hereby continued as a body corporate.</p>	<p>Institute of Agrologists</p> <p>3 (1) The Nova Scotia Institute of Agrologists as at present constituted is hereby continued as a body corporate.</p>	
	<p>Composition</p> <p>(2) The Institute shall consist of the persons who are at present members and those who hereafter become members in accordance with this Act.</p>	<p>Moved to Section 3 of the Regulations</p>
<p>Objects</p> <p>4. (1) The objects of the Institute are to protect the public interest by:</p> <ul style="list-style-type: none"> a. establishing and promoting standards of professional practice and a Code of Ethics, b. regulating the practice of agrology through the establishment of registration, training, and professional conducts of its members as set out in this Act, the regulations, and the by-laws, and c. promoting the knowledge, skill, and proficiency of its members in the practice of agrology. 	<p>Objects</p> <p>(3) The objects of the Institute are to</p> <ul style="list-style-type: none"> (a) promote and increase the knowledge, skill and proficiency of its members in the practice of agrology; (b) do all things that may be necessary or incidental or conducive to the usefulness of agrologists to the public; and (c) ensure for the benefit of the public the proficiency and competency of agrologists. R.S., c. 8, s. 3. 	
<p>Council</p> <p>1. (1) The Institute shall be governed by a Council composed of such number of persons as determined by the by-laws.</p> <p>(2) Notwithstanding subsection (1), at least one position on the Council may be held by a non-agrologist who resides in Nova Scotia and who shall be appointed by Council.</p> <p>(3) Where Council appoints a person as a member of the Council, the term of office is pursuant to the regulations and bylaws.</p> <p>(4) Members of the Council shall be elected or appointed in the manner prescribed in the by-laws.</p>		<p>Gives Council authority</p>
	<p>Management Council</p> <p>4 (1) There is hereby constituted as the governing board of the Institute the Council of management composed of the President, President-elect, Immediate Past President, and at least seven other councillors elected in the manner provided by the by-laws of the Institute.</p>	<p>All of the specifics around Council, including number of Councillors, Officers, vacancies, etc. has been moved to Bylaws making it easier to amend as needed</p>

Member

(2) All members of the Council shall be resident in the Province and in good standing in the Institute.

Immediate Past President

(3) On retirement each President shall hold office as Immediate Past President on the next succeeding Council.

President-elect

(4) The President-elect shall be elected by and from the registered members of the Institute.

Term of office

(5) The President-elect shall serve as President during the second year following his election and shall hold office until his successor has served as President-elect for one year.

Election and powers

(6) The President-elect shall be elected annually and shall have all the powers of the President during his absence.

Elected members term of office

(7) Subject to subsection (8), the elected members of Council shall hold office for a term of two years.

Members term of office

(8) The members of the governing board who hold office at present shall continue to hold office until the expiration of the respective terms for which they were elected or until their successors are elected and, where additional members are added to the Council, they shall hold office for such term and subject to such conditions as may be prescribed by the by-laws of the Institute.

Vacancy

(9) In case of resignation or death of an elected member of the Council, the vacancy shall be filled in the manner provided by the by-laws of the Institute.

Eligibility

(10) No person shall be eligible for election to the Council or qualified to fill a vacancy thereon or to vote for members thereof unless duly registered under this Act and the by-laws of the Institute.

Duties

	<p>(11) The Council shall decide all questions in dispute relating to elections to the Council and the eligibility and rights of membership and the decision of the Council in such matters is final. R.S., c. 8, s. 4.</p>	
	<p style="text-align: center;">OFFICERS</p> <p>Officers</p> <p>5 (1) The officers of the Institute are</p> <p>(a) the President, the President-elect and the Immediate Past President;</p> <p>(b) a Registrar, a Secretary and a Treasurer who in each case must be a member in good standing, but one person may be appointed to two offices; and</p> <p>(c) any officers who may be appointed by the Council or elected pursuant to the by-laws of the Institute.</p> <p>Appointment</p> <p>(2) The Registrar, the Secretary and the Treasurer shall be appointed by the Council from among the members of the Institute.</p> <p>Term of office</p> <p>(3) All officers appointed by the Council shall hold office during pleasure of the Council.</p> <p>Salary and fees</p> <p>(4) The Council may, subject to the by-laws, fix salaries or fees to be paid to the officers appointed under this Act. R.S., c. 8, s. 5.</p>	<p>This is all moving to Bylaws along with other Council specifics</p>
	<p style="text-align: center;">MEETINGS</p> <p>Meetings</p> <p>6 (1) The meetings of the Institute and of the Council shall be held at the times and places fixed by the by-laws of the Institute.</p> <p>Notice</p> <p>(2) Notices of meetings of the Institute shall be mailed at least fourteen days before the day on which the meeting is to be held.</p> <p>Vote of President</p> <p>(3) At all meetings, the President for the time being shall have a casting vote only.</p> <p>Absence of President</p>	<p>This is all moving to Bylaws along with other Council specifics</p>

	<p>(4) If the President is absent from a meeting, the President-elect or, in his absence, the Immediate Past President or, in the absence of all three, a member to be chosen from the members present shall act as President.</p> <p>Decisions</p> <p>(5) All questions submitted to the Institute or the Council shall be decided by a majority of the members present, a quorum being not less than fifteen in number in the case of the Institute and four in the case of the Council. R.S., c. 8, s. 6.</p>	
	<p style="text-align: center;">POWERS OF THE INSTITUTE</p> <p>Acquisition and alienation of property</p> <p>7 The Institute may acquire by gift, purchase or otherwise, and alienate, sell, mortgage, lease or otherwise charge or dispose of, real or personal property for the purpose of carrying into effect and of promoting the aims, objects and designs of the Institute. R.S., c. 8, s. 7.</p>	Removed
<p>Regulations</p> <p>2. (1) Subject to the approval of the Governor in Council, the Council may make regulations</p> <ul style="list-style-type: none"> a. creating designations and prescribing the rights, privileges, qualifications and obligations of the persons of each designation; b. regulating the registration, licensing, and discipline of agrologists; c. providing for the adoption of a Code of Ethics; d. prescribing fees payable pursuant to the Act by applicants and agrologists, and where the Institute deems it advisable, prescribing different fees for different designations of applicants and agrologists; e. requiring and prescribing professional development standards. <p>(2) The exercise by the Council of the authority contained in subsection (1) is regulations within the meaning of the Regulations Act.</p>		Regulations are new. There is currently an Act, Bylaws and policies.
<p>By-Laws</p> <p>3. (1) The Institute may make by-laws not inconsistent with this Act or the regulations</p> <ul style="list-style-type: none"> a. prescribing the composition of the Council and the manner of election or appointment of the Council members, b. prescribing the duties of officers and members of the Council, c. providing for the holding of meetings of the Council or committees of the Council and the conduct of such meetings, d. fixing the time and place for regular meetings of Council, and general meetings of the Institute and agrologists, e. fixing the method of setting registration, licensing and other fees payable pursuant to this Act and the penalty for default of payment thereof, f. prescribing the criteria to be met for candidates recommended to the Governor in Council for appointment to the Council, and g. respecting any matter necessary for the administration of the affairs of the Council. 	<p style="text-align: center;">BY-LAWS OF THE INSTITUTE</p> <p>By-laws</p> <p>8 (1) The Institute may make by-laws, rules and regulations respecting</p> <ul style="list-style-type: none"> (a) the election of the Council and the filling of vacancies thereon and defining the duties thereof; (b) the conduct, discipline and honour of its members; (c) the management of its property; (d) the appointment of such officers, in addition to those provided for in Sections 4 and 5, as may be necessary for carrying out the purposes of the Institute, and the defining of the duties of such officers; 	

	<p>(e) the maintenance of the Institute by levying annual and other fees and prescribing the same, and the levying of fines for non-payment of fees;</p> <p>(f) the time, place and conduct of the annual and other meetings of the Institute and meetings of the Council;</p> <p>(g) the admission of candidates to membership in the Institute;</p> <p>(h) the enrolment of agrologists in training and recording of agricultural students and technicians;</p> <p>(i) all other purposes deemed necessary or convenient for the management or welfare of the Institute and for the conduct of its business.</p>	
	<p>Filing</p> <p>(2) The Institute shall file in the Department of the Attorney General, within thirty days after the date of making, two copies, certified by the Registrar to be true copies, of</p> <p>(a) all by-laws, rules and regulations hereafter made under this Act; and</p> <p>(b) all amendments made to such by-laws, rules and regulations. R.S., c. 8, s. 8.</p>	<p>This is typically a bylaw</p>
<p>Part II - Registration and licensing</p> <p>Eligibility for Designation</p>		<p>This section is a big change. It is proposed that initial applicants will apply for their designation and licence at the same time. The designation can never be revoked since you can't take away anyone's education, but the license can be revoked and must be issued annually in order for someone to practice.</p>
	<p style="text-align: center;">QUALIFICATIONS TO REGISTER</p> <p>Eligibility for membership</p> <p>9 (1) A person is eligible for full membership or for membership as an agrologist in training in the Institute if he satisfies [satisfies] the Council that he</p> <p>(a) has obtained</p> <p style="padding-left: 40px;">(i) a degree in agriculture from a university or college recognized by the Council, or</p> <p style="padding-left: 40px;">(ii) a degree and has passed such examinations as the Council after evaluating his degree and his subsequent experience considers necessary to establish that his qualifications are equivalent to those persons holding a degree in agriculture under subclause (i); and</p> <p>(b) has been engaged in agrology in a professional or other capacity for a period or periods totalling three years after having obtained his degree and that the major part of that time occurred within the three-year period immediately preceding the Councils approval as to the applicants compliance with this clause.</p>	<p>Actual requirements for obtaining the designation and annual license are moved to regulations.</p>

	<p>Computation of three-year period</p> <p>(2) For the purpose of computing the period of three years referred to in clause (b) of subsection (1) the Council may include</p> <p>(a) time spent in practising agrology as an enrolled agrologist in training;</p> <p>(b) time spent in post-graduate studies at a university or college recognized by the Council;</p> <p>(c) time spent in active farming operations.</p> <p>Further eligibility</p> <p>(3) A person is eligible for membership in the Institute if he satisfies the Council that he holds a membership in good standing in a professional agricultural body having admission standards considered by the Council to be equivalent to those required by subsection (1).</p> <p>Certificate of membership</p> <p>(4) Every applicant who is eligible under this Section and who</p> <p>(a) has paid the required fees; and</p> <p>(b) is of good character and reputation in the opinion of the Council,</p> <p>shall be registered as a member of the Institute by the Registrar and shall be issued a certificate of membership in the Form in the Schedule and such membership shall be subject to such regulations as may be prescribed by by-laws.</p> <p>Registration of agrologist in training</p> <p>(5) A person to whom clause (a) of subsection (1) applies may, on application and upon paying the fee prescribed in the by-laws, be registered with the Institute as an agrologist in training.</p>	
<p>Designation</p> <p>4. Insert Right to Title language- based on education/experience</p>		<p>This section will have language around the fact that receiving the designation gives someone the right to the P.Ag. (etc.) title</p>
<p>Licensing</p> <p>5. (1) Notwithstanding Section 18, any person shall be entitled to a licence to practice upon tendering the fees, and requirements prescribed by or under the Regulations and filing with the Registrar satisfactory proof that</p> <p>(a) such person is a licensee in good standing in good standing of the Institute and</p> <p>(b) every person, who in the opinion of the Institute, expressed by a resolution thereof, has complied with the regulations, shall be granted a licence to practice.</p> <p>(2) Only a licensee in good standing may purport to be an agrologist or practice agrology in Nova Scotia.</p>		<p>This section then gives them the right to actually practice.</p>

<p>Register of agrologists</p> <p>6. (1) The Institute shall cause to be kept by the Registrar a record, to be known as the Register of Agrologists, in which shall be entered the names and addresses of all persons who having complied with the Act, regulations and the by-laws thereunder have been admitted to the Institute, and the Register shall be open to inspection to any person at all reasonable times free of charge. Within the Register, the current licensee list shall contain the names of all licensees in good standing.</p> <p>(2) Such list or addendum published or purporting to be published by the Institute shall be prima facie evidence in all courts in the Province and before all judges of the provincial court and justices of the peace in and for the Province that the persons therein named are registered according to the Act and, subject to subsection (1), the absence of the name of any such person from the list or addendum shall be prima facie evidence that such person is not registered.</p> <p>(3) The following articles will be declared as Prima Facie evidence</p> <ol style="list-style-type: none"> a. A certificate of designation purporting to be signed by a person in their capacity as Registrar of the Institute shall be prima facie evidence in said courts that they are such qualified for the designation and of the facts certified. R.S., c. 8, s. 11. b. A license purporting to be signed by a person in their capacity as Registrar of the Institute shall be prima facie evidence in said courts that they are such licensed and of the facts certified. R.S., c. 8, s.11. 	<p style="text-align: center;">REGISTRATION</p> <p>Register of Agrologists</p> <p>11 (1) The Council shall cause to be kept by the Registrar a record, to be known as the Register of Agrologists, in which shall be entered the names and addresses of all persons who having complied with this Act and the by-laws thereunder have been admitted to the Institute, and the Register shall be open to inspection to any person at all reasonable times free of charge.</p>	<p>There will be two lists. The Register will contain anyone who was ever issued the designation. The Current Licensee list will contain the names of those “in good standing” and who have the right to practice agrology.</p>
<p>Registrar</p> <p>7. (1) The Council shall appoint a Registrar who shall perform the duties as set out in this Act, the regulations and the by-laws, together with such other duties as are assigned by the Council.</p> <p>(2) The Registrar shall be a member of the Council but is not entitled to vote.</p>	<p>Duty of Registrar</p> <p>(2) The Registrar shall keep the Register correctly and strictly in accordance with this Act, the by-laws of the Institute and the rules, orders and regulations of the Council.</p>	<p>Under your current Act the Registrar (Caitlin) is supposed to be the person who keeps the list of members but that isn't what actually happens.</p> <p>The proposed change would allow you to have a non-voting Councillor keep the Register. As an example, I could be the Registrar under your current set up because I already attend the meetings to take minutes and ACMA handles all of the administration.</p>
	<p>Annual certificate</p> <p>(3) The Registrar shall issue an annual certificate of registration in the form and subject to the regulations prescribed [prescribed] by by-law of the Institute to all persons whose names have been duly entered in the Register as agrologists by the authority of the Council.</p> <p>Expiry and renewal</p> <p>(4) All certificates of registration shall expire on the thirty-first day of December but shall be renewable for one year upon payment of the prescribed fee.</p> <p>Published list</p> <p>(5) The Registrar shall, under the direction of the Council, cause to be printed and published a correct list of names, in alphabetical order according to the surnames, with the</p>	<p>Covered under Section 7 of Regulations</p>

	<p>respective residences, of all persons whose names are in the Register, and if the list is not published yearly he shall issue a yearly addendum.</p> <p>List as prima facie evidence</p> <p>(6) Such list or addendum published or purporting to be published by the Institute shall be <i>prima facie</i> evidence in all courts in the Province and before all judges of the provincial court and justices of the peace in and for the Province that the persons therein named are registered according to this Act and, subject to subsection (7), the absence of the name of any such person from the list or addendum shall be <i>prima facie</i> evidence that such person is not registered.</p>	
<p>Fees</p> <p>8. (1) Fees shall be paid upon application, transfer, reinstatement, and annually, as prescribed by the regulations of the Institute.</p> <p>(2) The names of those in default shall be removed from the current licensee list by order of the Council and shall not be reinstated except upon payment of such fees and fines, if any, as may be imposed under the regulations of the Institute.</p>	<p>Fees</p> <p>12 (1) Members shall pay on registration and annually the fees prescribed by the by-laws of the Institute.</p>	
	<p>Default</p> <p>(2) The names of those in default shall be removed from the register by order of the Council after one months notice by prepaid registered mail to the parties, and shall not be reinstated except upon payment of such fees, and fines, if any, as may be imposed under the by-laws of the Institute.</p> <p>Transferred member</p> <p>(3) Any person, resident in another province and who is a registered member in good standing in a professional agricultural organization, recognized by the Institute and with which the Institute has a reciprocal agreement, may transfer his membership to the Institute without being assessed a registration fee.</p> <p>Non-resident</p> <p>(4) Any person, resident in another province and who is a registered member in good standing in a professional agricultural organization, recognized by the Institute and with which the Institute has a reciprocal agreement, may be allowed to practise agrology part-time in the Province without being assessed a registration fee. R.S., c. 8,</p>	<p>Covered under 6 of the Regulations</p>
<p>Restricted Licence</p> <p>9. No partnership, company, corporation or association of persons shall as such be registered as a licensee of the Institute.</p>	<p>Restricted membership</p> <p>(6) No partnership, company, corporation or association of persons shall as such be registered as a member of the Institute.</p>	
	<p>Practice by agrologist in training</p> <p>(7) A graduate from a university or college approved by the Council may apply to be enrolled as an agrologist in training and, on payment of the registration fee and subsequent annual fees determined by the by-laws of the Institute, he may be allowed to practise agrology under the guidance of an agrologist.</p>	<p>Moved to Regulations</p>

	<p>Training period</p> <p>(8) The term of training for an agrologist in training shall be three years. R.S., c. 8, s. 9.</p>	
	<p style="text-align: center;">EXAMINATIONS</p> <p>Examination</p> <p>10 (1) The examination of candidates for admission to the Institute shall be under the control of the Council.</p> <p>Powers of Council</p> <p>(2) The Council may</p> <ul style="list-style-type: none"> (a) from time to time appoint a board of examiners to examine candidates to determine their admission; and (b) make regulations <ul style="list-style-type: none"> (i) prescribing the subjects of examination and the fees payable by applicants, and (ii) governing the conduct of examinations. <p>Time and place</p> <p>(3) Every examination of candidates for admission to membership of the Institute shall be held at a time and place fixed by the Council.</p> <p>Application for examination</p> <p>(4) Application for admission to examination for membership of the Institute shall be</p> <ul style="list-style-type: none"> (a) made on a form to be supplied on application to the Secretary of the Council; and (b) filed with the Registrar of the Institute at least four weeks before the times fixed for the examination. <p>Application fee and content</p> <p>(5) Every application referred to in subsection (4) shall</p> <ul style="list-style-type: none"> (a) be accompanied by the prescribed examination fee; and (b) contain such information concerning the applicants preliminary education and course of study as the Council may prescribe. R.S., c. 8, s. 10. 	<p>Examinations are referenced under each Designation Category in section 4 of the Regulations.</p> <p>Specifics of the examination process have not been included in the Act or Regulation drafts.</p>
<p>Part III - Discipline</p>		
<p>Hearing of complaints</p>	<p>Complaint</p>	<p>Added who the complaints are submitted to.</p>

<p>10. (1) Complaints may be received for:</p> <ul style="list-style-type: none"> (a) violation of any of the provisions of this Act, regulations and bylaws of the Institute, (b) breach of the professional ethics of the Institute, or (c) disgraceful or improper conduct. <p>(2) Complaints must be submitted to the Registrar as outlined in the regulations.</p>	<p>13 (1) The Council may hear and determine any complaint against a member of the Institute for:</p> <ul style="list-style-type: none"> (a) violation of any of the provisions of this Act, or of the by-laws, rules or regulations of the Institute; (b) breach of the professional ethics of the Institute; or (c) disgraceful or improper conduct. 	
<p>Complaints and Discipline Committee</p> <p>11. (1) The Council shall appoint a Chair and a Vice-chair of the Complaints and Discipline Committee.</p> <p>(2) The Chair of the Complaints and Discipline Committee shall appoint a Committee for purposes of conducting the complaint process.</p>		<p>Added some structure to keep complaints separate from Council</p>
<p>Investigations</p> <p>12. (1) Upon receipt of a complaint, the Registrar shall advise the Chair of the Complaints and Discipline Committee of the complaint.</p> <p>(2) The Chair of the Complaints and Discipline Committee may appoint an investigator to conduct an investigation in accordance with the regulations.</p> <p>(3) Upon concluding the investigation, the investigator shall prepare a written report of the investigation and forward it to a panel of the Complaints and Discipline Committee.</p> <p>(4) The Complaints and Discipline Committee shall determine subsequent action in accordance with the regulations.</p>	<p>Duty of Council</p> <p>(2) Upon receipt of a complaint referred to in subsection (1), the Council shall</p> <ul style="list-style-type: none"> (a) appoint a time and a place for hearing the complaint; and (b) give to the complainant and the accused member of the Institute due notice in writing of the time and place at which the Council will meet to hear the complainant and the accused member, and the evidence adduced on their behalf. <p>Notice</p> <p>(3) The notice of the hearing of the complaint shall</p> <ul style="list-style-type: none"> (a) be signed by the President or President-elect; (b) be served on the accused member at least fourteen days before the date set for the hearing; and (c) embody or be accompanied by a copy of the charges made against the accused member. 	
<p>Complaints and discipline hearing</p> <p>13. (1) The Complaints and Discipline Committee shall issue notice to the complainant and accused in accordance with the regulations.</p> <p>(2) The Complaints and Discipline Committee, at the time and place mentioned in the notice of the hearing or at any time and place to which the hearing may be adjourned shall hear the complainant and the accused member and the evidence adduced on their behalf.</p> <p>(3) The Committee conducting a discipline hearing must</p> <ul style="list-style-type: none"> (a) make determinations and take action according to this section, 	<p>Hearing</p> <p>(4) The Council at the time and place mentioned in the notice of the hearing or at any time and place to which the hearing may be adjourned shall hear the complainant and the accused member and the evidence adduced on their behalf, and if the complaint is found proven the Council may reprimand or fine the accused member or may suspend or expel him from membership in the Institute.</p> <p>Witness</p>	

<p>(b) give written reasons for a determination about the conduct or competence of the respondent and for an action taken against the respondent, and</p> <p>(c) record in writing an order for costs.</p> <p>(4) After a discipline hearing, the Committee must do one of the following</p> <p>(a) dismiss the citation, or</p> <p>(b) determine that the respondent has committed one or more of the following</p> <p style="padding-left: 20px;">(i) professional misconduct,</p> <p style="padding-left: 20px;">(ii) conduct unbecoming an agrologist,</p> <p style="padding-left: 20px;">(iii) incompetent performance of duties undertaken while engaged in agrology.</p>	<p>(5) The testimony of witnesses at the hearing shall be taken under oath and all witnesses called on behalf of the complainant or the accused member may be examined, cross-examined and re-examined.</p> <p>Evidence</p> <p>(6) The evidence given at any hearing shall be taken down in shorthand and shall in case of appeal be transcribed.</p> <p>Failure to attend</p> <p>(7) If the accused member does not attend the hearing, the Council, upon proof of the service on the accused member of the notice of the hearing and the charge against him, may proceed in the absence of the accused member in the same manner as if he were present at the hearing, and he is not entitled to notice of any adjourned or other meetings and proceedings of the Council in the matter of the complaint.</p> <p>Costs</p> <p>(8) Where the Council directs the accused member be suspended or expelled, it may direct that the costs of and incidental to the inquiry be paid by the member, and after the taxation of the costs on the district court scale by a taxing officer, execution may issue out of any county court for the recovery thereof as upon a judgment in an action in that court.</p> <p>Reinstatement</p> <p>(9) The Council, where a member has been suspended or expelled, may</p> <p>(a) reinstate the member; and</p> <p>(b) restore all his rights and privileges as a member upon such terms and conditions as the Council may decide.</p>	
	<p>Quorum</p> <p>(10) For the purposes of this Section, five members of the Council constitute a quorum.</p> <p>Action against Council</p> <p>(11) No action lies against the Council or any member thereof for any proceedings taken in good faith, or for orders made or enforced, under the disciplinary provisions of this Act.</p> <p>Rules</p> <p>(12) The Council may make rules to regulate</p> <p>(a) the making of complaints; and</p> <p>(b) the hearing and determination of matters of complaint under this Section. R.S., c. 8,</p>	<p>Do not need quorum since Council isn't involved in complaints.</p> <p>Typically in the bylaws</p> <p>Not needed under new structure</p>
<p>Disciplinary powers</p>		<p>This is the key piece missing from the current Act.</p>

<p>14. (1) If, under Section (3), an adverse determination is made against a respondent, other than an articling agrologist or an articling technical agrologist, the panel must do one or more of the following</p> <ul style="list-style-type: none"> (a) reprimand the respondent, (b) impose a fine on the respondent in an amount not exceeding \$25000 , (c) impose conditions on the respondent's license as a member of the Institute, (d) suspend the respondent's licence, <ul style="list-style-type: none"> (i) for a specified period of time, (ii) until the respondent complies with a requirement under paragraph (f), or (iii) for a specified minimum period of time and until the respondent complies with a requirement under paragraph (f), (e) rescind the respondent's licence (f) require the respondent to <ul style="list-style-type: none"> (i) complete a remedial program to the satisfaction of the Council or a committee, or (ii) appear before the Council or a committee and satisfy the Council that the respondent is competent to practice agrology. 		
<p>Appeal</p> <p>15. (1) A person may at any time within 30 days after written notice of the decision of the Complaints and Discipline Committee appeal on any point of law from the findings of a Complaints and Discipline Committee to Council .</p> <p>(2) The record on appeal from the findings of the Complaints and Discipline Committee consists of a copy of the transcript of the proceedings, the decision of the Committee and the evidence before the Committee certified by the Chair of the Committee.</p> <p>(3) There is no appeal from the decision of the Council .</p>	<p>Appeal</p> <p>14 (1) A person suspended or expelled from the Institute may, at any time within three months after the date of the order of the Council, appeal to a judge of the Trial Division of the Supreme Court against the order.</p> <p>Powers of Court</p> <p>(2) The judge to whom the appeal has been made, after due notice to all parties concerned, shall hear the appeal and allow or dismiss the appeal or make such order varying the order of the Council and such order as to costs as he considers just.</p> <p>Record of hearing</p> <p>(3) The appeal shall be founded upon a copy of the evidence and the record of the proceedings before the Council and the order of the Council certified by the Registrar who shall furnish a copy of the same to the appellant upon request.</p> <p>Decision final</p> <p>(4) The decision of the judge, to whom the appeal is made, is final. R.S., c. 8, s. 14</p>	
	<p>Frivolous complaint</p> <p>15 When a complaint against any person has been finally determined in his favour and found by the Council to have been frivolous and vexatious, the Council may order the costs to be paid to him out of the funds of the Institute as the Council considers just. R.S., c. 8, s. 15.</p>	<p>Under Section 18 of the Regulations the cost of a disciplinary process will be recovered from the respondent and/or the complainant and it a decision by the committee. This is intended to prevent frivolous complaints.</p>

Part IV - Offences		
<p>Illegal practice</p> <p>16. Any person who is practicing agrology and not licensed under this Act</p> <p>(a) assumes verbally or otherwise the title of agrologist or makes use of any abbreviation of the title or makes use of any name, title or designation that may lead people to the belief that the person is an agrologist of the Province of Nova Scotia or a member of the Institute, or</p> <p>(b) acts in such a manner as to lead to the belief that the person is authorized to fill the office of or act as an agrologist,</p> <p>(c) is guilty of an offence and liable on summary conviction to a fine of not more than \$25000 and the person cannot recover any fees, rewards or disbursements for services rendered by the person as an agrologist.</p> <p>(d) Any person who violates any of the provisions of Section 20, subsection a and/or b is guilty of an offence and liable on summary conviction to the penalties provided for a category A offence in the Summary Proceedings Act. 2002, c. 10, s. 20; 2005, c. 8, s. 9; 2007, c. 20, s. 8; 2015, c. 46, s. 14.</p>	<p>Illegal practice</p> <p>16 (1) A person who, not being an agrologist and registered under this Act,</p> <p>(a) practises agrology;</p> <p>(b) assumes verbally or otherwise the title of agrologist or makes use of any abbreviation thereof, or of any name, title or designation that may lead the public to the belief that he is an agrologist of the Province or a member of the Institute;</p> <p>(c) holds himself out to the public as an agrologist,</p> <p>is guilty of an offence and liable on summary conviction to a fine not exceeding two hundred dollars.</p>	
	<p>Additional penalty</p> <p>(2) A person who is guilty of an offence under subsection (1) shall be incapable of recovering any fees, rewards or disbursements for any service rendered as such agrologist. R.S., c. 8, s. 16.</p>	
<p>Limitation period</p> <p>17. No prosecutions shall be commenced for an offence against this Act after the expiration of five years from the date of the alleged offence.</p>	<p>Limitation period</p> <p>17 No prosecutions shall be commenced for an offence against this Act after the expiration of two years from the date of the alleged offence. R.S., c. 8, s. 17.</p>	
<p>License as prima facie evidence</p> <p>18. A license purporting to be under the hand of the Registrar shall be prima facie evidence in any court or elsewhere of the issuance of a certificate of registration or a license to practice, or of the non-issuance thereof.</p>	<p>Certificate as prima facie evidence</p> <p>(7) A certificate of registration purporting to be signed by a person in his capacity as Registrar of the Institute shall be <i>prima facie</i> evidence in said courts that he is such Registrar and of the facts certified. R.S., c. 8, s. 11.</p> <p>Certificate as prima facie evidence</p> <p>18 A certificate of the Registrar under the seal of the Institute shall be <i>prima facie</i> evidence of registration or non-registration. R.S., c. 8, s. 18.</p>	
Proclamation		

<p>19. This Act comes into force on such day as the Governor in Council orders and declares proclamation.</p>		
	<p style="text-align: center;">EXEMPTIONS</p> <p>Act does not apply</p> <p>19 Nothing in this Act applies to</p> <p>(a) a person carrying on the business of farming or the growing of crops, unless he becomes a member of the Institute or practises agrology;</p> <p>(b) a member of the Canadian Armed Forces while actually employed on duty with those Forces;</p> <p>(c) undergraduate student assistants in agriculture working under the direct supervision of an agrologist and not taking responsibility for their work other than to their immediate superiors;</p> <p>(d) a person who is not registered as an agrologist under this Act but is registered as a professional engineer under the <i>Engineering Profession Act</i>, or as a veterinarian under the <i>Veterinary Medical Act</i>, if he does not hold himself out as an agrologist;</p> <p>(e) a person who is not registered as an agrologist under the Act but practises his profession, trade or calling as a chemist, forester, land appraiser or valuator, land surveyor, or a person servicing or repairing farm machinery, if he does not hold himself out as an agrologist. R.S., c. 8, s. 19.</p> <p>Return by Registrar</p> <p>20 The Registrar shall, when required by the Governor in Council to do so, transmit to the Attorney General a certified return under the seal of the Institute setting forth all such information and particulars relating to the Institute as he may require. R.S., c. 8, s. 20.</p>	<p>Intentionally did not include exemptions</p>
	<p>Head office</p> <p>21 The head office of the Institute shall be located at such place as may be specified in the by-laws of the Institute. R.S., c. 8, s. 21.</p>	<p>Typically in bylaws</p>
	<p style="text-align: center;">SCHEDULE</p> <p style="text-align: center;">Form</p> <p style="text-align: center;">(Section 9(4))</p> <p style="text-align: center;">CERTIFICATE OF MEMBERSHIP</p> <p>The Nova Scotia Institute of Agrologists by virtue of the authority vested in it by the Legislature of the Province of Nova Scotia awards this certificate to who has complied with all the requirements of the law regarding the practice of agrology and has been adjudged qualified to practise agrology.</p>	<p>Not needed in the Act – currently in Bylaws as well</p>

In witness whereof we the undersigned officers of the Institute have hereunto signed our names and affixed the corporate seal of the Institute this day of one thousand nine hundred and seventy-two, at in the Province of Nova Scotia.

.....

President

.....

Registrar

Schedule "A"

An Act Respecting the Agrologist Act

Citation

1 This Act may be cited as the *Agrologist Act*.

Interpretation

2 In this Act,

- (a) "agrologist" means a person licenced to practice agrology under this Act;
- (b) "agrology" means the science and management of agriculture and associated natural resources, related life sciences, environment, ecology, business and food systems;
- (c) "practising agrology" means the professional practice of those investigating, experimenting with, teaching or providing knowledge and advise on the application of scientific principles involving agrology;
- (d) "articling agrologist " means a person licenced as an agrologist in training under this Act;
- (e) "by-law" means a by-law of the Institute;
- (f) "Certificate of designation" means a certificate issued by the Council that certifies the designation in accordance with the Act and regulations;
- (g) "Council" means the Council of the Institute;
- (h) "complaint" means a notice in writing pursuant to this Act, indicating possible violation of any of the provisions of this Act, breach of the professional ethics of the Institute, or disgraceful or improper conduct;
- (i) "Court" means The Court of Queen's Bench of Nova Scotia;
- (j) "current licensee list" means the list of all persons who are a licensee in good standing

- (k) "Institute" means the Nova Scotia Institute of Agrologists;
- (l) "licensee" means a person of the Institute to whom a valid licence has been issued in accordance with Part II of this Act and is entitled to engage in the practice of agrology in accordance with the restrictions granted by their certificate of designation and license to practice pursuant to the regulations "licensee in good standing" means a person who is current with respect to any fees and any other reporting required by the Institute;
- (m) "licence to practice" means a licence to practice agrology issued to a person in good standing;
- (n) "Minister" means the Minister of Agriculture;
- (o) "Non-practicing licensee" means a person who voluntarily suspends their license for a period of time for which that time is prescribed in the regulations;
- (p) "professional agrologist" means a person registered as a professional agrologist under this Act
- (q) "Registrar" means the Registrar who is appointed by the Council pursuant to this Act;
- (r) "regulations" means the regulations approved by the Governor in Council pursuant to this Act;
- (s) "technical agrologist" means a person registered as a technical agrologist under this Act;
- (t) "temporary licence" means a temporary licence to practice agrology in Nova Scotia.

Part 1 Nova Scotia Institute of Agrologists

Institute of Agrologists

3 The Nova Scotia Institute of Agrologists, as at present constituted, is hereby continued as a body corporate.

Objects

- 4 (1) The objects of the Institute are to protect the public interest by
- (a) establishing and promoting standards of professional practice and a Code of Ethics,

- (b) regulating the practice of agrology through the establishment of registration, training, and professional conducts of its members as set out in this Act, the regulations and the by-laws, and
- (c) promoting the knowledge, skill, and proficiency of its members in the practice of agrology.

Council

- 5 (1) The Institute shall be governed by a Council composed of such number of persons as determined by the by-laws.
 - (2) Notwithstanding subsection (1), at least one position on the Council may be held by a non-agrologist who resides in Nova Scotia and who shall be appointed by Council.
 - (3) Where Council appoints a person as a member of the Council, the term of office is pursuant to the regulations and bylaws.
 - (4) Members of the Council shall be elected or appointed in the manner prescribed in the by-laws.

Regulations

- 6 (1) Subject to the approval of the Governor in Council, the Council may make regulations
 - (a) creating designations and prescribing the rights, privileges, qualifications and obligations of the persons of each designation;
 - (b) regulating the registration, licensing, and discipline of agrologists;
 - (c) providing for the adoption of a Code of Ethics;
 - (d) prescribing fees payable pursuant to the Act by applicants and agrologists, and where the Institute deems it advisable, prescribing different fees for different designations of applicants and agrologists;
 - (e) requiring and prescribing professional development standards.
- (2) The exercise by the Council of the authority contained in subsection (1) is regulations within the meaning of the Regulations Act.

By-Laws

- 7 (1) The Institute may make by-laws not inconsistent with this Act or the regulations

- (a) prescribing the composition of the Council and the manner of election or appointment of the Council members,
- (b) prescribing the duties of officers and members of the Council,
- (c) providing for the holding of meetings of the Council or committees of the Council and the conduct of such meetings,
- (d) fixing the time and place for regular meetings of Council, and general meetings of the Institute and agrologists,
- (e) fixing the method of setting registration, licensing and other fees payable pursuant to this Act and the penalty for default of payment thereof,
- (f) prescribing the criteria to be met for candidates recommended to the Governor in Council for appointment to the Council, and
- (g) respecting any matter necessary for the administration of the affairs of the Council.

Part II - Registration and licensing

Eligibility for Designation

Designation

8 **Insert Right to Title language- based on education/experience**

Licensing

- 9 (1) Notwithstanding Section 18, any person shall be entitled to a licence to practice upon tendering the fees, and requirements prescribed by or under the Regulations and filing with the Registrar satisfactory proof that (a) such person is a licensee in good standing in good standing of the Institute and (b) every person, who in the opinion of the Institute, expressed by a resolution thereof, has complied with the regulations, shall be granted a licence to practice.
- (2) Only a licensee in good standing may purport to be an agrologist or practice agrology in Nova Scotia.

Register of agrologists

- 10 (1) The Institute shall cause to be kept by the Registrar a record, to be known as the Register of Agrologists, in which shall be entered the names and addresses of all persons who having complied with the Act, regulations and the by-laws thereunder have been admitted to the Institute, and the Register shall be open to inspection to any person

at all reasonable times free of charge. Within the Register, the current licensee list shall contain the names of all licensees in good standing.

(2) Such list or addendum published or purporting to be published by the Institute shall be prima facie evidence in all courts in the Province and before all judges of the provincial court and justices of the peace in and for the Province that the persons therein named are registered according to the Act and, subject to subsection (1), the absence of the name of any such person from the list or addendum shall be prima facie evidence that such person is not registered.

(3) The following articles will be declared as Prima Facie evidence

(a) A certificate of designation purporting to be signed by a person in their capacity as Registrar of the Institute shall be prima facie evidence in said courts that they are such qualified for the designation and of the facts certified. R.S., c. 8, s. 11.

(b) A license purporting to be signed by a person in their capacity as Registrar of the Institute shall be prima facie evidence in said courts that they are such licensed and of the facts certified. R.S., c. 8, s.11.

Registrar

11 (1) The Council shall appoint a Registrar who shall perform the duties as set out in this Act, the regulations and the by-laws, together with such other duties as are assigned by the Council.

(2) The Registrar shall be a member of the Council but is not entitled to vote.

Fees

12 (1) Fees shall be paid upon application, transfer, reinstatement, and annually, as prescribed by the regulations of the Institute.

(2) The names of those in default shall be removed from the current licensee list by order of the Council and shall not be reinstated except upon payment of such fees and fines, if any, as may be imposed under the regulations of the Institute.

Restricted Licence

13 No partnership, company, corporation or association of persons shall as such be registered as a licensee of the Institute.

Part III - Discipline

Hearing of complaints

14 (1) Complaints may be received for:

- (a) violation of any of the provisions of this Act, regulations and bylaws of the Institute,
 - (b) breach of the professional ethics of the Institute, or
 - (c) disgraceful or improper conduct.
- (2) Complaints must be submitted to the Registrar as outlined in the regulations.

Complaints and Discipline Committee

15

- (1) The Council shall appoint a Chair and a Vice-chair of the Complaints and Discipline Committee.
- (2) The Chair of the Complaints and Discipline Committee shall appoint a Committee for purposes of conducting the complaint process.

Investigations

- 16 (1) Upon receipt of a complaint, the Registrar shall advise the Chair of the Complaints and Discipline Committee of the complaint.
- (2) The Chair of the Complaints and Discipline Committee may appoint an investigator to conduct an investigation in accordance with the regulations.
- (3) Upon concluding the investigation, the investigator shall prepare a written report of the investigation and forward it to a panel of the Complaints and Discipline Committee.
- (4) The Complaints and Discipline Committee shall determine subsequent action in accordance with the regulations.

Complaints and discipline hearing

- 17 (1) The Complaints and Discipline Committee shall issue notice to the complainant and accused in accordance with the regulations.
- (2) The Complaints and Discipline Committee, at the time and place mentioned in the notice of the hearing or at any time and place to which the hearing may be adjourned shall hear the complainant and the accused member and the evidence adduced on their behalf.
- (3) The Committee conducting a discipline hearing must
- (a) make determinations and take action according to this section,
 - (b) give written reasons for a determination about the conduct or competence of the respondent and for an action taken against the respondent, and
 - (c) record in writing an order for costs.
- (4) After a discipline hearing, the Committee must do one of the following

- (a) dismiss the citation, or
- (b) determine that the respondent has committed one or more of the following
 - (i) professional misconduct,
 - (ii) conduct unbecoming an agrologist,
 - (iii) incompetent performance of duties undertaken while engaged in agrology.

Disciplinary powers

- 18 (1) If, under Section (3), an adverse determination is made against a respondent, other than an articling agrologist or an articling technical agrologist, the panel must do one or more of the following
- (a) reprimand the respondent,
 - (b) impose a fine on the respondent in an amount not exceeding \$25000 ,
 - (c) impose conditions on the respondent's license as a member of the Institute,
 - (d) suspend the respondent's licence,
 - (i) for a specified period of time,
 - (ii) until the respondent complies with a requirement under paragraph (f), or
 - (iii) for a specified minimum period of time and until the respondent complies with a requirement under paragraph (f),
 - (e) rescind the respondent's licence
 - (f) require the respondent to
 - (i) complete a remedial program to the satisfaction of the Council or a committee, or
 - (ii) appear before the Council or a committee and satisfy the Council that the respondent is competent to practice agrology.

Appeal

- 19 (1) A person may at any time within 30 days after written notice of the decision of the Complaints and Discipline Committee appeal on any point of law from the findings of a Complaints and Discipline Committee to Council .
- (2) The record on appeal from the findings of the Complaints and Discipline Committee consists of a copy of the transcript of the proceedings, the decision of the Committee and the evidence before the Committee certified by the Chair of the Committee.
- (3) There is no appeal from the decision of the Council .

Part IV - Offences

Illegal practice

20 Any person who is practicing agrology and not licensed under this Act

(a) assumes verbally or otherwise the title of agrologist or makes use of any abbreviation of the title or makes use of any name, title or designation that may lead people to the belief that the person is an agrologist of the Province of Nova Scotia or a member of the Institute, or

(b) acts in such a manner as to lead to the belief that the person is authorized to fill the office of or act as an agrologist,

(c) is guilty of an offence and liable on summary conviction to a fine of not more than \$25000 and the person cannot recover any fees, rewards or disbursements for services rendered by the person as an agrologist.

(d) Any person who violates any of the provisions of Section 20, subsection a and/or b is guilty of an offence and liable on summary conviction to the penalties provided for a category A offence in the Summary Proceedings Act. 2002, c. 10, s. 20; 2005, c. 8, s. 9; 2007, c. 20, s. 8; 2015, c. 46, s. 14.

Limitation period

21 No prosecutions shall be commenced for an offence against this Act after the expiration of five years from the date of the alleged offence.

License as prima facie evidence

22 A license purporting to be under the hand of the Registrar shall be prima facie evidence in any court or elsewhere of the issuance of a certificate of registration or a license to practice, or of the non-issuance thereof.

Proclamation

23 This Act comes into force on such day as the Governor in Council orders and declares proclamation.

NSIA Regulations Draft

Interpretation

1. Citation

These regulations may be cited as the Nova Scotia Institute of Agrologists Regulations

2. Definitions

- “Act” means the *Agrologists Act*
- “Current Licensee List” the list of those who currently have right to practice. This is a subsection of the Register.
- “Expiry Date” the date of licence to practice is no longer valid
- “Licensing Period” runs from February 1 to January 31 of the following calendar year
- “Non-practicing licensee” means a person who voluntarily suspends their license for a period of time during which they are not licenced to practice agrology, as prescribed in these Regulations
- “Practicing licensee” refers to the status of a person who engages in the practice of agrology in the province and who fulfills the licensing requirements of the Act and these Regulations
- “Register” is the list of anyone who has ever been granted right to title
- “Reinstatement” is the process of return to a practicing licensee
- “Reporting Period” runs from January 1 to December 31 of the same calendar year
- “Retired” any person who was a professional or technical agrologist who has retired and is no longer practicing agrology may maintain registration and serve on committees or as a mentor

Registration and Licensing

3. Continuation of membership and licenses

On the coming into force of the Act, the name of every current person who has been approved by Council as a member of the Institute under the former Act must be entered in the Registry but only the current members will be issued a license for the remainder for the license period.

4. Certificate of designation and license categories

Designation Categories

Applicants can only hold a designation in one of the following categories:

- A person is eligible to be a "Professional Agrologist" in the Institute if they satisfy to the Council that they
 - have obtained a minimum of a Baccalaureate degree with a minimum number of required courses from a recognized university and satisfy the experience and competency as prescribed in the Education Standard Order,
 - all other requirements as outlined in these regulations, and

- provide evidence of being a Canadian citizen or a person lawfully permitted to work or study in Canada,
- A person is eligible to be an "Articling Agrologist" in the Institute if they satisfy to the Council that they
 - have obtained a minimum of a Baccalaureate degree with a minimum number of required courses from a recognized university and satisfy the experience and competency as prescribed in the Education Standard Order,
 - all other requirements as outlined in these regulations, and
 - provide evidence of being a Canadian citizen or a person lawfully permitted to work or study in Canada
- A person is eligible to be a "Technical Agrologist" in the Institute if they satisfy to the Council that they
 - have obtained a minimum number of required courses from a recognized post-secondary institution and satisfy the experience and competency as prescribed in the Education Standard Order,
 - all other requirements as outlined in these regulations, and
 - provide evidence of being a Canadian citizen or a person lawfully permitted to work or study in Canada,
- A person is eligible to be an "Articling Technical Agrologist" in the Institute if they satisfy to the Council that they
 - have obtained the minimum number of required courses from a recognized post-secondary institution and satisfy the experience and competency as prescribed in the Education Standard Order
 - all other requirements as outlined in these regulations, and
 - provide evidence of being a Canadian citizen or a person lawfully permitted to work or study in Canada,

License Categories

Applicants can only hold a license in one of the following categories:

- Practicing – a person who meets annual licensing requirements of:
 - Payment of annual membership fee as prescribed in Bylaws
 - Completion and reporting of annual Professional Development Hours
- Non-Practicing – a person who has not applied for a retired license but voluntarily suspends their license
- Retired P.Ag. or Retired T.Ag. – licensee who has applied to retire from the designation and meets the following requirements
 - Must be active licensee at the time of application
 - Must have held a practicing license with a P.Ag. or T.Ag. designation for 20 cumulative years
 - Pay the annual fee
- Temporary – a person who holds their primary licence with another provincial Institute but is doing work in Nova Scotia that would normally require regulation

- Exemption period of 14 days within one licensing period
- Application is good for the maximum of one licensing period
- Additional applications will be considered for maximum of 36 consecutive months
- Annual fee paid to NSIA and confirmation of good standing at home Institute

5. Application Process

Designation

Applicants may apply for any of the designations listed in Section 4 by submitted the following:

- application form which may contain the following:
 - name, address, contact information, work history, academic history, Knowledge Area, other P.Ag. memberships held, signed declaration, letter of good standing from another provincial institute and any other information deemed necessary to evaluate the applicant's worthiness for designation.
- Pay any applicable fees
- Submit supporting documents to meet designation requirements which may include:
 - Official Transcripts
 - Letter of good standing from originating institute
 - Any other documents deem necessary to evaluate applicant's worthiness
- evidence of being a Canadian citizen or person lawfully permitted to work or study in Canada,
- May include completion of competency test(s)

Licenses

Licenseses can only hold a license in one of the following categories:

- Annual License to Practice
 - Application may include:
 - Licensee name, address, employer, designation, Knowledge Area, signed declaration and any other information needed necessary to evaluate worthiness
- Non-practicing Agrologist
 - Application to be received by NSIA by the end of the current reporting period and may include: Duration of leave, licensee name, address, employer, designation, Knowledge Area, signed declaration and any other information needed necessary to evaluate worthiness
 - Maximum 5 years as Non-Practicing, can't renew for consecutive 5-yr periods
 - Exempt from annual reporting of PD while Non-Practicing

- Reporting for current PD is up-to-date before approval of Non-Practicing License
 - Prorated for either ½ year or full year only
 - Exemption for medical emergencies/unexpected leave
 - Retiree License
 - Application to include:
 - Licensee name, address, employer, designation. signed declaration and any other information needed necessary to evaluate worthiness
 - Temporary License
 - Complete application form which may include: permission to contact home Institute, duration of temporary licensee, Licensee name, address, employer, designation, signed declaration and any other information needed necessary to evaluate worthiness
- 6. Issuance of Designation and License

Designations and Initial Licenses are dually approved or denied.

Issuance of Designation:

- Completion of Courses including Ethics, Intro to NS Ag and Intro to NSIA
- Designation Certificate will include
 - Agrologist's name
 - Designation
 - Date of Issuance
 - Authorized Signatures

Issuance of License:

- Pay annual fee
- Completion of PD requirements as outlined in section 11 of these regulations
- Annual License will include
 - Licensee's name
 - Designation
 - Expiration Date
 - Authorized Signatures

Transferring from another Provincial Institute

Upon approval of transfer application, you will be granted a 30-day temporary license and within those 30 days you must demonstrate current knowledge of NS Agriculture as listed in policies. Once completed a NSIA designation and annual license will be issued.

- 7. License Term and Renewal
 - Licensing period runs from February 1 to January 31 of the following calendar year
 - Notification, including reason and date, of removal from Licensee List and associated revocation of rights and privileges will be sent within 10 business days of event.
 - Non-Practicing Licensees

- At the end of the current approved term, without a new application received, licensee will be removed from the current Licensee List
- Notification, including reason and date, of removal from Licensee List and associated revocation of rights and privileges will be sent within 10 business days of event.

8. Reinstatement to Practicing Licensee

- Non-Practicing Agrologists
 - Complete the application for reinstatement
 - Pay fee
 - Comply with PD reporting and PD Audit requirement as referenced in Section 11
 - May include demonstration of current knowledge of NS Agriculture as listed in policies
- If removed from Licensee List
 - Less than 6 months from removal date
 - Complete the application for reinstatement
 - Comply with PD reporting and PD Audit requirement as referenced in Section 11
 - Pay the full annual licence fee, late fee, reinstatement fee
 - At least 6 months but less than 12 months from removal date
 - Complete the application for reinstatement
 - Comply with PD reporting and PD Audit requirement as referenced in Section 11
 - Pay the full annual licence fee, late fee, reinstatement fee
 - Successfully complete a PD audit
 - Ethics Course
 - At least 12 months but less than 36 months from removal date
 - Complete the application for reinstatement
 - Comply with PD reporting and PD Audit requirement as referenced in Section 11
 - Pay the full annual licence fee, late fee, reinstatement fee
 - Successfully complete a PD audit
 - Ethics Course
 - 36 months or more from removal
 - Complete the application for reinstatement
 - Comply with PD reporting and PD Audit requirement as referenced in Section 11
 - Pay the full annual licence fee, late fee, reinstatement fee
 - Successfully complete a PD audit
 - Completion of competency test
 - Demonstrate current knowledge of NS Agriculture as listed in policies
 - Ethics Course/NS Ag/Intro to NSIA
- Received Notice/Suspended/Revoked for Disciplinary Reasons
 - Complete the application for reinstatement
 - Comply with PD reporting and PD Audit requirement as referenced in Section 11
 - Pay the annual licence fee, reinstatement fee
 - Successfully complete a PD audit
 - Demonstrate current knowledge of NS Agriculture as listed in policies
 - Ethics Course/NS Ag/ Intro to NSIA
 - Appear in front of the disciplinary committee
- Retired member looking to practice again
 - Complete the application for reinstatement
 - Pay fee

- Comply with PD reporting and PD Audit requirement as referenced in Section 11
 - May include demonstration of current knowledge of NS Agriculture as listed in policies
9. Rights, Privileges, and Obligations

- (1) Any professional agrologist with an annual license to practice may use the title, abbreviations and initials “professional agrologist”, “P.Ag.” or “PAg”
- (2) Any technical agrologist with an annual license to practice may use the title, abbreviations and initials “technical agrologist”, “T. Ag.” or “TAg”.
- (3) Any articling agrologist with an annual license to practice may use the title, abbreviations and initials “articling agrologist”, “A.Ag.” or “AAG”.
- (4) Any articling technical agrologist with an annual license to practice may use the title, abbreviations and initials “articling technical agrologist”, “A.T.Ag.” or “ATAg”.
- (5) Any professional agrologist with an annual retired license may use the title, abbreviations and initials “Professional Agrologist, Retired”, “P.Ag.(Ret)” or PAg(Ret)”
- (6) Any technical agrologist with an annual retired license may use the title, abbreviations and initials “Technical Agrologist, Retired”, “T.Ag.(Ret)” or TAg(Ret)”

Restrictions

- (1) A technical agrologist may not affix his or her signature or the title, abbreviations or initials that the technical agrologist may use pursuant to section 9 to any project reports, compliance reports, plans, maps or other documents used in the practice of agrology unless the technical agrologist has prior approval of the Council to do so.
- (2) An articling agrologist may not affix his or her signature or the title, abbreviations or initials that the technical agrologist may use pursuant to section 9 to any project reports, compliance reports, plans, maps or other documents used in the practice of agrology.
- (3) An articling technical agrologist may not affix his or her signature or the title, abbreviations or initials that the technical agrologist may use pursuant to section 9 to any project reports, compliance reports, plans, maps or other documents used in the practice of agrology.
- (4) A Non-Practicing licensee cannot use titles and abbreviations and cannot practice, cannot vote
- (5) A retired licensee cannot practice, cannot vote

Obligations

- Wording around Act stating the regulations will provide for the adoption of Code of Ethics
10. Articling Program

- An Articling Agrologist must complete the Articling Program as described in the Articling Program Order
- Failure to complete this program will result non renewal of the annual license.

11. Professional Development Requirements

- Licensed Agrologists are required to meet the annual PD hours and reporting requirements as stated in the Professional Development Order.
- If annual reporting hours are not met the annual license for the next licensing period is not approved and they will be removed from the current licensee list.
- Annual audits of PD will be conducted on licensees as described in the PD Order. Non-Compliance with the audit requirements will result in non-renewal of the annual license and removal from the current licensee list.

12. Knowledge Area

All practicing agrologists must declare Knowledge Area and at least one competency, to a max of:

- Four for Professional Agrologists
- Two for Technical Agrologists

Changes to competency:

- The Licensee must demonstrate completion of PD hours as outlined in the PD Order. Cannot declare new competency until PD requirement met and change approved by Council.
- Council reserves the right to request addition information related to PD either within or outside of the audit process.

13. Information on registration or licensing status

A list of licensees will be published annually including designation, licensee status and knowledge area.

14. Fees

- Fee Categories:
 - Application
 - License Fees – (All designations)
 - Compliance Fees (late fee, reinstatement, etc.)
 - Other fees as deemed necessary by Council
- No refunds will be issued
- Debts are recoverable in Court

15. Council

- Need authority to create/amend orders

16. Registrar

- The Registrar has the authority from Council to oversee Regulatory Compliance

Professional Conduct Process

17. Complaint

- Complaints must be submitted to the Registrar by completing the Complaint Form
- Chair of the Complaints and Discipline committee shall oversee Complaint and Discipline procedures.
- Council is responsible for the completion of the Complaint and Discipline process
- Need authority to create/amended orders

18. Discipline

- Penalties
 - Licensee Restrictions
 - If licensee revoked a timeframe is set for the ex-licensee to apply for reinstatement (reinstatement process states appearing in front of Complaints and Disciplinary Committee)
 - Other restrictions could include limiting authority to sign documents, oversight by another P.Ag., limit their Knowledge areas, check-in with Registrar regularly who has the ability to bring concerns to Committee if necessary (“restricted” beside their name on our public listing, potentially with hyperlink to decision)
 - Fines
 - Determined by the Complaints and Discipline committee and included in the written decision
- Costs of the disciplinary process will be recovered from the respondent and/or complainant and will be included in the decision from the committee
- Need to give Committee authority to set pre=precedence before receipt of complaint
- Debt recoverable in court
 - A fee imposed on a person under these regulations is a debt due to the Institute by that person and is recoverable in a court of competent jurisdiction in addition to any manner permitted under the Act or regulations.

19. Appeal

- Appeal of Council decisions will go to Complaints and Discipline committee whose decision will be final
- Appeal of Complaints and Discipline decisions will go to Council whose decision will be final
- Appeals must be received by the Registrar within 30 calendar days of the original decision
- Within 7 calendar days of the expiration of the appeals process the summary of the decision will be posted on our website (“innocent” outcome use initials only, “guilty” outcomes use full name)

