



*The Registered Professional Foresters
Association of Nova Scotia*

**BY-LAWS revisions suggested for 2014
Updated April 16, 2014**

Generally, the following By-Laws relate to the affairs, business, property management, government, aims, objects, and objectives of the Registered Professional Foresters Association of Nova Scotia.

TABLE OF CONTENTS

ARTICLE 1 - INTERPRETATION	8
SECTION 1.01 - DEFINITIONS.....	8
SECTION 1.02 - OTHER DEFINITIONS	9
ARTICLE 2 - MISSION STATEMENT	9
SECTION 2.01 - MISSION STATEMENT	9
ARTICLE 3 - HEAD OFFICE AND SEAL	
SECTION 3.01 - HEAD OFFICE.....	10
SECTION 3.02 - ASSOCIATION SEAL	10
SECTION 3.03 – MEMBERS SEAL	10
ARTICLE 4 - MEMBERSHIP	10
SECTION 4.01 - NO FIRMS AND CORPORATIONS.....	10
SECTION 4.02 - MEMBERSHIP CATEGORIES.....	10
SECTION 4.03 - FORMS AND GUIDELINES.....	10
SECTION 4.04 - TIME PERIODS	11
SECTION 4.05 - FINAL DECISION	11
SECTION 4.06 - TERMINATION OF MEMBERSHIP	11
SECTION 4.07 - RESIGNATION FROM MEMBERSHIP	11
SECTION 4.08 - SUSPENSION OF MEMBERS.....	11
SECTION 4.09 - DURATION OF SUSPENSION	12
SECTION 4.10 - APPEAL OF SUSPENSION	12
SECTION 4.11 - REINSTATEMENT OF MEMBERSHIP	12

SECTION 4.12 - REGISTRAR13

ARTICLE 5 -ACTIVE MEMBERSHIP.....13

SECTION 5.01 - QUALIFICATIONS AND MEMBERSHIPS13

SECTION 5.02 - ACTIVE MEMBERSHIP CATEGORIES13

SECTION 5.03 - ENTITLEMENTS.....14

ARTICLE 6 - ASSOCIATE MEMBERSHIP14

SECTION 6.01 - QUALIFICATIONS AND ENTITLEMENTS.....14

SECTION 6.02 - ASSOCIATE MEMBERSHIP CATEGORIES.....15

SECTION 6.03 - ENTITLEMENTS.....16

SECTION 6.04 - EXTENSION OF TERMS.....16

SECTION 6.05 – FEE FOR EXTENSION16

ARTICLE 7 - REGISTER OF PROFESSIONAL FORESTERS16

SECTION 7.01 - REGISTER.....16

SECTION 7.02 - CERTIFICATE OF REGISTRATION AND MEMBERS SEAL17

SECTION 7.03 - CONTINUING EDUCATION17

 Subsection 7.03.01 - General17

 Subsection 7.03.02 - Continuing Forestry Education Program.....17

 Subsection 7.03.03 - Requirement to meet CFE obligations17

ARTICLE 8 - DUES.....17

SECTION 8.01 - GENERAL17

SECTION 8.02 - PAYMENT DATE.....17

SECTION 8.03 - DUES IN ARREARS.....18

SECTION 8.04 - DEFERRAL OR WAIVER OF DUES18

SECTION 8.05 - DUES SCHEDULE18

SECTION 8.06 – RECEIPT18

SECTION 8.07 – REFUNDS18

SECTION 8.08 – PRO-RATED FEES19

SECTION 8.09 - AUTOMATIC WITHDRAWL OF DUES 19

ARTICLE 9 - MEETINGS OF MEMBERS.....19

SECTION 9.01 - ANNUAL MEETING19

SECTION 9.02 - SPECIAL MEETINGS19

SECTION 9.03 - QUORUM.....20

SECTION 9.04 - PRESIDING OFFICER20

SECTION 9.05 - VOTING AT MEETINGS20

SECTION 9.06 - RESOLUTION OF MEMBERS20

SECTION 9.07 – PROXY VOTING20

SECTION 9.08 – VALIDITY OF PROXY20

ARTICLE 10 - COUNCIL21

SECTION 10.01 - COUNCIL.....21

SECTION 10.02 - QUALIFICATIONS OF COUNCILLORS21

SECTION 10.03 - QUORUM.....21

SECTION 10.04 - RESOLUTION OF COUNCIL.....21

SECTION 10.05 - MEETINGS OF COUNCIL.....21

SECTION 10.06 - RESOLUTION ADOPTED IN WRITING22

SECTION 10.07 - GOVERNANCE22

SECTION 10.08 - MANAGEMENT AND MAINTENANCE.....22

SECTION 10.09- PROVISION FOR JOINT COUNCIL22

ARTICLE 11 - ELECTION OF COUNCIL MEMBERS22

SECTION 11.01 - PRESIDENT AND VICE-PRESIDENT22

SECTION 11.02 - OTHER COUNCILLORS23

SECTION 11.03 - VACANCIES ON COUNCIL23

SECTION 11.04 - NOMINATING COMMITTEE23

SECTION 11.05 - CALL FOR NOMINATIONS23

SECTION 11.06 - DATES FOR NOMINATIONS23

SECTION 11.07 - NOTICE TO MEMBERS23

ARTICLE 12- OFFICERS24

SECTION 12.01 - PRESIDENT24

SECTION 12.02 - VICE-PRESIDENT24

SECTION 12.03 - OTHER OFFICERS24

SECTION 12.04 – SECRETARY/ EXECUTIVE DIRECTOR24

SECTION 12.05 - TREASURER24

SECTION 12.06 - REGISTRAR25

SECTION 12.07 - INSURANCE.....25

SECTION 12.08 - REMUNERATION.....25

SECTION 12.09 – DIRECTORS.....	25
ARTICLE 13 - COMMITTEES	25
SECTION 13.01 - COMMITTEES.....	25
SECTION 13.02 - COMPOSITION	26
SECTION 13.03 - TERMS OF REFERENCE	26
SECTION 13.04 - REPORTING	26
SECTION 13.05 - REVIEW	26
ARTICLE 14 - BOARD OF EXAMINERS	26
SECTION 14.01 - BOARD OF EXAMINERS	26
SECTION 14.02 – PERIOD OF APPEAL	27
SECTION 14.03 – APPEAL TO BE SENT	27
SECTION 14.04 – CONCLUSION OF APPEAL	27
ARTICLE 15 - FINANCIAL.....	27
SECTION 15.01 - BOOK OF ACCOUNTS.....	28
SECTION 15.02 - INSPECTION OF FINANCIAL RECORDS	28
SECTION 15.03 - REVIEW OF ACCOUNTS	28
SECTION 15.04 - BANKING ARRANGEMENTS	28
SECTION 15.05 - BORROWING OF MONEY	28
ARTICLE 16 - EXECUTION OF DOCUMENTS.....	29
SECTION 16.01 – SIGNING AUTHORITY	29
SECTION 16.02 - SIGNING AUTHORITY SECRETARY/ EXECUTIVE DIRECTOR	29

ARTICLE 17 - MINUTES.....30

SECTION 17.01 - KEEPING OF MINUTES.....30

SECTION 17.02 - SIGNING OF MINUTES30

ARTICLE 18 - CODE OF ETHICS30

SECTION 18.01 - PREPARATION AND ADOPTION30

ARTICLE 19 - DISCIPLINE.....30

SECTION 19.01 - UNPROFESSIONAL CONDUCT30

SECTION 19.02 - DISCIPLINARY PROCEDURES31

ARTICLE 20 - AMENDMENT OF BY-LAWS.....31

SECTION 20.01 - RESOLUTION OF MEMBERS31

ARTICLE 21 - ACTIVATION31

SECTION 21.01 - COMING INTO FORCE31

TABLE; membership and dues categories32

JOINT STOCKS APPROVAL33

ARTICLE 1 - INTERPRETATION

1.01 – DEFINITIONS

The following terms in these By-Laws and in all other By-Laws of the Registered Professional Foresters Association of Nova Scotia (RPFANS) hereafter passed, unless otherwise stated, shall have the following meaning:

- (a) “Act” shall mean the Foresters Association Act, S.N.S. 1999, c. 6, as amended from time to time, or any successor or replacement legislation;
- (b) “Active Member” shall mean those in the membership categories noted in Article 5.02; who have met all of the qualifications for membership;
- (c) “Annual Meeting” shall mean the Annual Meeting of the Association as required by the Act;
- (d) “Associate Member” shall mean those in the membership categories noted in Article 6.02; who are members for the purposes of obtaining experience; mentoring or fulfilling other requirements to become an Active Member;
- (e) “Association” shall mean the Registered Professional Foresters Association of Nova Scotia;
- (f) “By-Laws” refer to the By-Laws of the Association, as they may from time to time exist, created under the authority of the Act, these By-Laws, and any schedules or appendices.
- (g) “Council” shall mean the Council of the Association;
- (h) “Entitlements and Requirements” There are two primary categories of members in the Association. The requirements for each are set out in Articles 5 and 6; and their entitlements are identified in Membership Entitlements, Tables 1 and 2;
- (i) “Meeting of Members” means either the Annual Meeting or any Special Meeting of the Members of the Association held in accordance with these By-Laws;
- (j) “Member” shall mean a Member of the Association that is in good standing, in their membership category, and “Members” shall refer to all such members who are in good standing, in their membership category, at a given time;
- (k) National Evaluation Assessment Team means that group of professionally qualified individuals assigned, by the Central Assessment Authority of the Canadian Association of Professional Foresters Associations, to undertake the assessment of an applicants qualifications by using the Certification Standards for the Practice of Professional Forestry in Canada

- (l) “Register” means the Register of Professional Foresters of Nova Scotia which shall be a record of all Members containing the full name and address, date of registration, and membership category of each Member;
- (m) “Secretary/Executive Director” means that individual appointed by Council to perform the various roles and responsibilities as assigned by Council from time to time, and the duties identified for the position in these By-Laws.
- (n) “Special Meeting” refers to any general meeting of the Members other than the Annual Meeting;
- (o) “Special Resolution” means a resolution passed by not less than three fourths (3/4) of such Active Members entitled to vote as are present in person or by proxy, at a general, or special meeting, of which notice specifying the intention to propose the resolution as a Special resolution has been duly given.
- (p) “Year” for the Association refers to both the calendar year and the fiscal year of the Association, which is to be the calendar year.

1.02 - OTHER DEFINITIONS

All other words and terms used in these By-Laws and which are not defined herein, shall have the same meaning ascribed to them in the Act, unless otherwise stated, and if not defined the Act shall have the professional meaning thereof, where applicable, but otherwise shall have the usual and ordinary meaning.

ARTICLE 2 - MISSION STATEMENT

2.01 - MISSION STATEMENT

The goal of the Association is to ensure that the people of Nova Scotia receive high quality management of their natural resources by Members of the Association for the benefit of current and future generations.

ARTICLE 3 - HEAD OFFICE AND SEAL

3.01 - HEAD OFFICE

From time to time and by resolution the Members shall name the location of the Head Office of the Association, which shall be situated within the Province of Nova Scotia.

3.02 - ASSOCIATION SEAL

The Seal of the Association shall be both an incised device and the impression of the incised device, usually on a wafer. The Registrar, or such other Officer as may be designated by Council, shall keep the incised device in a safe and secure place at the head office.

3.03 – MEMBERS SEAL

Active Members of the Association may use the seal, the design for which and terms of its use have been approved by Council, to signify that the documents, or work, or opinion have been prepared by, or under the supervision of, a Registered Professional Forester. In the use of the seal, members shall conform to the terms of its use. All such seals shall be purchased from the Association.

ARTICLE 4 – MEMBERSHIP

4.01 - NO FIRMS AND CORPORATIONS

No firm, corporation, syndicate, partnership or other entity shall be entitled to become a Member of the Association, but only individual persons shall be so entitled. Membership in the Association is not transferable or assignable.

4.02 - MEMBERSHIP CATEGORIES

The membership supra-categories for Members of the Association are Active Memberships and Associate Memberships.

4.03 – APPLICATION FORMS AND GUIDELINES

The Council shall make provision for the format of the application for membership in the Association. The form will be available on the Associations web site or, upon written request to the Association. Applicants must meet the guidelines for enrolment existing at the date of the application as provided by the Registrar. Further guidelines involving the application and registration process are contained in the RPFANS APPLICANT REQUIREMENTS POLICY.

4.04 - TIME PERIODS

Any membership which requires the successful writing of examinations, professional reports or theses for qualifications shall be granted only if the full requirements are satisfied within a maximum of eighteen months for an Adjunct forester and Transferring member; three years for Forester-in-Training; or within a maximum of five years for a Forestry Candidate, from the time of approval of the application of membership. A member wishing an extension of the above time periods may apply to Council for an extension of the period for up to one (1) year. Council may establish fees for such extensions.

4.05 - FINAL DECISION

The Registrar shall make the initial decision on the approval of any application for membership. Any applicant who has been refused a membership by the Registrar may request a review of the Registrar's decision by the Board of Examiners. An applicant who has had an application for membership refused by the Board of Examiners may request a review of the Board of Examiners decision at any subsequent meeting of the Council. The decision of the Council shall be final and binding and Council shall promptly advise the applicant, in writing, of the reason or reasons for rejection. . No person who participated in prior decisions regarding the application shall participate in the decision by Council.

4.06 - TERMINATION OF MEMBERSHIP

Membership shall terminate upon the happening of any of the following:

- (a) Non-payment of membership fees;
- (b) Failure by the member to fulfill the continuous forest education requirements;
- (c) Failure to comply with other assessments or charges owing the Association as provided by these By-Laws;
- (d) The death, resignation, or suspension of a Member; or
- (e) The expiry of the membership requirements in the case of Non-Resident Active and Associate Members only.

4.07 - RESIGNATION FROM MEMBERSHIP

Any Member in good standing who wishes to resign from the Association shall tender written notice thereof, together with the Member's Certificate of Registration, the members seal, and any other documentation which identifies the Member to the public as a Member, to the Registrar who shall cause the name of such member to be struck from the Register in accordance with the Act.

4.08 - SUSPENSION OF MEMBERS

Notwithstanding Section 4.06; Council shall, at any duly constituted meeting thereof, resolve to suspend from membership any Member who is in arrears for fees, assessments or charges, who fails to meet the continuous forest education requirements, or who, in the opinion of the Discipline Committee, has exhibited unprofessional conduct.

4.09 - DURATION OF SUSPENSION

Council shall determine the duration and terms of the suspension from membership notwithstanding any suspension for cause by the Chairperson of the Discipline Committee provided however that no suspension, other than failure to complete the continuous forestry education requirements or to pay fees, assessments, or charges, shall take effect until after the effected Member has been first given at least ten (10) days written notice by the Registrar, sent by electronic mail, or by registered mail to the registered address of such Member stating the specific reasons for the suspension and inviting the effected Member to attend before Council to give reasons why the suspension should not occur. Council shall render a decision, to be supported by a majority of Councillors, as to whether or not the suspension should occur and notify the effected Member in writing of their decision in a timely and efficient manner.

4.10 - APPEAL OF SUSPENSION

Any Member who has been suspended as a result of Section 4.09 hereof shall have the right of appeal such suspension to the membership by giving the Registrar notice, in writing, of such appeal within two weeks following receipt of Council's decision and such appeal shall be heard at a general meeting of the Members where notice of the appeal has been given in the Notice of Meeting. Any such appeal shall only be allowed and the decision of Council shall be quashed if a majority of the Members entitled to vote at such meeting approve the reinstatement, which decision shall be by way of a resolution of the Members. On any such appeal, the Member concerned and/or the Council may be represented by counsel of their choice.

4.11 - REINSTATEMENT OF MEMBERSHIP

Council may by resolution, at any duly constituted meeting thereof, reinstate a Member who:

- (a) Ceased to be a Member for non-payment of fees: Upon payment of 50% of the dues for the year in which the Member was struck from the Register together with the dues and charges for the year in which the reinstatement is made;
- (b) Resigned as a Member as permitted under these By-Laws: Who has successfully reapplied for membership, upon the payment of the current annual dues and charges;
- (c) Has been suspended following payment in full of dues for the year in which the Member was struck from the Register: Who has fulfilled the requirements of the suspension and paid all current dues, and charges or any other monies owing to the Association;
- (d) Failed to meet the Continuing Education requirement: Upon fulfillment of the Continuing Forest Education Requirements and the payment of all current dues, and charges.

4.12 - REGISTRAR

The Registrar shall cause the name of any Member whose membership has been reinstated by Council or whose suspension has expired to be placed in the Register provided that at such time, such Member may be required to show proof of good character.

ARTICLE 5 - ACTIVE MEMBERSHIP

5.01 - QUALIFICATIONS AND ENTITLEMENTS

Each applicant for admission to the Association as an Active Member shall:

- (a) Have reached the age of majority;
- (b) Be of good character;
- (c) Have graduated from a forestry program accredited by the Canadian Forest Accreditation Board; or,
- (d) Successfully demonstrated that the Applicant has met the Certification Standards for the Practice of Professional Forestry in Canada as approved by the Canadian Federation of Professional Foresters Associations, and
- (e) Be sponsored by a Registered Professional Forester (RPF); and,
- (f) When required to do so, show proof of these qualifications when application is made.

5.02 - ACTIVE MEMBERSHIP CATEGORIES

Active Membership in the Association shall be in one of five (5) categories, namely:

(a) *Regular Membership*

To be eligible for membership in this category, applicants must satisfy the requirements of the Act; and have completed, and maintained, all other requirements under these Bylaws.

(b) *Emeritus Membership*

Emeritus Members shall be decided by resolution of the Council or by resolution of the Members. Granting of Emeritus Membership shall be in recognition of eminent service to the profession of forestry, or in recognition of the efforts to advance forestry in Nova Scotia. Successful candidates for Emeritus Membership shall have been an Active Regular Member in good standing and shall, to the satisfaction of the Council, have retired from active employment in forestry work.

(c) *Non-Resident Membership*

- (i) An applicant for Non-Resident Membership shall be an Active Regular Member in good standing of the Association who no longer resides and works within the province of Nova Scotia. Membership in this category shall be terminated upon the member resuming residence or employment in Nova Scotia, and the member shall be eligible for reinstatement to Active Regular Membership without further qualifications; or,

- (ii) An applicant for Non-Resident Membership shall apply to individuals who: are in good standing in their home province's Registered Professional Forestry Association, reside outside of Nova Scotia, and who wish to use the initials of RPF, and / or the restricted title, in Nova Scotia.

(d) Retired Membership

An applicant for Retired Membership shall have been an Active Regular Member in good standing of the Association and who has retired from active employment in forestry work and does not intend to pursue forestry employment beyond occasional and/or casual engagements. A retired member is not required to meet the RPFANS Continuing Forest Education requirements.

(e) Transferring Member

To be eligible for this category of membership, the applicant must have requested a transfer of their membership from their home jurisdiction to RPFANS, and provided all required documentation and paid the prescribed dues and charges. They are required to write the legislation and policy exam of RPFANS within 18 months of their acceptance as a member.

5.03 - ENTITLEMENTS

Active Members shall enjoy the benefits of those entitlements as are set forth in Table 1 of Membership Entitlements. Only Active Members shall use the term "Registered Professional Forester" and/or the initials RPF or any similar phrases or abbreviations which could lead others to believe that they are Active Members.

ARTICLE 6 - ASSOCIATE MEMBERSHIP

6.01 - QUALIFICATIONS AND ENTITLEMENTS

Each applicant for admission to the Association as an Associate Member shall; have reached the age of majority; be of good character; be sponsored by a member of RPFANS and may be required to show proof of any qualifications accompanying their application. Persons who are recorded as Associate Members shall be entitled to receive publications of the Association and to attend membership meetings, but shall not be qualified to exercise any other right to which Active Members are entitled by virtue of the Act or the By-Laws.

6.02 - ASSOCIATE MEMBERSHIP CATEGORIES

Associate Membership in the Association shall be in one of five (5) categories, namely:

(a) *Forester-in-Training (F.I.T.) Membership*

Any person who has successfully completed the requirements of a Baccalaureate Degree Program in Forestry from an institution of learning accredited by the Council may apply for this category of membership. Alternatively, Council may review the report of the National Evaluation Assessment Team, and if Council concurs with the results of the national assessment, that the applicant meets the National Requirements for Certification, the candidate may be accepted under this category. This category of membership may be retained for a maximum of 36 months and shall be terminated upon the person becoming eligible for Active Membership.

(b) *Forestry Candidate (F.C.) Membership*

Any person interested in becoming a Registered Professional Forester in Nova Scotia and with approval by Council in accordance with section 7.1 (b), (c), and (d) of the Act may apply for membership as Forestry Candidate. Where a applicant has undergone an assessment of their credentials by the National Evaluation Assessment Team, and gaps have been identified in the candidates knowledge or skills, and the applicant is undertaking to fill those gaps; they may be included in this category This category of membership may be retained for a maximum of five years and shall be terminated upon a person becoming eligible for Active Membership.

(c) *Student Membership*

Any person registered as full time undergraduate in a Baccalaureate Degree Program in Forestry, from an institution of learning accredited by the Council, may apply for this category of membership. Any person registered as a full time post graduate student in a program that shall enhance their Baccalaureate Degree in Forestry may apply for this category. The duration of this category shall be for the time that the person is registered as a full time student.

(d) *Inactive Membership*

Any Member who has ceased to be employed in forestry work may apply for this category. Such membership shall be terminated if the Member becomes active in forestry employment and the member is eligible for reinstatement as an Active Member without further qualifications.

(e) *Adjunct Forester Membership*

Any person who has successfully completed the requirements of a Baccalaureate Degree Program in Forestry from an institution of learning accredited by the Council and has actively engaged in the practice of professional forestry for five years, with a minimum of 2 of these 5 years, working in the Maritime Provinces, may apply for this category of membership. This category of membership may be retained for a maximum of eighteen (18) months, and shall be terminated upon the person becoming eligible for Active membership.

6.03 - ENTITLEMENTS

Associate Members shall enjoy the benefits of those entitlements as are set forth in Table 2 of Membership Entitlements.

6.04 - EXTENSION OF TERMS

Where a term of membership is specified in Article 6-Associate Membership; and the member has not completed the all requirements identified therein for Active Membership; Council may, upon written request, extend the members membership in that category for a maximum period of one (1) year.

6.05 - FEE FOR EXTENSION

Where a member requests, and is granted, an extension under 6.04, a fee, or charge, established by Council will be assessed to the member.

ARTICLE 7 - REGISTER OF PROFESSIONAL FORESTERS

7.01 - REGISTER

(a) The Association shall create and keep a register of its members to be known as the "Register of Professional Foresters of Nova Scotia". The Registrar shall enter the full name and address, the date of registration, and the membership category of each Member of the Association on the Register, and shall keep the Register correct and in accordance with the Act and these By-Laws. A separate record shall be kept of the name and address of each Member whose name shall remain so recorded as long as they comply with the requirements of the Act and these By-Laws, and Council does not otherwise direct.

(b) It shall be the responsibility of each member to promptly inform both the Registrar and the Executive Director of all changes to their contact information (mailing address, email address, phone number, and employer)

7.02 - CERTIFICATE OF REGISTRATION AND MEMBERS SEAL

Council shall approve of the form and design of a “Certificate of Registration” which shall contain the signatures of both the President and Registrar and the Seal of the Association. Every applicant qualified for registration, as an Active Member under Section 5, who has made payment of the required dues, fees and charges and been accepted by Council shall be issued a Certificate of Registration under the Seal of the Association, which certificate shall be *prima facie* evidence of registration. Every Certificate of Registration so issued; and Seal, if so issued, shall remain the property of the Association and shall be returned by the Member upon cessation of membership.

7.03 - CONTINUING EDUCATION

7.03.01 – General: Life long learning is necessary for improving and enhancing: knowledge, skill, proficiency and competency in all matters relating to the practice of professional forestry by Members.

7.03.02 - Continuing Forestry Education (CFE) Program: The RPFANS will establish a CFE Policy for the Association. The CFE policy will describe the requirements for the members to meet their CFE membership obligation, types of educational activity eligible for credit, the methods and timing for reporting CFE activity, and verification processes.

7.03.03 - Requirement to meet CFE obligation: It is a requirement of membership in RPFANS that all members, as identified in the tables below as being required to participate in the CFE program, must do so. Failure to meet the CFE requirement may result in suspension or termination of membership as described in the Bylaws and CFE Policy.

ARTICLE 8 – DUES

8.01 - GENERAL

Council shall recommend to the membership at the Annual Meeting membership dues, for Members of, or applicants to, the Association for the coming year. The dues must be approved by a majority of not less than two-thirds (2/3) of the voting members present at the Annual Meeting. All other fees, or assessments, may be set by Council as required.

8.02 - PAYMENT DATE

All membership dues for Members for a given Year are due on the first day of January in the year for which they apply. Members may elect to have their dues paid by an automatic withdrawal from their account. Providing such notice is given to RPFANS, and implemented, the

intent of this clause for payment date shall have been deemed to have been met. After the Annual Meeting the Secretary/Executive Director or Registrar shall send a notice to all Members stating the amount of the membership fees that are due which notice shall also contain the appropriate methods of payment.

8.03 - DUES IN ARREARS

A late payment charge of ten (10%) percent of the membership dues shall be assessed against those dues remaining unpaid after the last day of January in the year for which they apply; but shall not assessed against first time applicants. If payment of membership dues have not been made by the last day of February in the Year for which the dues apply, the Secretary/Executive Director or Registrar shall send, by registered mail, or electronic mail, a notice to the delinquent Member advising that the Member is in arrears and liable to be removed, without further notice, from the Register. Providing that the notice is sent to the last address that the Member has provided to the Association, no proof of receipt is required. If the delinquent Member does not pay, in full, all back and current dues and late charges by the last day of March the Register shall cause the delinquent Member's name to be removed from the Register.

8.04 - DEFERRAL OR WAIVER OF DUES

Upon written application, for due or for sufficient cause, the Council may waive or defer payment of the annual membership dues by any Member. The Secretary/Executive Director or Registrar must receive the written application by the last day of October in the year previous to the Year for which the membership dues apply.

8.05 - DUES SCHEDULE

The dues schedule as approved by the Members at the Annual Meeting shall be posted on the Association's web site.

8.06 – RECEIPT

The receipt issued to the member upon full payment of their annual dues shall serve to fulfill the requirement for an "annual certificate" as required in section 15.2 of the Foresters Association Act.

8.07- REFUNDS

Full, or partial, refunds of dues to resigning, or relocating, members are not offered in the normal course of business. A members' estate may submit a request, in writing for a partial refund of dues to the Council. Following consideration, Council may approve, or reject, the request.

8.08 – PRO-RATED DUES

New applicants, who are accepted for membership after the mid point of the Association's fiscal year (June 30); shall be eligible for a reduction in membership dues equal to one half of the annual membership dues. The reduced amount does not apply to former members seeking reinstatement; unless the former member has been absent from the Province for a period in excess of twelve (12) consecutive months. Should the Member select payment by automatic withdrawal, the amount to be pro-rated would be based on the foregoing provisions.

8.09 – AUTOMATIC WITHDRAWAL OF DUES

The selection of automatic withdrawal for the payment of annual dues does not create a monthly membership. The balance of the full amount of the dues as identified in sections 8.05, or as modified in 8.08, shall be due and payable to the Association, should the Member elect to cease using the automatic withdrawal option. A member, who has selected to pay their annual dues by means of an automatic withdrawal, shall not be subject to the provisions described in Section 8.03 until such time as the automatic withdrawal has been omitted for the month in which the payment was due. At that time the provisions of the section will come into force, with the months of the calendar adjusted accordingly.

ARTICLE 9 - MEETINGS OF MEMBERS

9.01 - ANNUAL MEETING

The Annual Meeting of the Association must be held within the first four months of each Year. Council shall give at least 30 days notice, to all Members of the Annual Meeting which notice shall specify the date, location and time of the Meeting, an agenda, nominees for open Council positions to be voted on at that Meeting. Copies of any reports and recommendations in respect of the financial affairs of the Association, the terms of references of all committees, and such other information as Council may determine relevant will be sent by email to members and/or posted on the website prior to the meeting.

9.02 - SPECIAL MEETINGS

From time to time Council may call, and on petition by ten (10) or more members shall call, a Special Meetings of the Members whereupon Council shall give not less than thirty (30) days notice to all Members of the Special Meeting which notice shall specify the proposed date,

location and time of the Special Meeting and the agenda. Only matters outlined in the agenda may be voted on at a Special Meeting.

9.03 – QUORUM

A quorum of any Meeting of the Members of the Association shall be constituted where one-quarter of the registered Members entitled to vote at such a Meeting of Members are present, in person, or by proxy, at that Meeting. In order for any resolution to be passed or any action undertaken at a Meeting of Members, then a quorum of the Members entitled to vote must be present.

9.04 - PRESIDING OFFICER

The President of the Association shall act as chairperson at all general meetings of the Association but where the President is absent or unable to act as chair at any meeting, the Vice-President shall so act. If both the President and Vice-President are absent or unable to act as chair of any general, or special, meeting then the Members in attendance shall select a chairperson from among their number. If the President and/or the Vice-President are fifteen (15) minutes late for the commencement of a meeting, then they shall be deemed to be unable to act as chair for the meeting within the meaning of this Article.

9.05 - VOTING AT MEETINGS

Every Member entitled to vote by virtue of their membership category status who is present in person, or by proxy, at an Annual or Special Meeting shall be entitled to one vote for all matters voted on at such a Meeting. Voting shall be completed by a showing of hands unless, a ballot is requested by the chairperson or at least three voting Members present at the Meeting. If a ballot is taken then the chairperson shall direct the manner of taking the ballots.

9.06 - RESOLUTION OF MEMBERS

Except as otherwise provided in these By-Laws, the majority votes of all Members present, in person or by proxy, who are entitled to vote at a Meeting of Members, shall be sufficient to adopt and pass a resolution of Members. The chairperson shall not vote except in the case of a tie.

9.07 - PROXY VOTING

Every member who is entitled to vote as provided in by-law 5.03 shall be permitted to sign a proxy authorising another member to vote on their behalf.

9.08 - VALIDITY OF PROXY

Any Member entitled to vote at a Meeting of Members may appoint a proxy holder, or one or more alternate proxy holders, who must also be Members, to attend and vote at the Meeting in the manner and to the extent authorized by the proxy and with the authority conferred

by the proxy. A proxy shall be executed by the Member for whom it is being utilized and it shall only be valid at the Meeting in respect of which it is given.

ARTICLE 10 – COUNCIL

10.01 – COUNCIL

Council shall consist of seven members, or Councillors, as prescribed by the Act and shall consist of a President, Vice-President, Immediate Past President, one person from the public appointed by the Governor in Council and three Members elected by the Members from the Association,. The Councillors shall assume office during the Annual Meeting in which those Councillors are elected.

10.02 - QUALIFICATIONS OF COUNCILLORS

Each member of Council, with the exception of the appointee from the public, must be voting Members of the Association and have been elected or appointed in accordance with these By-Laws.

10.03 - QUORUM

A quorum of the Council is constituted where at least four (4) Councillors are present at a Council meeting duly called. No business may be undertaken at a meeting of the Councillors unless a quorum of the Council is present. A Councillor may be present if participating in the meeting by way of telephone or other acceptable electronic means of communication

10.04 - RESOLUTION OF COUNCIL

Unless otherwise stated, a resolution of Council is passed under the Act or these By-Laws where at least four (4) Councillors vote in favour of such resolution.

10.05 - MEETINGS OF COUNCIL

The Council shall meet at least three times per year at the times and places as set by the President provided however that Council shall hold such additional meetings as it deems necessary or as requested in writing by not less than two (2) Councillors. A notice of meeting together with an agenda shall be sent by the Secretary/Executive Director to each Councillor not less than five (5) working days prior to each meeting. The first meeting of the newly elected Council shall be held within two months of the Annual Meeting. Other meetings of Council may be held at any time without notice if all the Councillors are present and consent thereto, or if those absent signify their consent in writing of such meeting.

10.06 - RESOLUTION ADOPTED IN WRITING

A resolution of Council shall be deemed to have been validly passed if assented to by all of the Councillors even if not passed at a Council meeting and a resolution assented to shall have the same force and effect as if it had been duly passed as a resolution at a Council Meeting.

10.07 - GOVERNANCE

The Council may prescribe, as it deems expedient, such policies and procedures, consistent with these By-Laws for the proper management and operation of the Association which policies and procedures shall have force and effect only until the next Annual Meeting of the Members, unless confirmed thereat and, in default of confirmation, shall thereupon cease to have force and effect and in such case no new policies or procedures of the same or like substance shall be promulgated by Council until confirmed at a subsequent general meeting of the Members.

10.08 - MANAGEMENT AND MAINTENANCE

Council shall generally provide for the ongoing management and maintenance of the Association including, but not limited to so as to restrict the generality of the foregoing:

- (a) The contracting of general business, banking, borrowing and credits;
- (b) The appointment, review and termination of staff as may be required and the fixing of their remuneration and benefits;
- (c) Exclusive of the establishment of dues as identified in Article 8, the establishment of all other fees, penalties and fines related to Association activities
- (d) The incurring of other expenses as may be necessary; and,
- (e) Such other acts Council deems reasonably necessary.

10.09 – PROVISIONS FOR A JOINT COUNCIL

Where the Members have authorised the formation of a Joint Council for the Registered Professional Foresters Association of Nova Scotia and the Canadian Institute of Forestry-Nova Scotia Section; provisions will be made in the Council election process that will provide representation for members of both organizations within the provisions of Section 10.02 and Article 11 of these bylaws.

ARTICLE 11 - ELECTION OF COUNCIL MEMBERS

11.01 - PRESIDENT AND VICE-PRESIDENT

An election will be held annually, at the Annual General Meeting for a member to be Vice-President. The successful candidate will serve a one (1) year term as Vice-President, and subsequently a one (1) year term as President, and a one (1) year term as Past President

11.02 - OTHER COUNCILLORS

At the Annual Meeting, the Members shall elect one Councillor. Each Councillor, with the exception of the appointee from the public, is expected to serve a three (3) year term on the Council which term shall run from the Annual Meeting at which they were elected. Councillors shall serve a maximum of two consecutive three-year terms.

11.03 - VACANCIES ON COUNCIL

Any vacancy occurring on the Council at any given time, whether due to death, sickness, resignation, a Councillor no longer qualifying as a Member of the Association, or any other manner whatsoever, may be filled by appointment made by a majority of the remaining members of Council. Such a replacement Councillor shall only continue to serve for the unexpired term of the vacancy. Should the vacancy be that of the President; the Vice President shall assume the position of President for the balance of the Presidents' term as well as their own term.

11.04 - NOMINATING COMMITTEE

The President shall, within the first ten (10) weeks of each Year, appoint a Nominating Committee consisting of a chairperson and two (2) other Members, who may or not be Councillors, for the purpose of nominating candidates for Council positions to be vacated in that Year.

11.05 - CALL FOR NOMINATIONS

Before the end of November, the chair person of the Nominating Committee will request from the Secretary/Executive Director, a list of those Council positions, and offices, which will become vacant at the next Annual General Meeting. The Chair of the Nominating Committee, or their designate, will inform members of the upcoming vacancies, and seek nominations for these vacancies, by way of electronic mail, or other suitable means, at least two (2) months before the Annual General Meeting.

11.06 - DATES FOR NOMINATIONS

Expressions of interest to fill vacancies should be submitted to the Chair of the Nominating Committee no later than thirty (30) days prior to the Annual General Meeting (AGM). This information will be circulated to members by email prior to the AGM. Additional nominations from the floor may be called for during the AGM. This nomination must be accepted by the nominee, and seconded by another member.

11.07 - NOTICE TO MEMBERS

The notice of the Annual Meeting sent out to all Members as required by these By-Laws shall contain the list of those nominees for vacant Council positions.

ARTICLE 12 - OFFICERS

12.01 - PRESIDENT

The President of the Council shall be the Chief Executive Officer of the Association and shall be charged with the general direction of the business and affairs of the Association. The term of this office shall be for one year. The President shall act as chairperson at Council meetings and at the Annual Meeting and any Special Meeting, and shall be an ex-officio member of all Committees of the Association. The President, or other designated official of the Association, shall sign all By-Laws and other documents requiring signature of Officers of the Association and shall have such other duties as Council may assign. The President shall serve as Immediate Past President for one year following retirement from office as President.

12.02 - VICE-PRESIDENT

The Vice-President shall have all the powers and responsibilities of the President during the absence or inability of the President to act and shall perform such duties and exercise such powers as the President may delegate or the Council may prescribe. The term of this office shall be for one year.

12.03 - OTHER OFFICERS

Annually, the Council shall appoint from the Members a Secretary/Executive Director, a Treasurer, a Registrar, and such other Officers as it may from time to time deem necessary and who shall perform such duties as the By-Laws or the Council may, from time to time, prescribe. Each appointment shall remain in effect until resigned by the incumbent or revoked by resolution of the Council or the Members. All Officers of the Association must be voting Members.

12.04 - SECRETARY / EXECUTIVE DIRECTOR

The Secretary/Executive Director shall give or cause to be filed all notices required to the Members, Councillors, Committee Members and Auditors. The Secretary/Executive Director shall attend all meetings of Council and of Members and be responsible for taking and keeping, in book, or electronic, form, the minutes of these meetings. The Secretary/Executive Director shall receive in an efficient and timely manner; and keep the minutes of meetings of Committees of Council and the minutes of the Committees of Members from the secretaries of these meetings.

12.05 - TREASURER

The Treasurer shall keep full and accurate books for accounts showing the receipts and

disbursements of the Association and, under the direction of Council, shall control: the deposit of money, the safekeeping of securities, and the disbursement of funds. On demand from Council, the Treasurer shall render, in a timely and efficient manner, a report on the financial position of the Association. The Treasurer, or their designate, shall issue official receipts for the payments of dues to all members. At the Annual Meeting, the Treasurer shall recommend the amount of the membership dues for the following year.

12.06 - REGISTRAR

The Registrar shall issue an original Certificate of Registration to all members upon their fulfillment of the requirements for Active Membership. The Registrar shall keep a full and accurate register of membership known as the “Register of Professional Foresters of Nova Scotia” which shall include, inter alia, their membership category. The Registrar shall be the custodian of the Seal of the Association.

12.07 - INSURANCE

The Association shall provide such insurance coverage for its officers, directors and employees for the faithful discharge of their Association duties and obligations, as the Council deems reasonable or necessary from time to time.

12.08 - REMUNERATION

The remuneration of officers, directors and employees of the Association shall be that which is approved or ratified by Members at the Annual Meeting.

12.09 - DIRECTORS

For the purposes of complying with the Societies Act 1989, those members who are elected pursuant to Sections 11.01, and 11.02 of these bylaws, with the exception of the appointee from the public; or who are appointed pursuant to Section 11.03, are to be considered as “Directors” of the Association.

ARTICLE 13 – COMMITTEES

13.01 - COMMITTEES

Council may establish such standing committees and special or *ad hoc* committees from time to time consisting of members of the Council and/or Members of the Association for such purposes as Council may direct. The Members may establish a Committee of Members at any Annual or Special Meeting of the Members for such purposes as Members may direct.

13.02 - COMPOSITION

Council shall appoint a chairperson for each committee created by Council. Where directed by Council, the chairperson may add additional members to the committee, and shall advise council of the names of the additional members.

Where the members at an Annual meeting or Special meeting, establish a Committee of Members; the Members shall elect a chairperson of each Committee of Members.

13.03 - TERMS OF REFERENCE

The chairperson of each committee shall ensure the development of, and or the revision of, the terms of reference for the committee and file these terms of reference, or the revisions thereof, with the Secretary/Executive Director within 30 days following the creation of the committee. The new or revised terms of references for all committees shall be circulated with the Notice of the Annual Meeting, or prior to the Annual Meeting, and listed in the record of the Annual Meeting.

13.04 – REPORTING

All minutes of committee meetings shall be kept, in an acceptable form, and duplicate copies of each committee’s minutes shall be sent to the Secretary/Executive Director in a timely and efficient manner. All committees shall submit periodic progress and final reports to the Secretary/Executive Director upon request.

13.05 - REVIEW

Annually, or more frequently as circumstances warrant, Council shall review, extend, renew or disband its committees. Members shall review, extend, renew or disband its committees, at the Annual Meeting or at a Special Meeting called for that purpose.

ARTICLE 14 - BOARD OF EXAMINERS

14.01 - BOARD OF EXAMINERS

Council shall appoint a Board of Examiners, consisting of three (3) members, in accordance with Section 13 of the Act whose duties shall be:

- (a) to consider applications which may be referred by the Registrar or Executive Director;
- (b) to develop procedures for examinations;
- (c) to ensure the safe, secure, and confidential storage, for not less than twelve

- months following the uncontested reporting of the exam results to the applicant, of all written and marked examination books and / or electronic files;
- (d) to supervise the submission, examination and care of professional reports and theses;
 - (e) to record and report marks of examinations, professional reports, and theses;
 - (f) Upon request of the Registrar, to review the report of the National Assessment Team regarding the eligibility of an applicant;
 - (g) to suggest to the Registrar any other proof of qualifications as to the eligibility of applicants for any category of membership in the Association in accordance with the report of the National Assessment Team;
 - (h) to specify the style and format for professional reports or theses and;
 - (i) to make such recommendations to the Registrar, and/or Council as it deems advisable.

14.02 - PERIOD OF APPEAL

The applicant may appeal the results of a locally administered exam for a period of twelve (12) months following their being sent the results of their exam. The results may be sent electronically, or by mail, with the time period for appeal commencing on the date that he results are sent. Appeals relating to the National Assessment Team reports must comply with the rules and time frames established for the National Assessments; and will be sent to the Registrar for further action.

14.03 - APPEAL TO BE SENT

The appeal, for locally administered examinations, shall be sent to the Board of Examiners; Attention Examiner; prior to the expiry of the period of appeal. The Board of Examiners will review all pertinent information provided by the applicant in relation to the appeal, and provide a recommended course of action to the Council. Council will consider all information and make a decision which is binding. No person who participated in prior decisions regarding the application shall participate in the decision by Council.

14.04 - CONCLUSION OF APPEAL

Following the conclusion of the appeal process, the Examiner will prepare a summary of the salient points of the appeal and the decision. This document will be submitted to Council for their approval, and then retained by the Association for reference in future cases. A copy of the approved document will be sent to the applicant. The original documents, or electronic files, will be retained for a period of six (6) months following Councils approval of the summary.

ARTICLE 15 - FINANCIAL

15.01 - BOOKS OF ACCOUNTS

Council shall appoint a Treasurer, who shall have custody of, and shall cause annual accounts to be kept of all moneys received and expended by the Association, the manner in which the receipt and expenditure of sums of monies takes place, and the assets and liabilities of the Association. The Treasurer, unless directed otherwise by Council, shall keep secure the books of accounts, at the Head Office. The books of accounts shall be maintained in accordance with generally accepted accounting principals and practices.

15.02 - INSPECTION OF FINANCIAL RECORDS

The books of accounts shall be open to inspection of Councillors at all times. All Members shall have the right to inspect any account, book of accounts or other financial documentation in written and/or electronic form, at a location designated by the Treasurer, within 30 days of a written or emailed request to the Treasurer to do so.

15.03 - REVIEW OF ACCOUNTS

The Treasurer shall within two (2) months of Year-end compile a Year End Balance Sheet, and a Statement of Income and Expenses, together with the books of accounts and other associated financial documents of the Association for a financial review. The Council shall annually appoint a Financial Review Committee consisting of two (2) or more, voting Member(s), excluding the Treasurer and any other Members who were involved during the year in the management of the Associations finances, to review the books of accounts and other associated financial documents of the Association. They shall report their findings related to the financial review to the Council, a copy of which shall be signed by the members of the Financial Review Committee. The Council shall present the findings of the financial review, including the Year End Balance Sheet and the Statement of Income and Expenses at the next Annual Meeting of the Association.

15.04 - BANKING ARRANGEMENTS

The banking business of the Association, or any part thereof, shall be transacted with such bank, trust company, or other firm carrying on banking business as the Council may, from time to time, designate or authorize by resolution. All cheques, drafts or orders for the payment of monies and all notices of acceptance of bills of exchange shall be signed by Treasurer and co-signed by one other Officer of the Association as designated by the Council. All other banking business may be carried out as the Council may specifically describe and delegate by resolution, or as the Members may specifically describe and delegate by resolution at the Annual or Special Meeting of the Members.

15.05 - BORROWING OF MONEY

From time to time, Council may recommend a Special Resolution to members for the purpose of:

- (a) Borrow money on the credit of the Association;
- (b) Issue, sell, or pledge securities, including bonds debenture stock, or other like liabilities, of the Association;
- (c) Charge, mortgage, hypothecate or pledge all or any of the real personal property of the Association, including book debts, unpaid calls, rights, powers, franchises and undertakings; to secure any such securities or borrowed money, other debt, any other obligation or liability of the Association;
- (d) Delegate to one or more of the Officers of the Association as may be designated by the Council, all or any of the powers conferred by the forgoing clauses of this By-law to such extent as is such manner at the time of each delegation; and,
- (e) Give indemnities to any Officer or other person who has undertaken or is about to undertake any liability on behalf of the Association or any activity controlled by it, and secure any such Officer or other person against loss by giving them by way of security a mortgage or charge upon the whole or any part of the real and personal property, undertaking the right of the Association.
- (f) Such other purposes as the Council may determine are to the benefit of the Association

ARTICLE 16 - EXECUTION OF DOCUMENTS

16.01 - SIGNING AUTHORITY

Contracts, documents and all other instruments in writing may be signed on behalf of the Association by one of the President or Vice-President together with the signature of one of the Treasurer or Secretary/Executive Director. All instruments in writing so signed shall be binding on the Association without any further authorization or formality. Occasionally, by resolution and on behalf of the Association, the Council may appoint any Member either to sign contracts, documents, or instruments in writing generally, or to sign specific contracts, documents or instruments in writing. When required, with the approval of Council, the Seal of the Association may be affixed to contracts, documents or instruments of writing signed as aforesaid.

16.02 – SIGNING AUTHORITY SECRETARY/EXECUTIVE DIRECTOR

Council may pass a motion at any duly constituted council meeting which provides authority for the Secretary/Executive Director to be the sole signatory on specific documents and financial instruments on behalf of the Association.

ARTICLE 17 - MINUTES

17.01 - KEEPING OF MINUTES

The Association shall keep minutes of all Annual and Special Meetings in an acceptable form so as to properly record:

- (a) All appointments of Officers, Examination Boards, and employees made by or on behalf of Council;
- (b) The names of those Members present at each meeting of Council, any Committee of Council meeting, at any Committee of Members, or at any general meeting of the Association; and,
- (c) All resolutions brought forward and all business discussed at all meetings referred to in the preceding paragraph.

17.02 - SIGNING OF THE MINUTES

The chairperson, of any meeting referred to in the preceding section shall seek approval of the minutes of the previous meeting. Upon their approval, the chairperson shall file these minutes with the Secretary/Executive Director of the Association. Unless and until proven to be incorrect, all such meetings shall be deemed to have been duly called, constituted and held and the minutes as filed with the Secretary/Executive Director shall be deemed to be conclusive evidence of the business conducted at the meeting.

ARTICLE 18 - CODE OF ETHICS

18.01 - PREPARATION AND ADOPTION

The Council shall direct the drafting of a Code of Ethics to govern the discipline, conduct and control of the Members. The Council shall present the Code of Ethics to the Members for their approval and adoption and upon the approval of the Code of Ethics they shall form part of the By-Laws of the Association. The Code of Ethics is contained in Appendix E to these By-Laws.

ARTICLE 19 – DISCIPLINE

19.01 - UNPROFESSIONAL CONDUCT

All Members shall conduct themselves in accordance with the current Code of Ethics of the Association. Without restricting the meaning of unprofessional conduct, any breach of the Code of Ethics shall be deemed to be unprofessional conduct and shall be dealt with through the

Disciplinary Process contained in Appendix F of these By-Laws.

19.02 - DISCIPLINARY PROCEDURES

Council and the members of all duly constituted committees shall follow in all respects the courses of action, behaviour and procedures as set forth in these By-Laws and any appendices thereto which govern the professional conduct of Members of the Association.

ARTICLE 20 - AMENDMENT OF BY-LAWS

20.01 - RESOLUTION OF MEMBERS

These By-Laws, and any appendices hereto, may only be amended by a Special Resolution of at least three fourths (3/4) of the Members who are present, in person or by proxy, and who are entitled to vote at any general meeting of which notice specifying the intention to propose the resolution as a Special resolution has been duly given.

ARTICLE 21 – ACTIVATION

21.01 - COMING INTO FORCE

These By-Laws, and any amendments thereto, shall come into force and supersede any and all prior By-Laws of the Association upon receipt of a notice of their approval by the Registrar of Joint stock Companies.

The table below is a policy of RPFANS; not part of BYLAWS

MEMBERSHIP ENTITLEMENTS						
Table 1. Active Membership Entitlements in the Registered Professional Foresters Association of Nova Scotia (RPFANS)						
Entitlement to	Membership Category					
	Regular (a)	Emeritus (b)	Retired (d)	Transfer In (e)	Non-Resident (c)	
					(i)	(ii)
Fees (%)	100 %	0	50 %	100%	50 %	100 %
Vote	Yes	Yes	Yes	Yes	No	Yes
Participate at Meetings	Yes	Yes	Yes	Yes	Yes	Yes
Newsletter	Yes	Yes	Yes	Yes	Yes	Yes
Use RPF ¹	Yes	Yes	Yes	Yes	Yes	Yes
Mobility MRA	Yes	No	Yes ²	Yes	Yes	Yes
CFE Required	Yes	optional	optional	Yes	Yes	Yes

¹ Also included are the use of the words “Registered Professional Forester” and similar abbreviations ² Some restrictions may apply

Table 2. Associate Membership Entitlements in RPFANS

Entitlement to	Membership Category				
	Foresters in Training	Forestry Candidate	Student	Inactive	Adjunct Forester
Fees (%)	50 %	50 %	\$10.00	50 %	50 %
Vote	No	No	No	No	No
Participate at Meetings	Yes	Yes	Yes	Yes	Yes
Newsletter	Yes	Yes	Yes	Yes	Yes
Use RPF ¹	No	No	No	No	No
Mobility MRA	No	No	No	No	No
CFE Required	Yes	Yes	optional	optional	Yes

Good afternoon Ian, (Received 9/17/2014)

Thank you for contacting the Registry of Joint Stocks. Your email was forwarded for my reply. In regards to your inquiry, the Special Resolution for the amendment of the by-laws was received on June 19 and was then approved and filed on June 20, 2014 by myself.

Please note that normally you do not receive confirmation that the by-laws were filed in our office, unless we had to send something else back to the Society (for example an update that was attached that couldn't be filed) at the same time and we would note it on the letter stating they were filed. If you had filed a Special Resolution for the alteration of the Memorandum of Association, then you would receive a Certificate and a receipt with a letter confirming, of course, that it was completed.

Hope that helps! Have a wonderful day

Warm regards,

Karla Park

Karla Park
Registry of joint Stocks Companies
Service Nova Scotia and Municipal Relations
9 North, Maritime Centre
1505 Barrington Street
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