

**STATEMENT OF INTENTION
WITH RESPECT TO
BY-LAWS
OF THE
MANITOBA PROFESSIONAL PLANNERS INSTITUTE**

WHEREAS the By-laws of the Institute came into effect on the incorporation of the Manitoba Institute, Canadian Institute of Planners in 1988;

AND WHEREAS the By-laws have been subject to numerous amendments since the incorporation;

AND WHEREAS it is in the best interests of the Institute to have By-laws which set out in an accurate and organized manner the general procedures governing its business and affairs;

AND WHEREAS the By-laws of the Institute must conform to the *Registered Professional Planners Act, 2015*;

NOW THEREFORE THE COUNCIL hereby submits to the members of the Institute these new By-laws, repealing all previous By-laws of the Institute, for approval by the members and enactment at the same time.

DONE AND PASSED by Members of the Manitoba Professional Planners Institute duly assembled this 18th day of May A.D., 2016.

Manitoba Professional Planners Institute

Dave Jopling, President

Dianne Himbeault, Secretary

TABLE OF CONTENTS

<u>PART I – INTERPRETATION</u>	4
1.1 <u>NAME</u>	4
1.2 <u>DEFINITIONS</u>	4
1.3 <u>POLICIES</u>	5
1.4 <u>HEADINGS</u>	5
<u>PART II – GOVERNANCE</u>	5
2.1 <u>POWERS OF COUNCIL</u>	5
2.2 <u>RESPONSIBILITIES OF COUNCIL</u>	6
2.3 <u>COMPOSITION OF COUNCIL</u>	6
2.4 <u>NOMINATIONS</u>	7
2.5 <u>ELECTIONS</u>	7
2.6 <u>TERMS AND CONTINUITY OF COUNCILLORS</u>	8
2.7 <u>TYPES OF OFFICERS</u>	8
2.8 <u>TERMS FOR OFFICERS</u>	8
2.9 <u>DUTIES OF OFFICERS</u>	8
2.10 <u>DUTIES OF ADMINISTRATOR</u>	9
2.11 <u>MPPI REPRESENTATIVES ON EXTERNAL ORGANIZATIONS</u>	10
2.12 <u>MEETINGS OF THE COUNCIL</u>	10
2.13 <u>RESIGNATION OR REMOVAL OF A COUNCILLOR</u>	10
2.14 <u>VACANCIES ON COUNCIL</u>	11
<u>PART III – COMMITTEES</u>	11
3.1 <u>GENERAL</u>	11
3.2 <u>STANDING COMMITTEES</u>	11
3.3 <u>DUTIES AND RESPONSIBILITIES OF COMMITTEES</u>	12
3.4 <u>NATIONAL COUNCIL REPRESENTATIVE</u>	12
3.6 <u>COMMITTEE QUORUM</u>	12
3.7 <u>COMMITTEE MEETINGS</u>	12
<u>PART IV – MEETINGS OF MEMBERS</u>	13
4.1 <u>TYPES OF MEETINGS</u>	13
4.2 <u>VOTING</u>	13
4.3 <u>TIE VOTE</u>	13
<u>PART V – ADMINISTRATION</u>	14
5.1 <u>HEAD OFFICE</u>	14
5.2 <u>SEAL</u>	14
5.3 <u>BOOKS AND RECORDS</u>	14
5.4 <u>SENDING NOTICE</u>	14
5.5 <u>PROCEDURE AT MEETINGS</u>	14
<u>PART VI – ADMINISTRATION</u>	15
6.1 <u>FINANCIAL AND MEMBERSHIP YEAR</u>	15
6.2 <u>FINANCIAL REVIEW OR AUDIT</u>	15
6.3 <u>SIGNING AUTHORITY</u>	15
6.4 <u>BORROWING</u>	15
6.5 <u>DEPOSIT OF SECURITIES FOR SAFEKEEPING</u>	15
6.6 <u>EXECUTION OF DOCUMENTS</u>	15
6.7 <u>REMUNERATION</u>	15

<u>PART VII – REGISTRATION</u>	16
7.1 <u>CLASSES AND CONDITIONS OF MEMBERSHIP</u>	16
7.2 <u>REGISTRATION COMMITTEE</u>	17
7.3 <u>APPLICATION FOR MEMBERSHIP</u>	17
7.4 <u>REGISTRATION AS A REGISTERED PROFESSIONAL PLANNER</u>	17
7.5 <u>REGISTRATION AS A CANDIDATE MEMBER</u>	18
7.6 <u>PROOF OF REGISTRATION</u>	18
7.7 <u>FEES</u>	18
7.8 <u>MEMBERSHIP RIGHTS AND OBLIGATIONS</u>	19
7.9 <u>CONTINUOUS PROFESSIONAL LEARNING (CPL)</u>	19
7.10 <u>TRANSFERABILITY, RESIGNATION, AND CONTINUING OBLIGATIONS</u>	20
7.11 <u>CESSATION OF MEMBERSHIP</u>	20
<u>PART VIII – PROFESSIONAL PRACTICE</u>	20
8.1 <u>PRACTICE REVIEW COMMITTEE</u>	21
8.2 <u>DISCIPLINE COMMITTEE</u>	21
8.3 <u>DUTIES OF DISCIPLINE COMMITTEE</u>	ERROR! BOOKMARK NOT DEFINED.
8.4 <u>DISCIPLINE COMMITTEE RULING</u>	ERROR! BOOKMARK NOT DEFINED.
8.5 <u>DISCIPLINE COMMITTEE HEARING</u>	ERROR! BOOKMARK NOT DEFINED.
8.6 <u>DISCIPLINE COMMITTEE RESOLUTION</u>	ERROR! BOOKMARK NOT DEFINED.
8.7 <u>CODE OF ETHICS & CODE OF PROFESSIONAL CONDUCT</u>	21
8.8 <u>UNPROFESSIONAL CONDUCT</u>	21
<u>PART IX – BY-LAWS</u>	21
9.1 <u>AMENDMENT OF BY-LAWS</u>	21
9.2 <u>REPEAL OF PREVIOUS BY-LAWS</u>	22

PART I – INTERPRETATION

1.1 Name

The name of the Institute shall be the “Manitoba Professional Planners Institute (MPPI)”.

1.2 Definitions

In these By-laws the following definitions shall apply:

- a) **Act** means *The Registered Professional Planners Act, 2015*
- b) **Affiliate Agreement** means any current agreement between the Manitoba Professional Planners Institute and the Canadian Institute of Planners which establishes the terms and conditions of the relationship between the two;
- c) **Candidate Member** means an individual who is listed on the Register of Candidate Members and who is in the process of meeting the criteria to become a Registered Professional Planner;
- d) **Code** means the Code of Ethics & Code of Professional Conduct adopted by the Institute and amended from time to time;
- e) **Continuous Professional Learning (CPL)** means the specific activities that members actively engage in to further their knowledge, understanding, skills and abilities relevant to the theory, methods, and practice of planning;
- f) **Council** means the Council of the Manitoba Professional Planners Institute;
- g) **In Good Standing** means any Regulated Member in any category who has paid all dues, levies and other assessments owing within a period of time established by the Council and who is current with ongoing requirements of membership, if any, and who is not suspended;
- h) **Institute** means the Manitoba Professional Planners Institute.
- i) **Member** means a person admitted as a member of the Institute in any class of membership and who has not ceased to be a member.
- j) **Non-Regulated Member** means a Pre-Candidate Member, Student Member, or a Subscriber Member.
- k) **Notice** means providing each Regulated Member fourteen (14) days’ notice before every Annual General or Special meeting including the time, place, and proposed business of the meeting and any special resolution or By-law to be considered;
- l) **Practice of planning** as defined in the Act means the process of planning the scientific, aesthetic, and orderly allocation of land, community resources, facilities, and services with a view to maintaining and improving the physical environment and the economic and social conditions of urban and rural communities;

- m) **Pre-Candidate Member** means an individual not currently employed in planning, as defined by the Canadian Institute of Planners (CIP); or is currently employed in planning and does not hold an accredited university degree in planning, as defined by CIP, and; is not currently otherwise eligible to become a Candidate Member. A Pre-Candidate Member is not required to become a Candidate Member;
- n) **Public Representative** means a person who is appointed to the Council pursuant to subsection 3(4) of the *Act*;
- o) **Registered Professional Planner (RPP)** means a person whose name is entered in the register of Registered Professional Planners and who has met the criteria to become a Registered Professional Planner. This may also include a retired Registered Professional Planner who is not engaged in the relevant activity of planning for gain;
- p) **Registrar** means the Institute Registrar appointed under these By-laws;
- q) **Regulated Member** means a Registered Professional Planner or a Candidate Member;
- r) **Resolution** means a resolution passed by fifty (50) per cent plus one (1) of Regulated Members attending and entitled to vote at an Annual General or Special Meeting;
- s) **Student Member** means an individual who is enrolled in a planning school accredited by the Professional Standards Board;
- t) **Subscriber Member** means any person who is a non-professional planner and in the opinion of Council has demonstrated significant interest in the field of planning. Subscriber Members are non-voting members.

1.3 Policies

Council may make, amend, or repeal policies relating to the management and operation of the Institute as it deems expedient.

1.4 Headings

The division of these By-laws into sections and paragraphs and the insertion of headings and index are for convenience and reference only and shall not affect the interpretation of these By-laws.

PART II – GOVERNANCE

2.1 Powers of Council

Council shall manage and conduct the business and affairs of the Institute and exercise the rights, powers, and privileges in the name and on behalf of the Institute. The Council shall actively pursue the mission and goals of the Institute and may adopt policies for the conduct of its business, including:

- a) Regulating the admission of members, requirements of membership, and termination of membership;

- b) Governing and regulating the operations, management, and control of the Institute and all its activities;
- c) Establishing fees, dues, and other assessments in a fiscally responsible manner;
- d) Making contracts, exercising powers, and carrying out actions it is authorized by its objects to do;
- e) Drafting, enacting, and upholding the Code of Ethics & Code of Professional Conduct in policy;
- f) Appointing committees as required that will benefit the Institute; and
- g) Interpreting the intent of any By-laws, policies, resolutions, or reports in connection with the Institute and resolving any dispute in that regard.

Without limiting its general responsibility, Council may delegate its operational responsibilities and duties to an administrator.

2.2 Responsibilities of Council

Without restricting the Powers of Council in (2.1) above, Council:

- a) Shall establish policies and make decisions that are in the best interests of the Institute;
- b) Shall actively encourage the growth of the Institute as a professional body;
- c) Shall foster the maintenance of those standards and qualities of membership that are consistent with the By-laws and constitution of the Institute as established or as amended from time to time;
- d) Shall establish such committees or other working groups as may be required to further the aims and objectives of the Institute and to assist Council in conducting the business of the Institute;
- e) May hold public policy positions on behalf of the Institute;
- f) May, at its own discretion, hire administrative and other staff, to support the specific duties of Council, provided that Council is ultimately responsible and accountable for the said duties.

2.3 Composition of Council

The Council of the Institute shall consist of no fewer than six (6) and no more than thirteen (13) persons, including Officers where at least one third of the members of the council must be public representatives.

Council will appoint the necessary number of Public Representatives to serve on Council and these members will have all the rights and responsibilities as full Council members.

Council will appoint one (1) faculty member from the Department of City Planning at the University of Manitoba to serve as a representative on Council and will have all the rights and responsibilities as full Council members.

Council will appoint one (1) planning student, as recommended by The University of Manitoba Association of Planning Students (UMAPS) to be the student representative on Council. Other students may fill in for this role. Student representatives will be non-voting members of Council.

The remaining positions on Council shall be elected by the Membership in accordance with the By-laws. In order to be elected to serve on Council, a person must be:

- a) A Regulated Member in good standing

2.4 Nominations

Any three persons who are Registered Professional Planners, Candidate or Pre-Candidate Members of the Institute may nominate themselves or any qualified person for member of Council.

Nominations by the Nominating Committee or by the membership at large shall be made in writing and be signed by the nominators and the nominee and be sent to the Secretary not later than 30 days before the Annual General Meeting of the Institute.

The Secretary shall forthwith distribute the list of candidates to the membership. The Secretary shall also require a brief resume from each candidate. The resume is to be circulated to the membership with a list of candidates.

- a) *Committee*

Each year the Council shall appoint a Nominating Committee of at least three (3) Regulated Members in good standing who are not seeking election to Council. The Nominating Committee is responsible for presenting the Members with a full slate of nominees and when needed, a President-Elect for election to the Council.

- b) *Nominations*

The Nominating Committee must make a call for nominations at least sixty (60) days before the Annual General Meeting. All nominations shall be filed with the Nominating Committee at least thirty (30) days before the Annual General Meeting.

2.5 Elections

All duly nominated nominees for the Council shall be included on the slate circulated in advance of the Annual General Meeting. In the event of an incomplete slate, the Nominating Committee may recommend election of a partial slate and ask the Council to appoint the remaining Councillors within a reasonable period. In the event of a full slate, the Council is acclaimed.

If there are more nominees than positions, an election will be held. The Nominating Committee may appoint one (1) returning officer and two (2) scrutineers who are not nominees for election to Council. The scrutineers will count the votes and report to the membership. If the election is held by mail-in or e-

mail ballot, then the ballot must be returned to the Institute not later than one (1) hour prior to the Annual General Meeting.

2.6 Terms and Continuity of Councillors

Councillors are elected for two (2) year terms and take office immediately following the Annual General Meeting at which they were elected. The terms are on a staggered basis and no Councillor may serve more than three (3) consecutive terms.

Councillors who have served the maximum number of consecutive terms are not eligible for re-election for a period of one (1) year following the end of the final term. Notwithstanding term maximums, Council may extend the time in order to implement its succession plan or to have Councillors elected for a one (1) year term to ensure appropriate transition at an Annual General Meeting.

Public Representatives are appointed for two (2) year terms and take office immediately following their appointment. The terms are on a staggered basis and no public representative may serve more than three (3) consecutive terms. Notwithstanding term maximums, Council may extend the time in order to implement its succession plan or to have Councillors appointed for a one (1) year term to ensure appropriate transition.

2.7 Types of Officers

The Officers of the Institute shall be the President, President-Elect, Secretary, Treasurer, and any other Officers as the Council determines. The members shall elect a President-Elect. The President-Elect upon the completion of her/his two-year term as President-Elect and the election of her/his successor, automatically accedes to the position of President for a subsequent two-year term. Council shall then choose a Secretary and Treasurer, or Secretary/Treasurer from among its Councillors. All Officers shall be Registered Professional Planners.

2.8 Terms for Officers

Officers shall serve a two (2) year term or until their successors are appointed. Officers may be reappointed to the same office for additional terms with the consent of the Council.

2.9 Duties of Officers

Duties of Officers are generally as follows and as their titles would indicate:

- a) *President*
 - i. shall call and chair meetings of the Council and membership;
 - ii. shall implement policies governing Council;
 - iii. shall appoint to the committees established by Council or the Institute By-laws such members of the Institute as are required provided that such appointments shall be ratified by Council;
 - iv. shall act as the signing authority in respect to cheques and other documents on behalf of the Institute; and

- v. shall institute policies, programs, public policy positions and decisions considered desirable and beneficial for the Institute.

b) *President-Elect*

- i. shall fulfil the role of the President in the President's absence, incapacity, or refusal to act, and is normally a succession position to the President.

c) *Secretary*

- i. shall ensure that minutes of proceedings at members' and Council meetings are entered in the books;
- ii. shall ensure notice is served to all members and Councillors;
- iii. shall maintain and ensure the accessibility of up to date copies of the Institute's By-laws; and
- iv. shall assume the duties of the Executive Director in the Executive Director's absence or in the situation where Council chooses not to have an Executive Director.

d) *Treasurer*

- i. shall ensure that proper accounting records are kept and that appropriate financial controls and processes are in place;
- ii. shall ensure that the Institute's responsibilities are met pursuant to any Affiliate Agreement;
- iii. shall ensure there are periodic reports to Council on the financial position of the Institute;
- iv. shall prepare and present at the Annual General Meeting of the Institute, the annual statement of revenue, expenditure, amounts due or owing and year end balance sheet; and
- v. in addition to the President, the Treasurer and such other Officers as may be appointed, to be a signing authority for cheques, or such other documents as may be directed by Council or general membership to sign or endorse.

e) *Other Officers*

- i. The duties of any other Officers shall be as Council requires.

2.10 Duties of Executive Director

Duties of the Executive Director are generally as follows:

- a) In a situation where the Council employs an Executive Director, that Executive Director may assume the role of signing authority on behalf of the Treasurer at the discretion of Council;
- b) Give all notices required to be given by these By-laws or by Council;

- c) Transfer in good condition, all records, files and documents when required to do so either through a change of officers, through resignation or at the behest of Council;
- d) Distribute to all members at least fourteen (14) days before the Annual General Meeting:
 - i. the minutes of the previous Annual General Meeting;
 - ii. any proposed By-law changes;
 - iii. a copy of the financial statement for the year ending;
 - iv. a copy of all committee reports for the year ending.

2.11 MPPI Representatives on External Organizations

In keeping with an agreement with an external body, the Council may appoint a representative to an external body as Council deems appropriate, such appointment shall be a Regulated Member.

2.12 Meetings of the Council

a) Requirements

The Council meets following the Annual General Meeting to name its Officers.

It shall meet at least three (3) times between Annual General Meetings at such times and places and using any communication methods, providing the methods are available to all Councillors and are acceptable to a majority of Councillors. If the President does not call at least three (3) meetings per term, the Secretary shall ensure the minimum is met.

b) Notice

Notice of Council meetings shall be given to all Councillors at least five (5) days in advance of the meeting. If Council sets specific days and times in any months for regular meetings, no notice is required.

c) Quorum

A minimum of fifty (50) percent of Councillors including at least one (1) Officer constitute a quorum for the transaction of business.

d) Voting

All matters shall be decided by a simple majority of the votes cast except as otherwise required by the By-laws. Proxies are not accepted at Council meetings. In the event of a tie, the motion is lost and may not be reintroduced until the next Council meeting.

2.13 Resignation or Removal of a Councillor

a) Resignation

A Councillor may resign in writing to the President and the resignation is effective when accepted by Council.

b) Deemed Resignation

If a Councillor is absent from three (3) or more Council meetings in a year without prior approval, the Councillor is deemed to have resigned. The Council, in its sole discretion, may accept the resignation and establish the effective date.

c) *Removal*

A Councillor may be removed from Council before the expiration of the term by resolution of Regulated Members present and voting at a Special Meeting duly convened for that purpose. A Councillor whose membership has been suspended or cancelled shall be removed from Council.

2.14 Vacancies on Council

So long as a quorum of Councillors remains, vacancies on the Council may be filled by the Councillors as they see fit to do so. Otherwise, the vacancy will be filled at the next Annual General Meeting. The Council may also appoint Councillors to fill identified skill gaps until the next Annual General Meeting, provided the total number of Councillors is within the identified range, as referenced in 2.3 of this Bylaw.

PART III – COMMITTEES

3.1 General

Council may appoint members to Standing Committees and Ad Hoc Committees to manage activities of the Institute and report to the Council.

3.2 Standing Committees

Standing Committees shall be appointed for Registration, Complaints and Inquiry as defined in the Act, and for Practice Review.

a) *Registration Committee*

The Registration Committee shall consist of the Registrar who is a non-voting member, one (1) member of Council who is a Registered Professional Planner, and at least two (2) other Members who are Registered Professional Planners appointed by the Council one of whom shall be appointed by Council as Chair. Quorum for the Registration Committee is at least three (3) voting members of the Committee and it shall meet at the call of the Chair.

b) *Complaints Committee*

Council shall appoint the Complaints Committee consisting of at least two (2) Regulated Members who are Registered Professional Planners and one (1) Public Representative appointed by the Council, none (0) of whom may be a member of Council. Council shall also appoint a Chair who is a Registered Professional Planner. Quorum for the Complaints Committee is at least three (3) voting members of the Committee and it shall meet at the call of the Chair.

c) *Inquiry Committee*

Council shall appoint the Inquiry Committee consisting of at least two (2) Regulated Members who are Registered Professional Planners and one (1) Public Representative appointed by the Council, none (0) of whom may be a member of Council. Council shall

also appoint a Chair who is a Registered Professional Planner. Quorum for the Inquiry Committee is at least three (3) voting members of the Committee and it shall meet at the call of the Chair.

d) *Practice Review Committee*

The Practice Review Committee shall consist of one (1) member of Council and at least three (2) other Regulated Members appointed by the Council, one of whom shall be appointed by Council as Chair. Quorum for the Practice Review Committee is at least three (3) voting members of the Committee and it shall meet at the call of the Chair.

3.3 Duties and Responsibilities of Committees

Each committee is charged with the duty of performing such duties and responsibilities as are assigned to it from time to time by Council, by the membership at an Annual General Meeting or other special meeting, or as required by legislation.

The Chairperson for each committee is responsible for:

- a) conducting the committee meeting in an orderly manner;
- b) maintaining the properly recorded minutes or notes;
- c) submission of required minutes, reports or recommendations in person or in writing to Council or, if required, to the general membership.

3.4 Committee Quorum

Subject to any policies imposed by Council, Ad Hoc Committees have power to fix their quorum at no less than a majority of their members and may fix their own rules of procedure.

3.5 Committee Meetings

Standing Committees and Ad Hoc Committees may be held at any place and in any manner that suits the agenda, subject to approval by a majority of Committee members. Standing Committees and Ad Hoc Committees shall keep a record of their meetings and shall report the results of their work to Council in the form and time lines as prescribed by Council.

PART IV – MEETINGS OF MEMBERS

4.1 Types of Meetings

There shall be Annual General and Special Meetings of Members with appropriate notice.

The Annual General Meeting shall be held each year not more than six (6) months following the fiscal year end.

At the Annual General Meeting the Council and President shall place before the Members financial statements of the Institute for the last completed financial year, the results of the Council elections, and any other business as may properly be brought before the Meeting.

A Special Meeting of Members may be convened by the Council or by a petition in writing signed by at least 10% of the Members of the Institute entitled to vote and are in good standing. A Special Meeting shall be held only for the transaction of business as specified by resolution of the Council or in the convening requisition.

4.2 Voting

All decisions at an Annual General or Special Meeting of Members may be passed by resolution.

Quorum shall be established on the basis there shall be twenty (20) Regulated Members of which at least twelve (12) must be a Registered Professional Planner of the Institute, or twenty-five (25) per cent of Regulated Members of which two-thirds must be a Registered Professional Planners of the Institute, whichever is the lesser, in order to transact business at an Annual General or Special Meeting;

At a Meeting of Members, every question shall be decided by a show of hands, unless a poll is demanded by a majority of Members in attendance.

Resolutions which would normally be considered at a Special Meeting may be voted upon by Regulated Members by mail or electronic transmission or any other means, and provided appropriate notice has been given and that all Regulated Members may participate in the vote, the date by which votes are to be received is deemed to be the date of the Special Meeting as if one had been held.

No Member is entitled to vote by proxy on any matter.

4.3 Tie Vote

In the event of a tie vote at an Annual General or Special Meeting the presiding Officer shall cast an additional vote to decide the question.

PART V – ADMINISTRATION

5.1 Head Office

The Head Office of the Institute is in any location deemed acceptable by the Council.

5.2 Seal

The Council shall determine the use of the Corporate Seal of the Institute.

5.3 Books and Records

The Council shall ensure that all books and records of the Institute are regularly and properly maintained.

By-laws of the Institute are public documents and as such will be made available to the public.

The following Institute records may be inspected by a Regulated Member who has given reasonable notice and has arranged a satisfactory time with the person having charge of them: By-laws, minutes of Member meetings, register of members, register of Council and Officers, policies adopted by the Institute, and year-end financial statements.

5.4 Sending Notice

To send notice to any Member, Councillor, or Officer for any meeting, the address is the last known physical or electronic address in the Institute's register. Notice may be delivered personally, by electronic transmission, by prepaid mail, or by any other method. A notice sent by prepaid mail is sent when deposited in the public letterbox. A notice sent by electronic transmission is sent at the time of sending.

No error or omission in giving notice of an Annual General, Special, Council, or any other meeting invalidates the meeting or voids its proceedings. Any Member, Councillor, or Officer may waive or abridge notice of a meeting and may ratify proceedings from that meeting.

5.5 Procedure at Meetings

At all Annual General or Special Meetings of Members, Council meetings, or Committee meetings, procedural matters not specifically addressed here shall be governed by Robert's Rules of Order.

PART VI – FINANCIAL ADMINISTRATION

6.1 Financial and Membership Year

The fiscal and membership year of the Institute concludes on December 31 of each year.

6.2 Financial Review or Audit

An auditor's report may be presented if Council by resolution directs that auditors be appointed at a fixed remuneration for any given year.

6.3 Signing Authority

All banking transactions conducted in the name of the Institute shall be authorized and signed by signatories approved by Council.

6.4 Borrowing

Banking transactions shall not include borrowing in that, under these By-laws, the Institute has no power in this respect.

6.5 Deposit of Securities for Safekeeping

The securities of the Institute shall be deposited for safekeeping with one (1) or more Canadian Chartered Banks, Trust Companies, or other financial institutions as determined by Council.

6.6 Execution of Documents

Significant contracts, agreements, and instruments in writing, beyond those covered by Council policy for reasonable operations of the Institute, shall be approved by the Council and signed by two (2) Councillors or signatories designated by Council.

The Council may give a Power of Attorney to a registered dealer in securities for the purpose of transferring and dealing with stocks, bonds, or other securities of the Institute.

6.7 Remuneration

Councillors may not receive remuneration for acting as Councillors of the Institute. Councillors and other volunteers may be reimbursed for out of pocket expenses incurred in the discharge of their duties in accordance with Council policy. Councillors and volunteers are not prevented from serving the Institute in other capacities and receiving compensation.

PART VII – REGISTRATION

7.1 Classes and Conditions of Membership

The Institute has the following classes of Regulated membership:

a) *Registered Professional Planner*

A “Registered Professional Planner” means any person who has satisfied the Institute’s requirements for admission as a Registered Professional Planner, in addition to maintaining any post certification requirements.

A Registered Professional Planner is entitled to vote on all matters at Members' meetings and to serve on the Council. A Registered Professional Planner in good standing shall continue to use the designation Member of the Canadian Institute of Planners, M.C.I.P. or MCIP until such time as notified by the Institute that they can use the designation Registered Professional Planner, or RPP.

b) *Candidate Member*

A “Candidate Member” means any planner who meets the Institute’s eligibility criteria for embarking on the RPP certification process. A Candidate Member is entitled to vote on matters not related to Registration and Discipline at Members’ meetings and may serve on the Council. The Council may establish policy as to any other rights and obligations for Candidate Members. A Candidate Member must become a Registered Professional Planner within seven (7) years. Notwithstanding this, the Registration Committee may extend this period in extenuating circumstances.

The Institute has the following classes of Non-Regulated membership:

c) *Pre-Candidate Member*

A “Pre-Candidate Member” means an individual not currently employed in planning, as defined by the Canadian Institute of Planners (CIP); or is currently employed in planning and does not hold an accredited university degree in planning, as defined by CIP, and; is not currently otherwise eligible to become a Candidate Member.

d) *Student Member*

A Student Member means any person who is enrolled in a planning school accredited by the Professional Standards Board. A Student Member is entitled to attend meetings of the Institute, but shall have no vote, except in the election of their representative to Council. Student Members shall be eligible to serve on committees.

e) *Subscriber Member*

A Subscriber Member means any person who is a non-professional planner and in the opinion of Council has demonstrated significant interest in the field of planning. Subscriber Members are non-voting members.

Through Council policy, the Institute may introduce other classes and conditions of non-regulated membership, including but not limited to retired members and types of honorary membership, and may establish rights and obligations for such members.

7.2 Registration Committee

a) *Registrar*

The Council shall appoint a Registrar to perform all functions assigned by Council, including the maintenance of the registers of Members of the Institute. The Registrar shall be a non-voting member of the Registration Committee.

The Registrar shall maintain a registry containing the name, business address, category of registration, membership status, and any practice restrictions or other conditions imposed on the individual's registration. The registry is a public document and as such will be available to the public.

b) *Registration Committee*

The Registration Committee shall be appointed by the Council to review membership applications, make further inquiries if appropriate, and determine whether applicants should be admitted as Regulated Members.

7.3 Application for Membership

Application for membership shall be made to the Registration Committee on the forms prescribed by Council, and shall be accompanied by fees established by the Council.

The Registration Committee will review the application and inform the applicant in writing of its decision. Applicants for Regulated Membership who are refused admission may appeal to the Council and will follow the appeal process outlined in Section 10 of the *Act*.

7.4 Registration as a Registered Professional Planner

Registration as a Registered Professional Planner will be granted by the Registration Committee to those Regulated Members in good standing who:

- a) have successfully completed the requirements as set out by the Professional Standards Board of the Canadian Institute of Planners for:
 - i) a minimum of one year of mentorship; and
 - ii) the Ethics and Professionalism course and passing the exam; and
 - iii) the necessary period of Sponsorship; and
 - iv) the Professional Exam;
- b) adhere to the Code of Ethics & Code of Professional Conduct;
- c) are acceptable to the Registration Committee; and
- d) have paid the Institute's registration fee.

An applicant who is in good standing in another jurisdiction and who is recognized by the Registration Committee as having substantively equivalent competence and practice requirements to those of a Registered Professional Planner is entitled to be registered as a Registered Professional Planner in Manitoba.

7.5 Registration as a Candidate Member

Registration as a Candidate Member will be granted by the Registration Committee to those Regulated Members in good standing who:

- a) are actively working toward the requirements to become a Registered Professional Planner;
- b) have applied to the Professional Standards Board;
- c) are employed in planning and;
 - i) have completed a planning degree from a Professional Standards Board Accredited Planning School; or
 - ii) have a Professional Portfolio approved through the Prior Learning Assessment Recognition policy and process; or
 - iii) are covered under a Professional Standards Board formal reciprocity arrangement with a professional planning organization.
- d) adhere to the Code of Ethics & Code of Professional Conduct;
- e) are acceptable to the Registration Committee; and
- f) have paid the Institute's registration fee.

An applicant who is in good standing in another jurisdiction and who is recognized by the Registration Committee as having substantively equivalent competence and practice requirements to those of a Candidate Member is entitled to be registered as a Candidate Member.

7.6 Proof of Registration

Once the Registrar has entered the name of the Regulated Member into the appropriate member register and the member has paid all fees owing and met all criteria, the Registrar will issue a certificate of registration to that Regulated Member. The Institute will provide annual proof of registration to Regulated Members who continue to meet all requirements of membership.

7.7 Fees

- a) Current annual fees shall be due and payable on the first day of January of each year.
- b) Individuals in any class of membership who are in arrears of fees for three (3) months shall be liable for a penalty determined by the Council and shall be so notified in writing.
- c) Individuals in any class of membership who are in arrears of fees for six (6) months shall cease to have membership in any class.

- d) Notwithstanding removal from membership for late payment of fees, the Registration Committee may, at its sole discretion, determine whether and under what conditions a cancelled member may return to good standing through a late renewal process. The cancelled member shall provide a written statement in the form prescribed by the Registrar, attesting that conduct since the membership was cancelled was not in violation of the Code of Ethics & Code of Professional Conduct, By-laws, or policies of the Institute.

A late renewal fee determined by the Institute shall be paid and other conditions including, but not limited to, experiential and educational requirements, including requalification, must be fulfilled before membership is re-established.

The Registrar shall deliver written notice of the decision with respect to renewal or readmission. Applicants who are renewed will be issued proof of registration. Applicants who are refused late renewal may appeal to the Council and the decision of the Council is final.

7.8 Membership Rights and Obligations

Members in good standing in any class are entitled to receive notice of Member meetings and exercise other rights and privileges given in these By-laws and in Council policy.

Members in all classes shall comply with the Code of Ethics & Code of Professional Conduct, Regulation, By-laws, and policies of the Institute.

Members in all classes shall pay the dues assessed for that class of membership and any other fees levied by the Institute.

All Registered Professional Planners who practice in Manitoba and intend to use the Registered Professional Planner title are required to join the Institute, although they may also retain memberships in other jurisdictions.

Except as otherwise specified in these By-laws, members of all classes may enjoy all rights and privileges of membership:

Except that

- a) Only Registered Professional Planner Members of the Institute shall be appointed to be members of the Registration Committee.
- b) For the election of Council, Student Members may only participate in the election of the student representative.

7.9 Continuous Professional Learning (CPL)

Council shall establish the Continuous Professional Learning (CPL) requirements for the Institute in keeping with the standards established by the Canadian Institute of Planners (CIP).

Council shall establish a monitoring procedure in order to determine membership compliance.

Council shall provide membership with notice of a reasonable number of professional learning activities in order to assist members in fulfilling the structured learning requirement of the CPL program.

Council shall notify and consult with the membership regarding significant changes to the CPL program prior to the start of the following reporting period to which the changes would apply.

Council shall have the authority to endorse discipline matters as adopted by Council.

With the exception of retired Registered Professional Planners, all Regulated Members shall undertake annual mandatory Continuous Professional Learning (CPL) and shall report on that professional learning to the Institute on an annual basis.

7.10 Transferability, Resignation, and Continuing Obligations

a) *Transferability*

Membership is not transferable to another person and automatically terminates on death, resignation, revocation, or otherwise in accordance with these By-laws.

b) *Resignation*

Members may resign from the Institute by providing written notice to the Registrar. The resignation is effective when approved by the Registrar. Notwithstanding policy related to privacy, and unless the Registrar decides otherwise, the Registrar will not knowingly accept the resignation of a Member who is subject to investigation, charges, or other review by the Complaints or Inquiry Committee, or from a Member who has not fully complied with an order of the Complaints or Inquiry Committee.

A resigned Registered Professional Planner must surrender proof of registration and may no longer use the RPP designation. The Registrar may authorize the investigation, charging, or review of a resigned Regulated Member if the complaint is received within five (5) years of the resignation and may operate as though the Regulated Member had not resigned.

c) *Continuing Obligations*

The discontinuance of membership in the Institute no matter how caused does not extinguish any debts or obligations of that Member arising before the discontinuance.

7.11 Cessation of Membership

Any member of any class who ceases to be a member of the Canadian Institute of Planners ceases to be a member of this Institute. Any Regulated member continuing to reside or practice in the area served by the Institute and resigning membership in the Manitoba Institute and who does not also hold membership in another recognized Institute, also loses membership rights in the Canadian Institute of Planners.

PART VIII – PROFESSIONAL PRACTICE

8.1 Practice Review Committee

The Practice Review Committee appointed by Council shall use the review of practice process, shall recommend policy to the Council and act on behalf of the Institute with respect to matters relating to competence in the practice of planning under the Regulation, including the review of the practice of a Regulated Member.

8.2 Complaints Committee and Inquiry Committee

- a) Any person who is of the opinion that a member of the Manitoba Professional Planners Institute has acted in a manner unbecoming a member may submit a complaint in writing to the Registrar which shall refer the complaint to the Complaints Committee and will be dealt with in accordance with Part 5 of *The Act*.
- b) Any matter referred to the Inquiry Committee from the Complaints Committee shall be dealt with in accordance with Part 5 of *The Act*.
- a) Appointments to the Complaints Committee shall be for a one (1) year term, which is renewable upon expiry.
- b) Appointments to the Inquiry Committee shall be for a one (1) year term, which is renewable upon expiry.

8.3 Code of Ethics & Code of Professional Conduct

The Institute's Code of Ethics & Code of Professional Conduct as appended to these By-Laws are intended to assist Members to understand the requirements of the Code and to inform the Institute's investigative process in interpreting the Code.

8.4 Unprofessional Conduct

Any conduct of a Member that in the opinion of the Complaints Committee when authorized under these By-laws to form an opinion:

- a) is detrimental to the best interests of the public;
- b) harms or intends to harm the standing of the practice of planning generally; or
- c) displays a lack of knowledge or a lack of skill or judgment in practice of planning,

whether or not that conduct is disgraceful or dishonourable, constitutes either unskilled practice of planning or professional misconduct.

PART IX – BY-LAWS

9.1 Amendment of By-laws

The By-laws of the Institute may be repealed or amended by resolution enacted by a majority of Councillors at a Council meeting and sanctioned by a resolution of the Regulated Members in good standing voting at a meeting duly convened for that purpose.

9.2 Repeal of Previous By-laws

These By-laws repeal and supersede any previous By-laws of the Institute and come into effect immediately.