



## CHAPTER 37.

## An Act respecting the Practice of Forestry.

[Assented to 3rd April, 1947.]

**H**IS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

1. This Act may be cited as the "British Columbia Foresters Act." Short title.

2. In this Act, unless the context otherwise requires:—

Interpretation.

"Association" means the Association of British Columbia Foresters:

"Board" means the Board of Examiners of the Association:

"Council" means the Executive Council of the Association:

"Forester" means a person registered or licensed as a forester under the provisions of this Act:

"Licence" means a certificate given pursuant to section 12 granting permission to a forester not resident in the Province to engage in the practice of forestry temporarily without being registered:

"Practice of forestry" means advising, reporting upon, supervising, teaching, or making research in any branch of the administration or management of forests or forest land; and also the valuation, maintenance, conservation, protection, regeneration, and reforestation of forests and forest land, and the preparation of plans in connection with such matters:

"Registration" means the admission of a forester to membership in the Association.

3. (1.) The following persons, namely, Frederick D. Mulholland, Victoria; Chauncey Donald Orchard, Victoria; John E. Incorporation of Association.

Liersch, Vancouver; Roscoe M. Brown, Vancouver; Leonard R. Andrews, Vancouver; John D. Gilmour, Vancouver; Hugh John Hodgins, Vancouver; Elwyn Emmerson Gregg, Vancouver; Marcus W. Gormely, Nelson; and Hector A. Richmond, Victoria, all of whom have been engaged in the practice of forestry in Canada for fifteen years or longer, are constituted a body corporate under the name of the "Association of British Columbia Foresters."

(2.) The Association shall consist of the persons named in subsection (1) and those persons who hereafter become members in accordance with the provisions of this Act.

Head office

4. The head office of the Association shall be at Vancouver, British Columbia.

Council.

5. (1.) There shall be a Council of management of the Association, to be constituted in the manner hereinafter provided.

(2.) The first Council shall consist of the persons named in subsection (1) of section 3; and they shall hold office until the first annual meeting of the Association.

(3.) After the expiry of the term of office of the first Councillors, subsequent Councils shall consist of eight Councillors.

(4.) Of the eight Councillors, seven shall be elected in such manner as the by-laws provide and the eighth shall be the immediate past-president.

(5.) No person shall be eligible for membership of the Council unless he is a member of the Association and resident in British Columbia.

(6.) The president and vice-president shall be elected annually by and from Councillors.

(7.) The Council shall appoint a registrar, who shall also be secretary-treasurer of the Association.

(8.) The Council shall cause to be kept by the registrar a book, to be known as the "register," in which shall be entered the full name, address, and date of registration of each member, and the name, address, and date of licence of all those to whom licences have been issued.

Board of examiners

6. (1.) There shall be a Board of five examiners, three of whom shall be appointed by the Council and two by the Lieutenant-Governor in Council.

(2.) The Board shall, where an examination is required, examine applicants for admission to the Association, and shall conduct the examinations required under this Act at such times as the Council may direct.

(3.) Not later than fourteen days after the close of an examination, the Board shall file with the Council a certificate showing

the results thereof, whereupon the Council shall notify each candidate of its decision upon his application.

(4.) The Board shall also file with the registrar a copy of its report with the marks awarded each candidate in each subject of the examination, and such documents shall be open to inspection by any candidate or his authorized representative for a period of one year following the examination.

7. Any person who is a resident of the Province at the time of the passing of this Act, and who, within one year thereafter, makes application for registration as a member of the Association, and proves to the satisfaction of the Board:—

Registration and qualifications.

(a.) That he is a graduate in forestry or allied science of the University of British Columbia, or holds a similar university qualification from another university recognized by the Council, and that subsequent to graduation he has been engaged in forestry work for at least two years; or

(b.) That he has been engaged in forestry work for at least ten years prior to his application for registration, during which period he has practised forestry for at least five years in the Province,—

and satisfies the Board as to his good character, shall, upon payment of the required fee, be entered upon the register of members of the Association without examination.

8. Any person who was not a resident of the Province at the time of the passing of this Act, or who, being a resident at such time, did not apply for registration within one year thereafter, and who is otherwise qualified as provided in clause (a) of section 7, may apply for registration, and shall submit with his application:—

Further qualifications

(a.) Satisfactory proof of his qualifications under clause (a) of section 7:

(b.) A certificate certifying the period of time during which he has been engaged in forestry work and a certificate of good character; and

(c.) A thesis on a subject approved by the Board,— and upon the Board being satisfied as to his qualifications under clauses (a) and (b) and as to the thesis submitted, he shall, upon payment of the required fee, be entered upon the register of the Association.

9. Any person, being a resident of the Province, who was not a resident at the time of the passing of this Act, or who, being a resident at such time, did not apply for registration within one year thereafter, and who is otherwise qualified as in clause (b) of section 7, may apply for registration, and shall:—

Further qualifications

- (a.) Submit a certificate certifying that he has been engaged in forestry for an adequate time and that he is of moral character; and
- (b.) Undergo such examination and submit such thesis as the Board may require to prove that he has a knowledge of forestry at least equivalent to that required of a student for graduation in forestry from the University of British Columbia.

Upon the Board being satisfied as to his work done, as to his knowledge of forestry, as to his thesis, and as to his good character, he shall, upon payment of the required fee, be entered upon the register of the Association.

Extra-Provincial  
foresters.

10. Any applicant for registration who proves to the satisfaction of the Board that he is a duly qualified forester under the laws of any Province of Canada having a standard of requirements for admission to the practice of forestry at least equivalent to those in British Columbia, and is in good standing as a forester in such Province, may, at the discretion of the Council, be admitted to registration and membership in the Association without further qualification and upon payment of the required fee, if equal recognition is accorded in that Province to foresters registered under this Act.

Decision of Council  
final.

11. The decision of the Council with respect to any application shall be final, but any applicant who has been refused may renew his application at any subsequent meeting of the Board.

Temporary licence.

12. When it is shown to the satisfaction of the Council that a non-resident forester is required for some specialized work in the Province for which no resident forester is available, the Council may grant such forester, upon payment of a fee of twenty-five dollars, a licence to practise forestry in the Province for a period of one year without registration. Such licence may, at the discretion of the Council and upon payment of twenty-five dollars, be renewed for not more than one additional year.

Fees.

13. Each person who is registered shall pay in advance to the Association such annual fee not exceeding fifty dollars as may be determined by the by-laws of the Association, which fee shall be deemed to be a debt due by him and, in addition to any other remedy, shall be recoverable with costs in the name of the Association in any Court of competent jurisdiction.

Payment of registra-  
tion and examination  
fees

14. Each candidate for registration shall forward with his application the registration fee not exceeding fifty dollars prescribed by the by-laws of the Association, and each candidate

who applies for admission under section 9 of this Act shall pay in addition such examination fee not exceeding twenty-five dollars as may be prescribed by the by-laws of the Association.

15. Only those persons who registered under the provisions of this Act shall be authorized to take and use the title of "forester" or any abbreviation thereof, or, except as provided in section 12, to practise as a forester in the Province; but nothing in this Act shall be construed to prevent any person without assuming the title of forester from conducting logging operations and making road or railway surveys for logging.

Use of title of forester.

16. A person who contravenes any of the provisions of section 15 shall be guilty of an offence and shall be liable, on summary conviction, to a penalty of not less than fifty dollars nor more than one hundred dollars and costs for the first offence and a penalty of not less than fifty dollars and not more than five hundred dollars and costs for every subsequent offence.

Offences and penalties

17. Any person, firm, or corporation that advertises, uses, or makes in any manner, in connection with the name of any person not registered or licensed under this Act, any name, title, designation, descriptive term, or statement calculated to lead to the belief that such person is a forester shall be guilty of an offence and liable, on summary conviction, to a penalty of not less than one hundred dollars nor more than five hundred dollars and costs for every such offence.

Unauthorized use of title.

18. If any person wilfully obtains or attempts to obtain registration or licence under this Act by making or causing to be made any false or fraudulent representation, he and every person knowingly assisting him therein shall be liable to a penalty of not less than twenty-five dollars nor more than five hundred dollars.

Fraudulent registration.

19. If the registrar makes or causes to be made any wilful falsification in any matter referring to the register, he shall be liable to a penalty of not less than twenty-five dollars nor more than five hundred dollars.

Falsification of register

20. No prosecution shall be commenced for any offence against the provisions of this Act after one year after the date of the offence.

Limitation

21. (1.) The Council shall, on the written application of any three foresters or at its discretion, cause inquiry to be made into matters respecting unprofessional conduct, gross negligence, misconduct in the execution of the duties of his office, or any violation of the provisions of this Act or the by-laws of the Association, by or relating to any forester, but no inquiry shall be made

Discipline.

unless adequate notice has been given to such forester and other persons concerned to enable them to appear and submit evidence.

(2.) After such inquiry the Council may at its discretion reprimand, censure, suspend, or cancel the registration or licence of any registered or licensed forester, or may take such other action as lies within the authority conferred upon it by this Act.

(3.) Any person who feels himself aggrieved by any order of the Council may appeal from the order to the Supreme Court at any time within three months from the date of the order, and the Court may, upon hearing the appeal, sustain, amend, alter, or reverse the order, or remit the matter to the Council for rehearing, or may make such other order either as to costs or otherwise in the premises as the Court may decide.

Restrictions not effective till one year after passing.

22. No provisions of this Act restricting the practice of forestry or imposing penalties shall take effect until after one year from the date of the passing of this Act.

Certificate of registration and seal.

23. Every forester registered under this Act shall be provided by the Association with a certificate of registration and shall have a seal, the impression of which shall contain the name of the forester and the words "Registered Forester, Province of British Columbia," with which he shall stamp all official estimates, specifications, reports, documents, and plans made or issued by him.

VICTORIA, B. C.

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