

CHAPTER 65

An Act Respecting Landscape Architects

[Assented to 6th April, 1968.]

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

- Short title. 1. This Act may be cited as the *Landscape Architects Act*.
- Interpretation. 2. In this Act, unless the context otherwise requires,
 "Board" means the Board of Directors of the Society;
 "Society" means The British Columbia Society of Landscape Architects.
- Society continued. 3. (1) The British Columbia Society of Landscape Architects, heretofore incorporated under the *Societies Act*, and the members thereof, are continued as a body corporate under that name.
 (2) The Society shall have a common seal and perpetual succession and has power to acquire, by purchase, donation, devise, bequest, or otherwise, real and personal property and may sell, and exchange, mortgage, lease, let, improve, and develop, the property and may erect and maintain buildings thereon.
 (3) The provisions of the *Societies Act*, as amended from time to time, except the sections numbered 15, 16, 18, 19, 20, 24, 37, 38, 39, 42 to 53 (inclusive), and 59 of chapter 362 of the *Revised Statutes of British Columbia, 1960*, or the sections substituted therefor, apply to the Society, but where there is any conflict or inconsistency between any provision or provisions of this Act and any provision or provisions of the *Societies Act*, the provision or provisions of this Act shall prevail.
- Suits and contracts. 4. The Society may sue and be sued, and may contract and be contracted with, in its corporate name.
- Financial. 5. The Society may, subject to any conditions required by its by-laws,
 (a) borrow or raise or secure the payment of money; and
 (b) draw, make, accept, endorse, discount, execute, and issue promissory notes, bills of exchange, and other negotiable or transferable instruments.
- Head office and branch societies. 6. (1) The head office of the Society shall be in the City of Vancouver, in the Province.
 (2) The Society may establish and maintain one or more branch societies which shall have such powers, not exceeding the powers of the Society, as the Society may from time to time confer.

(3) Upon the establishment of a branch society, the Society shall forthwith notify the Registrar of Companies of the date of the establishment and of the title, location, and powers of the branch society and furnish any other information required by the Registrar of Companies.

(4) The Registrar of Companies shall not incorporate any branch of the Society unless he is first furnished with a certificate made under the common seal of the Society consenting to the incorporation nor unless any other requirements set forth in the certificate are fulfilled.

(5) A branch of the Society shall not exercise any power the exercise of which would be in conflict with any by-law of the Society or with any requirement of the certificate furnished under subsection (4), without the prior consent in writing of the Society.

(6) To the extent that the certificate furnished under subsection (4) so provides, the by-laws of the Society shall be the by-laws of the branch society.

Membership

7. (1) The Board of Directors shall, upon payment of the prescribed fee, if any, and written application, register as a member of the Society a person who satisfies the Board that he has passed the examinations set by the Board of Examiners.

(2) The Board of Directors may, upon payment of the prescribed fee, if any, and written application, accept as a member of the Society a person who satisfies the Board that he

(a) has passed examinations outside the Province equivalent to those set by the Board of Examiners for candidates within the Province; or

(b) is or has been practising landscape architecture outside the Province and is a member in good standing of a similar society or other entity or group in the jurisdiction in which he is or has been practising, the membership qualifications for which are at least equivalent to the qualifications required for candidates for membership within the Province.

(3) The Board of Directors may also register persons as junior members, student members, honorary members, and associate members, in accordance with and subject to the by-laws of the Society.

Board of Directors.

8. (1) The affairs of the Society shall be managed by a Board of Directors.

(2) The persons who, upon the coming into force of this Act, are directors of The British Columbia Society of Landscape Architects shall be the directors of the Society until their successors are elected or appointed.

(3) The Board of Directors shall be elected and appointed and shall hold office in accordance with the provisions of the by-laws of the Society.

Board of
Examiners

9. (1) The Lieutenant-Governor in Council shall appoint a Board of Examiners made up of not less than five persons, amongst whom shall be

- (a) a person nominated by the Principal of the British Columbia Institute of Technology;
- (b) a person nominated by the Director of the School of Architecture of the University of British Columbia;
- (c) a person nominated by the Dean of the Faculty of Agriculture of the University of British Columbia;
- (d) a person nominated by the President of the Society; and
- (e) a person to represent the public interest in the furtherance and maintenance of proper standards of professional practice in landscape architecture in the Province.

(2) The Board of Examiners shall set and hold regular examinations in the Province at least once in each year at the place or places and at the time or times prescribed by the Board of Examiners.

(3) The Board of Examiners may set and hold special examinations upon such terms and conditions regarding the defraying of the expenses thereof as the Board of Examiners may prescribe in each instance.

(4) The Board of Examiners shall prescribe the rules of procedure to be followed and enforced at all examinations.

(5) The Board of Examiners may appoint one or more of its members to preside at any regular or special examination or part thereof.

(6) The Board of Examiners shall, as soon as feasible after the holding of an examination, notify the Board of Directors of the Society of the results thereof.

By-laws
continue

10. (1) The by-laws of The British Columbia Society of Landscape Architects, so far as not inconsistent with this Act, are the by-laws of the Society.

(2) The by-laws of the Society shall not be altered or added to except by an extraordinary resolution of the Society.

(3) Every extraordinary resolution of the Society altering or adding the by-laws shall be filed in duplicate with the Registrar of Companies in the City of Victoria, who shall register one copy and return the other copy, certified as having been registered by him.

(4) Nothing that is in conflict with this Act shall be included in the by-laws, and the by-laws shall not contain anything contrary to law.

(5) The by-laws of the Society and any amendments thereto shall be published in one issue of the Gazette.

By-laws

11. (1) Subject to subsection (2) of section 10, the Board may make by-laws for all purposes relating to the affairs, business, property, and objects of the Society.

(2) Without limiting the generality of subsection (1), the power of the Board to make by-laws extends to the following matters:—

- (a) The registration of members, the issue of membership certificates, and the qualifications for registration of junior members, student members, honorary members, and associate members:
- (b) The holding, place, and conduct of annual meetings and other meetings of the Society, the notices and consents prerequisite to such meetings, quorums, voting rights at meetings, and all other matters connected with such meetings:
- (c) The qualifications of directors, the numbers thereof, the term of office of directors, and all matters relating to the election and appointment of directors:
- (d) The filling of vacancies in the Board of Directors:
- (e) All matters relating to meetings of the Board of Directors:
- (f) The appointment, functions, duties, and removal of officers and servants of the Society and their remuneration (if any):
- (g) The establishment of executive, membership, and other committees of the Society, the membership thereof, and the powers and duties thereof:
- (h) The keeping of records and the making of reports for and by the Society:
- (i) The making of contracts for and by the Society and the signing and issuance of cheques, drafts, or other orders for payment of money, notes, or other evidences of indebtedness by the Society:
- (j) The custody and use of the Society seal:
- (k) The establishment, levying, payment, remission, and collecting of membership and registration fees, the amounts thereof, and requirements regarding payment thereof:
- (l) The conduct generally of the affairs of the Society; and
- (m) Any other matter mentioned in Schedule B of the *Societies Act*.

Officers

12. Until officers are appointed or elected in accordance with this Act and the by-laws of the Society, the officers of The British Columbia Society of Landscape Architects shall continue to be the officers of the Society.

Objects

13. The objects of the Society shall be

- (a) the advancement of the education of persons in the art of landscape architecture;
- (b) promotion of the welfare of the members of the Society; and
- (c) the furtherance and maintenance of proper standards of professional practice in landscape architecture in the Province.

Designation

14. Every person who is a member in good standing of the Society is entitled to use the designation "Landscape Architect", and no person who is not a member in good standing of the Society shall assume or use such designation in any manner or represent that he or she is entitled to do so.

Dissolution.

15. Where it appears to the Registrar of Companies that the Society has failed for any period of two years to make or send or file any return, notice, or document required to be made or sent or filed to the Registrar of Companies pursuant to the *Societies Act*, or where the Registrar of Companies has reasonable cause to believe that the Society is not in operation, the Registrar may report his belief to the Attorney-General, and upon receipt of the report of the Registrar of Companies, the Lieutenant-Governor in Council may revoke and cancel the incorporation of the Society and declare the Society to be dissolved, anything in this Act to the contrary notwithstanding.