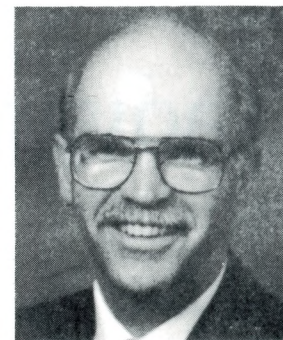


THE CERTIFICATE OF AUTHORIZATION IS NOT A RIGHT BUT A PRIVILEGE

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The Association is charged with the responsibility of protecting the interest of the people of Ontario when members of the public come in contact with the business of land surveying. To do this, we have our new Surveyors Act and its regulations to guide us as well as the Bylaws and Standards of the Association.

One of the more important responsibilities that the Association has is the licensing of new members. This task is fulfilled by the Academic and Experience Requirement Committee with its full force of monitors overseeing an intense program of study that new members face before they can be commissioned or licensed. Each new surveyor has to complete a very exhaustive program of training by the time he or she receives the designation "Ontario Land Surveyor". But should this entitle that new surveyor to immediately hang out his or her own shingle for business? Past experience has shown that it should not.

One must always remember that the prime legislative function of the Association is to manage the business of land surveying within Ontario in the public's best interest and for its protection. New surveyors receive a good training in the techniques of land surveying and have to put in a certain amount of experience in prescribed areas of study to develop their expertise, but there is little training received in how to run a business or manage a staff. Good business practices help to ensure that proper survey work will follow and those new surveyors who will be entering into the area of owning their own private land surveying business definitely need additional training in both business and people management. For a few people, these skills may come naturally but for most of us, we have to learn through a combination of gaining experience while working for

an established Ontario Land Surveying firm and by taking specific courses on the subjects. We cannot afford to have a brand new surveyor learn these skills by trial and error while offering services to the public.

Our old Act did not allow for the minimum training period of 5 years that our new Act requires before a Certificate of Authorization can be issued. The lack of this 5 year period is thought to be one of the main reasons why some surveyors are now having to be continually monitored by Practice Advisory. One can say, "so what, that is that surveyor's problem", "survival of the fittest", etc., but while they are struggling in business, the resulting poor surveys caused by a lack of control, poor management, and an inability to recognize it are affecting the unsuspecting members of the public that we as an Association are charged to protect.

Under the new Act, the Registrar has the task of receiving all applications for Certificate of Authorizations and reviewing each application to see first, if the necessary 5 year period has been fulfilled and second, if the training and experience are appropriate. If he is in doubt about issuing the applicant with his or her Certificate of Authorization, then he can consult with the Registration Committee for a decision.

The Registrar also has the responsibility of reviewing members with a current Certificate of Authorization. If he feels there are grounds to consider revoking the Certificate of Authorization, then he will refer the matter to the Registration Committee for a decision. The Registration Committee will then conduct a full hearing into the matter much like a Discipline Hearing with both the Registrar and the surveyor presenting their cases and will then make a decision based on the evidence presented to them. It is always recom-

mended to the surveyor in these circumstances that he or she be represented by legal counsel to better protect their interests.

This is an area of monitoring that the new Act has made available and the Association is pursuing it aggressively. We all know that there are segments of our membership whose surveys are not being done in the best interests of the public. For many of those members, however, these poor surveys are being done out of ignorance or in a sea of confusion because of poor training or the owner's inability to organize his or her business and staff. These members do not necessarily need disciplining. They simply need to go back and get the training that they missed. The member can regain his or her Certificate of Authorization upon a re-application and after the Committee is satisfied that the member has received the proper training and experience.

This function that our new Act provides to us will allow the Association to carry out its responsibility of monitoring its members in a manner that will better serve both the public and the membership. Discipline Hearings need only be held for cases of professional misconduct or incompetence. If a member lacks in an area of competence but is not intentionally misleading the public then following the option of revoking the Certificate of Authorization will allow the member to retain his or her licence and source of livelihood while going through a period of re-training. Both the public, the membership as a whole and the individual member will be better off because of it.

In order for the people of Ontario to be best served by our profession, those surveyors operating a private survey practice have to earn and maintain the privilege of holding a Certificate of Authorization.