

Prince Edward Island Institute of Professional Planners

Professional Bylaw No.1

(Pursuant to subsection 7(2) of the *Registered Professional Planners Act, 2018*)

As Approved January 8, 2019

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Part 1-Title

1. This Bylaw may be cited as *The PEIIPP Professional Bylaw No.1, 2018*.

Part II-Definitions

1. In this Bylaw:
 - a. "Act" means the *Registered Professional Planners Act, 2018*.
 - b. "API" means the Atlantic Planners Institute.
 - c. "Applicant" means a person who applies for registration with the Prince Edward Island Institute of Professional Planners.
 - d. "Council" means the Council of the Prince Edward Island Institute of Professional Planners.
 - e. "CIP" means the Canadian Institute of Planners.
 - f. "Continuous Professional Learning" or "CPL" means the specific activities in which members actively engage to further their knowledge, understanding, skills and abilities relevant to the theory, methods, and practice of planning.
 - 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 Prince Edward Island Institute of Professional Planners.
 - 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, a Subscriber Member, or other Member other than a Regulated Member.
 - k. "PEIIPP" means the Prince Edward Island Institute of Professional Planners.
 - l. "Registrar" means the Registrar of PEIIPP.
 - m. "Regulations" means the *Registered Professional Planners Act General Regulations, 2018*.
 - n. "Regulated member" means a person admitted as a Candidate Member or a Registered Professional Planner Member.

Part III-Applications for Registration

Section 1: Application for Registration as a Candidate

1. Pursuant to the provisions of section 11 of the Act and the Regulations, an applicant's registration as a Candidate member shall be granted by the Council upon application to the Registrar.
2. Candidate membership with the Institute shall be limited to persons who are employed in the field of planning and meet post-secondary educational and practical experience requirements; and who have been accepted into the Professional Standards Board's certification process.

3. Application for membership shall be made to the Registrar on the forms prescribed by the Council and shall be accompanied by fees established by the Council through policy. Council will review the application and inform the applicant in writing of its decision.
4. Applicants for membership who are refused admission may appeal the decision of the Council pursuant to the provisions of section 19 of the Act.
5. A Candidate Member who reaches the seven-year time limit for maintaining a Candidate membership shall have their membership in the Institute cancelled.

Section 2: Application for Registration as a Registered Professional Planner

1. Pursuant to the provisions of section 12 of the Act and the Regulations, an applicant's registration as a Registered Professional Planner shall be granted by the Council to those Candidate Members in good standing upon application to the Registrar.
2. Application for membership shall be made to the Registrar on the forms prescribed by the Council and shall be accompanied by fees established by the Council through policy. Council will review the application and inform the applicant in writing of its decision.
3. 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 proof of registration to that Regulated Member.
4. The Registrar shall maintain all Member information as deemed required by a resolution of Council on a register.
5. Applicants for membership who are refused admission may appeal the decision of the Council pursuant to the provisions of section 19 of the Act.

Section 3: Registered Planner in Another Jurisdiction

1. Professional planners who intend to practice in Prince Edward Island, including any Registered Professional Planner (RPP) or Licensed Professional Planner (LPP) from another Canadian province, or from another jurisdiction with which there is a reciprocity agreement, must apply to the Institute to be registered as a member.
2. Any Registered Professional Planner (RPP) or Licensed Professional Planner (LPP) from another Canadian province or territory who is registered in Prince Edward Island may retain their membership in any other jurisdiction.
3. Application for membership shall be made to the Registrar on the forms prescribed by the Council and shall be accompanied by fees established by the Council through policy. Council will review the application and inform the applicant in writing of its decision.
4. Applicants for membership who are refused admission may appeal the decision of the Council pursuant to the provisions of section 19 of the Act.

5. A Registered Professional Planner registered and in Good Standing with another Canadian jurisdiction, or another jurisdiction with which there is a reciprocity agreement, who has paid the applicable fees may upon application be registered as an RPP with the Institute.

Part IV-Request for Suspension

1. In accordance with 16(1) of the Act, a Regulated Member in good standing who temporarily ceases all active involvement in the practice of planning for an extended period of time may apply in writing to the Registrar for temporary leave from active membership subject to the following:
 - a. The reasons for such application for leave shall be provided in writing;
 - b. The Registrar shall consider and approve any application for a request for a suspension subject to any rules, policies, procedures, or conditions established by Council from time to time;
 - c. The period of leave shall not normally be less than six months nor exceed 12 months;
 - d. The period of leave may be extended for an additional 12 months upon application to Registrar following the initial period of leave;
 - e. The member shall temporarily forfeit the right to use any professional title and/or designation of the Institute for the duration of any period of leave;
 - f. For a Candidate member time spent on temporary leave from active membership does not count towards the seven-year time limit of Candidate membership status;
 - g. The member shall be required to complete Continuous Professional Learning credits on a pro-rated basis during their request for a temporary suspension;
 - h. The duration of and dates for any period of leave shall be specified in writing at the time of application for such leave; and
 - i. Notwithstanding the duration and dates for any approved period of leave, the member's eligibility for leave from active membership shall automatically cease upon her/his return to active involvement in the practice of planning and such a member shall immediately notify the Registrar in writing of such return to practice.

Part V-Retired Members

1. A Registered Professional Planner Member in good standing with the Institute who has retired from active planning work may apply in writing to the Registrar for Retired Membership. The consideration and approval of any application shall be at the sole discretion of the Registrar and shall be subject to any rules, policies, procedures, or conditions established by Council from time to time.
2. A Retired Member is not required to log Continuous Professional Learning credits.
3. A Retired Member may not use the RPP designation.
4. A Retired Member who has been retired for two years or less may apply in writing to the Registrar for reinstatement as a Registered Professional Planner Member.

- a. The Registrar shall consider and approve any application for reinstatement subject to any rules, policies, procedures, or conditions established by Council from time to time.
- b. Upon reinstatement, the member will be responsible for the difference between fees as a Registered Professional Planner Member and Retired Member for the entire period during which the Member was retired.
- c. Additional administrative fees may be levied upon the member as established by Council.
- d. The Member shall be responsible for completing additional Continuous Professional Learning credits corresponding to the number of credits the member would have been responsible to complete if they had continued as a Registered Professional Planner Member during the time of their Retired Member status. The time limit for completing any additional credits shall be set by Council upon Member reinstatement.

VI-Transferability, Resignation, and Continuing Obligations

1. Membership is not transferable to another person and automatically terminates on death, resignation, revocation, or otherwise in accordance with these Bylaws.
2. Resignation:
 - a. Members may resign from the Institute by providing written notice to the Registrar;
 - b. The resignation is effective when accepted by Council;
 - c. A resigned Registered Professional Planner must surrender the RPP seal or stamp and may no longer use the RPP designation; and
 - d. Pursuant to the Act, Council may authorize the investigation, charging, or review of a resigned or retired Regulated Member if a complaint is received and may operate as though the Regulated Member had not resigned or retired.
3. The discontinuance of membership in the Institute for any reason does not extinguish any debts or obligations of that Member arising before the discontinuance.
4. A resigned member may request re-admittance to the Institute within two years of date of resignation.
5. A Regulated Member may be re-admitted to the Institute, subject to compliance with any policies governing re-admission and upon payment of:
 - a. a reinstatement fee as may from time to time be fixed by Council;
 - b. an amount equal to the annual membership fee in effect for the year(s) in which such person ceased to be such a member; and
 - c. an amount equal to the annual membership fee in effect for the year in which such person seeks reinstatement.
6. A Regulated Member reinstated after resignation shall be responsible for completing additional Continuous Professional Learning credits corresponding to the number of credits the member would have been responsible to complete if they had continued as a Registered Professional Planner Member during the time they were not a Registered Professional Planner member of

the Institute. The time limit for completing any additional credits shall be set by Council upon Member reinstatement.

VII-Fees

1. All members are required to pay an annual fee to the Institute as per the Institute's Administrative Bylaw No. 1.
2. The Council shall determine and fix from time to time by majority resolution any annual fees payable by all members and shall also determine the manner in which they may be paid, and the payments, terms or dates required.
3. Members have sixty (60) days from the date of notification of fees owing to pay those fees.
4. At the expiration of that sixty (60) day period a member will be considered suspended from membership for a period of up to six months or until fees are paid, whichever comes first, and shall be excluded from the register of members. Notice of suspension of their membership shall be provided to the member.
5. A Regulated Member suspended for non-payment of annual fees shall not be eligible to use the RPP designation, transfer to another jurisdiction, or if a candidate, apply for registration as a Registered Professional Planner.
6. A Regulated Member suspended for non-payment of annual fees may be reinstated to membership in Good Standing upon payment of fees owing and payment of an administrative fee set by Council and subject to any additional conditions and/or fees as set out in the Act or Regulations or in any policies as may be set by Council.
7. Members are in default if annual fees are not received prior to the end of this suspension period.
8. Members in default cease to be members of the Institute and so shall be recorded as cancelled.

VIII-Continuing Professional Learning

1. In order to better serve the public, each Regulated member shall undertake mandatory Continuous Professional Learning and shall report that Continuous Professional Learning to the Institute each year by December 31.
2. The Council shall establish the Continuous Professional Learning rules, policies and procedures including those for the reporting and monitoring of Continuous Professional Learning and acceptable types of Continuous Professional Learning activities.
3. Any Regulated Member who is in breach of the Continuous Professional Learning rules established by the Council for the preceding year as of the 31st day of January each year shall be

notified of non-compliance, the particulars relative to the non-compliance, and ordered to comply within 30 days.

4. A Regulated Member who is still in non-compliance at the end of the 30 days shall no longer be considered to be a member in Good Standing, shall have their membership suspended for six months, or until such time as they come into compliance with CPL requirements, whichever comes first and shall be excluded from the register of members.
5. A Regulated Member suspended for non-compliance with CPL requirements shall not be eligible to use the RPP designation, transfer to another jurisdiction, or if a candidate, apply for registration as a Registered Professional Planner. Notice of suspension of their membership shall be provided to the member.
6. A Regulated Member suspended for non-compliance of CPL requirements may be reinstated to membership in Good Standing upon compliance with the Continuous Professional Learning requirements, payment of an administrative fee set by Council and subject to any additional conditions and/or fees as set out in the Act or Regulations or in any policies as may be set by Council.
7. A Regulated Member who has been suspended for non-compliance with the CPL program and who remains non-compliant following the end of the suspension period shall be cancelled as a member.

IX-Liability Insurance

1. Regulated Members shall maintain liability insurance at a minimal level as established by the Professional Liability Insurance offered through the Canadian Institute of Planners.

X-Code of Professional Conduct and Code of Ethics

Section 1: Code of Ethics

1. Ethical planning professionals should be governed by two basic concepts:
 - 1.1. They must be competent. This means:
 - a) They must know the competencies for their area of practice, and
 - b) They must be able to successfully apply the competencies.
 - 1.2 They must have integrity. This means:
 - a) They must have a keen sense of responsibility to their profession and employers and the public; and
 - b) They must retain a sense of independence that will enable them to exercise their professional judgment independently and without bias.
2. In order to comply with these two basic concepts, members of the profession shall:
 - 2.1 Practice sustainable planning that considers the use of society's resources and the needs of future generations;

- 2.2. Value both the natural and human environments and understand their interrelationships;
- 2.3 Acknowledge that planning decisions can have effects that cross jurisdictional boundaries;
- 2.4 Balance the interests of communities with the interests of individuals;
- 2.5 Offer objective and informed planning advice;
- 2.6 Strive to continuously improve their knowledge of applicable planning theory and practice; and
- 2.7 Foster meaningful public participation by all segments of society.

Section 2: Code of Professional Conduct

1. The Planner's Responsibility to the Public Interest

Members have a primary responsibility to define and serve the interests of the public. This requires the use of theories and techniques of planning that inform and structure debate, facilitate communication, and foster understanding. Accordingly, members shall:

- 1.1 practice in a manner that respects the diversity, needs, values and aspirations of the public and encourages discussion on these matters;
- 1.2 provide full, clear and accurate information on planning matters to decision-makers and members of the public, while recognizing both the client's right to confidentiality and the importance of timely recommendations;
- 1.3 acknowledge the inter-related nature of planning decisions and the consequences for natural and built environment and the broader public interest; and
- 1.4 identify and promote opportunities for meaningful participation in the planning process to all interested parties.

2. The Planner's Responsibility to Clients and Employers

Members must provide diligent, creative, independent, and competent performance of work in pursuit of the client's or employer's interest. Accordingly, members shall:

- 2.1 impart independent professional opinion to clients, employers, the public, and tribunals;
- 2.2 work with integrity and professionalism;
- 2.3 not perform work outside of his/her professional competence;
- 2.4 not neglect planning services which he/she has agreed to perform, nor render services without adequate preparation;
- 2.5 acknowledge the values held by the client or employer in work performed, unless such values conflict with other aspects of this Code;

- 2.6 respect the client or employer right to confidentiality of information gathered through a professional relationship;
- 2.7 inform the client or employer in the event of a conflict between the values or actions of the client or employer and those of this Code, in a timely manner;
- 2.8 ensure full disclosure to a client or employer of a possible conflict of interest arising from the Member's private or professional activities, in a timely manner;
- 2.9 inform all relevant parties and provide the member's professional recommendation in situations that may adversely affect the public interest;
- 2.10 reject, and not offer, any financial or other inducements, including prospective employment, that could influence or affect professional opportunities or planning advice;
- 2.11 not, as an employee of a public planning agency, give professional planning advice for compensation to a private client or employer within the jurisdiction of the public agency without written consent and disclosure to the agency;
- 2.12 not, as a consultant to a public planning agency during the period of contract with the agency, give professional planning advice for compensation to others within the jurisdiction of the agency without written consent and disclosure to the agency in situations where there is the possibility of a conflict of interest arising;
- 2.13 not, as a salaried employee of or consultant to any public planning agency, directly or indirectly advise the agency on the granting or refusal of an application which the Member has submitted or has an interest in to the agency; however, the Member may present the application;
- 2.14 not accept anything of value, or the promise of anything of value, including prospective employment, from any person when it could appear that the offer is made for the purpose of influencing the Member's actions as an advisor to a public planning agency; and
- 2.15 not, in order to obtain professional work, present himself/herself out or permit himself/herself to be presented as prepared to provide planning services where the quality of work is less than reasonable and appropriate in the circumstances.

3. The Planner's Responsibility to the Profession and Other Members

The vitality and credibility of the planning profession and of the Institute are reflective of the quality of the membership. To further the profession, members will be expected to attain and maintain a high standard of professional competence and conduct, which extends to their relationship with other members. Accordingly, members shall:

- 3.1 take all reasonable steps to maintain their professional competence throughout their working lives and shall comply with PEIIPP's continuing professional learning requirements as amended from time to time;

- 3.2 encourage healthy and constructive criticism about theory and practice of planning among colleagues and share the results of experience and research that contribute to the evolving body of planning knowledge;
- 3.3 maintain an appropriate awareness of contemporary planning philosophy, theory, and practice by seeking and receiving professional education throughout a planning career;
- 3.4 contribute to the professional education, mentoring, and development of planning students, Members, and other colleagues;
- 3.5 not in professional practice, extra-professional activities or private life, engage in dishonorable or questionable conduct that may cast doubt on the Member's professional competence or integrity or that may reflect adversely on the integrity of the profession;
- 3.6 ensure that advertising or promotional activities fairly and accurately communicate the expertise and skills offered;
- 3.7 advertise professional planning services in a manner that enhances the credibility of the profession;
- 3.8 accurately represent his or her professional qualifications and affiliations, education and experience, and those of colleagues;
- 3.9 act toward other Members and other colleagues in a spirit of fairness and consideration and not falsely or maliciously injure the professional reputation, prospects or practice of another Member and other colleagues;
- 3.10 respect the Member's colleagues in their professional capacity, and when evaluating the work of another Member, show objectivity and fairness and avoid ill-considered or uninformed criticism of the competence, conduct or advice of the Member;
- 3.11 not attempt to supplant another Member, once the Planner has knowledge that definite steps have been taken toward the other's employment;
- 3.12 not sign or seal a final drawing, specification, plan, report or other document not actually prepared or checked by the Member;
- 3.13 not directly or indirectly discriminate against any person because of said person's race, national or ethnic origin, color, religion, sex, age or mental or physical disability in any aspect of job recruitment, hiring, conditions of employment, training, advancement or termination of employment;
- 3.14 report to the Institute the behavior of any Member believed to be in breach of this Code;
- 3.15 not make public statements on behalf of the Institute's Members unless authorized to do so;
- 3.16 comply with any reasonable request of the Institute for information or for the co-operation of the Member in pursuit of any Institute objective; and

3.17 implement and give full effect to the disposition of any discipline proceeding affecting the Member.

XI-Reinstatement of Cancelled Member

1. A Regulated Member whose membership has been cancelled under section 15 of the Act may upon application to the Registrar, be reinstated by Council.

XII-Public Register

1. A public register of Candidate members and Registered Professional Planner members in good standing members shall be maintained by the Registrar. This public register shall include name of registrant and membership category.

XIII- Advertising By Members

1. Advertising, promotion and other marketing activities must be accurate and without the potential to mislead the public. Any conduct is to be strictly avoided that either directly or indirectly, or through any medium or agent:
 - a. misinterprets facts;
 - b. compares either directly, indirectly or by innuendo, the member's services or ability with any other member(s), or promises or offers more effective service or better results than those available elsewhere;
 - c. deprecates another member as to service, ability or fees;
 - d. creates an unjustified expectation about the results the member can achieve;
 - e. is undignified, in bad taste or otherwise offensive so as to be incompatible with the best interests of the public or Institute, or intends to harm the standing of the community planning profession generally; or
 - f. makes statements that are not statements of fact or makes statements that cannot be proven to be accurate by the member.
2. Inappropriate advertising as defined above is prohibited and may result in censure, such as reprimand from the Institute.

XIV-Amendments to Bylaws

1. The bylaws of the Institute may be repealed or amended by resolution enacted Council with the approval of not less than two-thirds of Councillors at a Council meeting.
2. Thirty (30) days in advance of the Council's consideration of a new bylaw or bylaw amendment, the Council will make the proposed new bylaw or bylaw amendment available for member review and comment.
3. The Council will consider all comments received within the review period prior to passing a resolution on a new bylaw or bylaw amendment.

XV- Effective Date

1. This bylaw shall be effective when approved by Council.

CERTIFIED to be Professional By-Law No. 1 of the Institute, as enacted by the Members of Council of the Institute by resolution on the 8th day of January 2019.