

Survey Law Text Summary Report

September 2007

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1. Introduction of Initiative - October 2006 National Forum (CCLS Annual Meeting)

The following is recorded in the minutes of the October 2006 CCLS annual meeting.

Survey Law in Canada

The issue was a text on survey law that was created by CCLS and CIG in 1989. Currently it is available through various educational institutions under special copyright license. It has been determined that the copyright is held by the publisher Carswell, which precludes formally publishing a second edition. It was noted that it was the intention of the authors to sign copyright over to CCLS and CIG, not to the publisher but that all documentation on copyright is lost. ALSA is currently publishing a book at a cost of about \$250 per page in fees to the author but virtually no publishing costs as it will be made available on the web. ALSA is producing a survey practice in Alberta text that will be web posted and available in soft cover for nominal charge. ALSA is producing a 15 chapter text and is posting each chapter as they come available. A similar approach could be taken to produce a survey law text in cooperation with educational institutions, law faculties as well as geomatics faculties, and coordinated through CCLS. It could be framed as a graduate student thesis reviewed by an expert. It was decided that the original authors should be approached first. Copyright issues are important. Marie Robidoux agreed to do a briefing paper on possibilities.

2. Briefing Paper – Marie Robidoux - April 2007

The following is the content of the Briefing paper that Marie Robidoux agreed at the October 2006 meeting to provide.

Survey Law textbook

I have heard from almost everyone (*original authors of Survey Law in Canada text*) and most – if not all who responded – are willing to do an update of their chapter. (*A list of authors, contact information and summary of relies was appended to the briefing paper*)

and is on file) However there are differences of opinion with respect to a book or a document available on the web.

Propose a small committee of 3 people to get this going. They would develop Terms of Reference for this project which could identify the following: choice of topics, method of publication, involving educational community, form of official contact of authors, etc.

Once the Terms of Reference are in place, we can move to official contact of the authors and finding new ones for some, choosing an editor, etc...

Small interim committee could be Bert Hol, Marie Robidoux and Jim Dobbin; once terms of reference are in place the project should be handed off to the editor to look after.

We will probably need to provide some funding for an editor in particular and maybe an honorarium for authors.

3. Regina National Working Session Notes May 07

The following are the notes on the initiative from the National Working Session which took place in Regina, SK n May 2007.

SURVEY LAW TEXT

Overview:

Champion: Marie Robidoux

Participants: Marie Robidoux

Terms of Reference: None formalized, Project outline provide by Marie

Funding:

2007 Budget: \$0 2007 Expenditures: \$0 2007 Remaining: \$0

Outline:

- The idea of an updating or reprinting of the survey law text has been around for several years.
- The current proposal for CCLS to lead work in this area was presented at the September 2006 CCLS annual meeting where Marie volunteered to prepare a plan
- An outline has been developed by Marie and she has had initial contact with the original authors.

Issues:

- Further direction is needed to continue.
- Resources and priority need to be assessed.

Breakout Group:

Sel Sanderson, Dirk Vandenbrink, Alvin Hayes, Wayne Leeman

Breakout Presentation and Group Discussion:

- Rating importance of the initiative on a scale of 1 to 5, the group felt it was a 4.
- Rating urgency on a scale of 1 to 5, the group felt it was a 2.
- It is beneficial to both student development and professional development.
- Requires a draft terms of reference with which to create a steering committee.

Options:

- Possible - Do it internally, or
- Preferred - Farm it out (i.e. contract/honorarium to interested party or school), or
- Not Preferred - Drop it completely.

Terms of reference for steering committee to include:

- Refine terms of reference as per CCLS model
- Decide on preferred media – electronic, paper, print on demand – based on a business plan
- Explore options for Fr/En
- Define required content – may be based on original textbook but what exactly needs update/addition
- Create an Editorial Board
- Confirm authors
- Develop a budget
- Find source(s) of funding for 2008/2009 (honorariums, contract, translation, publication)

Issues:

- The original text was done in partnership with CISM now CIG – do we want to approach CIG for partnership – could be politically expedient – could be access to outside funding
- ACLS has experience with a print on demand text through a publisher
- ACLS has experienced the requirement for a book launch to be a major consideration and not a simple task
- Original book was a 5 year project, recent ALSA book was a 3-5 year project, ACLS experience is a significant effort, i.e. does represent a significant amount of work
- Time lines – urgency is not high, current workload is high,
- Business plan needs to be part of the discussion at steering committee level before the actual creation of a product is approved
- Business plan needs to acknowledge CCLS mandate as a forum/facilitator and not a creator of product.

Actions:

- | | |
|------------------|---|
| Summer | 1. <i>Marie</i> - Prepare draft terms of reference |
| | 2. <i>Marie</i> - recruit steering committee |
| | 3. <i>Steering Committee</i> - begin to consider their list of issues |
| September | 4. <i>Marie</i> – prepare report to annual meeting |

4. Additional Information

The following additional points have arisen during conversations with various interested parties.

- David Lambden is currently working on an update of his Legal Aspects of Surveying Water Boundaries text (ISBN 0459554107 Carswell 1996) to be published by Carswell. He noted that he has found Carswell to be very cooperative and feels that only a text published by Carswell (or similar publisher) has weight in court.

- Duplication needs to be avoided. There are recent texts such as the one being planned by David Lambden, a recently published book in surveying in Alberta by the ALSA, recent ACLS hydrography book, etc.
- Research into which chapters covered by the original text are in demand by surveyors, lawyers or academic institutions.
- The organizing committee could include candidates such as Mike Barry, Ian Lloyd, but should not include potential authors and will be distinct from the editorial committee.

5. Summary and Current Status

1. An outline of an action plan is in place
2. Resources need to be considered and this initiative would be a good candidate for an association to champion. Current CCLS human resources are over extended. Funding will be needed.
3. The immediate next step would be to identify the champion association or individual and assist them in the initial organizing committee functions, particularly developing the terms of reference based on information already gathered.

6. Conclusion

The groundwork for this initiative is in place and there is reasonable possibility to move forward if resources, especially human resources, can be identified outside of the CCLS Board and Executive. While Marie Robidoux is available to act as CCLS Board Champion, she does not have the time to kick start the initiative or play an active role in the organizing committee.