

**Annual Report to the Canadian Council of Land Surveyors  
from the  
Association of New Brunswick Land Surveyors  
2009 CCLS AGM**

### **Demographics**

Membership numbers have continued along recent trends over the past few years. In the last three years, we have experienced 8 fewer full members (80 for 2009), 2 less life members, 4 less Affiliate members, 7 retirements, and 4 fewer companies. On a positive note, we have seen a growth of Surveyors-in-Training from 5 to 10 members over this same time period.

### **Environmental Trust Fund**

The ANBLS has been awarded \$22,000 under the Province's Environment Sustainable Development program, specifically in the realm of sustainable watercourse and wetlands delineation. The Province awarded a total of \$4 million to 167 initiatives dealing with studying and preserving our natural environment. The Association of New Brunswick Land Surveyors will develop a training session and reference handbook to assist land surveyors in ensuring proper environmental practices in watercourses and wetlands.

The ANBLS was also invited to participate in a wetlands seminar. The majority of attendants were environmental biologists. The focus of the session was on stewardship, changing the thinking on wetlands and promoting wetlands. The session did not address any of our association's issues, but it did provide communication and networking opportunities with other related organizations. The meeting did recognize the ANBLS as a professional organization to consult.

### **Limitation of Actions Act**

After more than a decade of lobbying, the provincial government finally brought Bill 28, "Amendments to the Limitations of Actions Act", specifically subsection 5(1), to the legislature, which provides for:

- a **two -year "basic" period**, running from the time when the claim is discovered and
- a **fifteen-year "ultimate" limitation period**, running from the date of the wrongful act.

First reading was given on December 16 and it has been sent to the Law and Amendments committee for review. APEGNB made a presentation to this committee during the February 24-25 public hearings. They proposed an alternative to the existing wording of section 4(2) as follows:

*4(2) If there is a conflict between a limitation period established by this Act and one established by a private Act, the limitation period in this Act prevails.*

The argument behind this proposal is that it would save the Legislature considerable processing time since each self-governing organization subject to private legislation would have to apply for amendments on an individual basis.

### **The Practice of Land Surveying – Retired Members as Expert Witness**

At a recent Council meeting, it was noted that retired members are not practising surveyors, and as such cannot be called upon as a consultant or as an expert witness. However, a retired member is still permitted to use the designation, “NBLS” behind his name.

### **Labour Mobility**

The Presidents’ Forum held during the ANBLS AGM in January dealt exclusively with this initiative. There was also considerable discussion during the business meeting of the AGM as well as during several provincial zone meetings held subsequent to the AGM.

The ANBLS met with representatives of the New Brunswick Department of Post-Secondary Education and Labour to provide information on the policies and processes of our profession relating to the Agreement on Internal Trade and Inter-Association Mobility Agreements. The ANBLS advocated that an exemption to Labour Mobility is in the public interest for the purposes of consumer protection.

The ANBLS proposes that qualified applicants from other Canadian jurisdictions demonstrate local knowledge and jurisprudence by successfully completing a 3-4 hour exam which can be available to the candidate within two weeks of a properly completed application. Preparation for the exam would include self study of materials and information provided by the Association of New Brunswick Land Surveyors including statutes, regulations and case law. Preparation time is dependent on the individual but is estimated at 3-4 weeks.

### **Future of the profession**

The national vision for the future of the profession is gaining dialogue time during Council meetings, especially with respect to the proposed governance and management structures. The recent discussion paper and questionnaire circulated to associations has generated the need for significant clarification on several issues: the identification of specific and tangible benefits to the profession and its members, revenue generation scenarios, and proposed membership alternatives.

A recent interview with the ANBLS Administrative Committee resulted in certain positions, opinions, and feedback to be offered to the 2009 CCLS National Forum. It is important to note that these are not necessarily the opinions reflected by Council as they have not been able to meet to formally provide their input to the CCLS discussion document. Outcome from the National Forum will be presented to the ANBLS Council immediately following the CCLS AGM.

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