



**Alberta  
Land Surveyors'  
Association**

Alberta Land Surveyors' Association

# **AFFILIATE MEMBER AND AIT HANDBOOK**

**PREPARED BY THE REGISTRATION COMMITTEE**

**APPROVED BY COUNCIL ON OCTOBER 6, 2016**

## General

Under direction of the Premiers, governments across Canada have been working with regulators to strengthen the labour mobility provisions of the Agreement on Internal Trade (AIT).

On December 5th, 2008, Trade Ministers met and approved the legal text of an amended Chapter 7 on labour mobility, as recommended by Labour Market Ministers. With the formal signing off, the amended text came into force on April 1, 2009.

Under the amended AIT, any worker certified for an occupation shall, upon application, be certified for that occupation by each other Party which regulates that occupation without any requirement for any material additional training, experience, examinations or assessments as part of that certification process. Refer to the ALSA policy manual <http://www.alsa.ab.ca/MemberResources/ReferenceMaterial.aspx> for more information on the labour mobility provision of the AIT.

The Alberta Land Surveyors' Association (ALSA), as a self-governing body, desires to promote and increase the knowledge, skill and proficiency of surveyors in all things relating to their profession. The ALSA is responsible for the examination, licensing, and registration of cadastral surveyors in Alberta.

## Eligibility

To be eligible to write the jurisdictional examination and/or become an affiliate member the applicant must hold a license that is not encumbered or restricted in any way within their home association(s).

## Affiliate Membership

Applicants may choose to become an affiliate member of the ALSA but this is not a requirement to write the jurisdictional examination. The advantage of becoming an affiliate member is that it ensures that the applicant receives current information from the ALSA. To become an affiliate member, the applicant must submit the following to the ALSA:

- The application for affiliate membership available online at <http://www.alsa.ab.ca/MemberResources/LabourMobility.aspx>.
- Certificate of Conduct from the applicant's home association(s) email directly to the ALSA.
- The fees required by the bylaws.

The application will be reviewed by the Registration Committee who will then confer membership in the ALSA as an affiliate member on behalf of Council. If the application is refused, an applicant may appeal the Registration Committee decision within 30 days to Council.

## Application to Write the Jurisdictional Exam

An applicant wishing to write the jurisdictional exam must submit the following to the ALSA:

- Jurisdiction exam application form available online at <http://www.alsa.ab.ca/MemberResources/LabourMobility.aspx>.
- Certificate of Conduct from the applicant's home association(s) email directly to the ALSA.
- The examination fee required by the bylaws.

Once the ALSA has received a completed application (form, certificate of conduct and fee), the applicant is eligible to write the jurisdictional examination. The ALSA will confirm the date, time and location to write the jurisdictional exam. For the first attempt at the jurisdictional examination by an applicant the examination will be available within a maximum 30 calendar days of receiving the completed application. For additional attempts see “jurisdictional examination results.”

### Cost

The cost to write the jurisdictional exam can be found in the ALSA Policy Manual at <http://www.alsa.ab.ca/MemberResources/ReferenceMaterial.aspx>.

### Jurisdictional Examination (4-hour Examination)

Applicants will be examined on their knowledge and ability to apply pertinent acts and regulations as it relates to land surveying in Alberta. This examination will include questions on evaluating evidence, measurement science, the Alberta Land Surveyors’ Association and a variety of real world problems. Typical survey question that may be included: rights of way, subdivisions, condominiums, real property reports, survey control networks, the D.L.S. township system, unsurveyed territory, wellsites, Hybrid Cadastre, natural boundaries, traverse problems, etc. Emphasis will be placed on situations requiring some degree of discretion and professional judgement.

Written examinations will not be returned to individual applicants, posted online or available in hardcopy format.

### Reference Material

- ALSA Manual with current amendments. More specifically:
  - *Land Surveyors Act* and associated regulations
  - *Surveys Act* and associated regulation
  - *Land Titles Act* and associated regulations
  - *Condominium Property Act* and associated regulation
  - *Municipal Government Act* and associated regulations
  - *Public Works Act*
  - Manual of Standard Practice
  - *Oil and Gas Conservation Act and Rules*
  - *Public Lands Act*
  - Bulletin 38
- *Pipelines Act* and associated regulation
- Alberta Energy Regulator Regulations and Directives
- Alberta Environment and Parks Process
- Manual of Instructions and Supplement to the Manual of Instructions for the Survey of Canada Lands
- Bylaws of the Alberta Land Surveyors’ Association
- PRB Interpretations
- Land Titles Procedures Manual

### Sample Question #1:

You are approached by a client to complete an unfinished single lot subdivision. The original surveyor, who was a sole practitioner, passed away suddenly. The subdivision is ready to be registered at the Land Titles Office except for the surveyor’s affidavit.

1. The client wants you to sign the surveyor’s affidavit and register the plan at the Land Titles Office. How do you advise the client?
2. You decide to take on the work. What would you do prior to signing the affidavit?

3. Upon review the Certificate of Title for this project, you notice that there are three (3) instruments listed. They are: (1) utility right of way, (2) mortgage, and (3) irrigation order/notice that this property is included in the St. Mary River Irrigation District.
  - a. **Scenario # 1:** There is no land dedicated for public purposes. For each of the instruments listed above, explain what will be required to be submitted to Land Titles to register your plan?
  - b. **Scenario # 2:** The subdivision approving authority has requested that a 20 metre service road be surveyed and included in the subdivision plan. For each of the instruments listed above, explain what will be required to be submitted to Land Titles to register your plan?
  - c. **Scenario # 3:** The subdivision approving authority has requested that the reserve be deferred to the remainder of the quarter. What will you require to accomplish this?
  - d. **Scenario # 4:** The client has requested that the mortgage only be on the remainder of the quarter section. What is required to be included in the Land Titles package? Should it be listed on the DRR before or after you list your subdivision plan?

*Sample Question #2:*

During a survey, you discover two survey monuments 2.75 metres apart. Both monuments are intended to mark the east quarter of the section. There are no other survey plans that show more than one monument at the east quarter.

1. Without measuring to any other survey monuments, list four (4) factors you would use to help determine which survey monument to accept as the correct position.
2. What resources would you use to determine the age and origin of the two monuments?
3. You determine one of the monuments is the original evidence for the east quarter of the section.
  - a. **Scenario # 1:** The other monument was placed by a retired land surveyor and is shown on a registered monument plan and not relied upon by any other surveyor. Prior to removing the monument and correcting the plan at Land Titles, what needs to be done?
  - b. **Scenario # 2:** The other monument was placed by a land surveyor, who is now deceased, during a subdivision survey and governs the boundary of that subdivision. Prior to removing the monument and correcting the plan at Land Titles, what needs to be done?
  - c. **Scenario #3:** The other monument was placed by an active land surveyor. Unfortunately, he does not agree with your assessment. To resolve the double posting, you refer the matter to the Boundary Panel.
    - i. Who can be a member of the Boundary Panel?
    - ii. What obligation is there to follow the decision of the Boundary Panel?
    - iii. How are Boundary Panel investigations funded?
  - d. **Scenario #4:** The other monument was placed by an active land surveyor. After discussing the situation with the surveyor, they agree with your assessment. The next day they call back and tell you that they had a crew in the area and have removed the monument.
    - i. On what grounds could a complaint be made against an Alberta Land Surveyor, and provide a brief explanation of each?
    - ii. Once the chairman of the Discipline Committee receives a complaint from the Registrar, they will conduct an investigation. Upon completion of the investigation, the chair can direct the complaint in two (2) ways. What are they?
    - iii. If the Discipline Committee agrees with the allegations, the Committee may make one or more orders. List any four (4) orders.

## Written Exam Procedures and Conduct

Applicants must present their government issued photo ID.

Two pens will be issued which must be used for answering the examination.

The only materials permitted are those provided by the Registration Committee. All other items (written/printed materials, any electronic device, coats/sweaters/hats and other apparel, food, snacks, beverages, etc.) are not permitted and should be provided to the invigilator. Applicants may bring their own bottled water to the examination if the bottle is transparent and the label has been removed.

- During the examination, the only material that may be consulted is the material provided with the examination paper. No other reference material is permitted.
- The examination consists of a specific number of pages. Applicants must ensure they have received a complete examination paper.
- Applicants must not bring with them any electronic device including calculators, pagers, cellular phones, watches and/or personal digital assistants (PDAs).
- All answers on the examination answer sheets must be completed within the time allotment. The examination is scored based on the answers on the examination answer sheets and examination sketches only.
- Applicants will not be permitted to ask questions of the invigilator except in cases of supposed errors in the papers.
- Applicants will be advised when there is 1 hour, and when there are 15 minutes remaining in the examination period.

### *Prohibited Behaviours*

Applicants found performing any of the following or similar dishonest practices shall be immediately dismissed from the examination, and the matter shall be reported to the Registration Committee.

- Using any books, papers, or other materials other than those provided.
- Cheating on the examination.
- Threatening or belligerent behaviour to others.
- Copying, photographing, scanning or removing any portion of the examination from the room.

### *Sign-Out Procedure*

- Applicants must place all issued materials (the entire examination paper, and all examination answer sheets, whether used or unused) in the examination envelope. They must return the envelope to the invigilator.

## Jurisdictional Examination Results

Candidates must receive a mark of 75% or higher in order to pass the jurisdictional examination.

The Association shall attempt to provide the results of the jurisdictional examination within ten business days of the exam being written.

If the candidate passes the jurisdictional examination, then the candidate is eligible to be registered as an Alberta Land Surveyor.

If a candidate does not achieve a pass mark in the jurisdictional examination, the ALSA may require the candidate to wait a period of time before attempting the written jurisdictional examination again.

- For the second attempt at the jurisdictional examination by an applicant the examination will be available within a maximum 30 calendar days after the appeal period for the first attempt expires, or if the right to appeal is waived by the applicant within a maximum 30 calendar days of receiving the notice of waiving the right to appeal.
- For the third and subsequent attempts at the jurisdictional examination by an applicant the examination will be available within a maximum 90 calendar days after the appeal period for the previous attempt expires, or if the right to appeal is waived by the applicant within a maximum 90 calendar days of receiving the notice of waiving the right to appeal.

If the ALSA determines that an applicant does not have the required level of jurisdictional knowledge to successfully complete the requirements, then experience may be the way to gain that knowledge. The onus is on the applicant to gain the required knowledge by whatever means he or she chooses. The onus is not on the ALSA to define a period or type of training although the ALSA may make recommendations.

### **Exam Appeals** (Policy 1993.12.026)

If the candidate does not pass the jurisdictional examination, the candidate may appeal their mark in writing to the Registration Committee. Examinations must be appealed in writing within 30 days of the applicant receiving the results of an examination. The fee for an appeal can be found in the ALSA Policy Manual at <http://www.alsa.ab.ca/MemberResources/ReferenceMaterial.aspx>.

### **Registration as an Alberta Land Surveyor** (Section 24 *Examination and Training Regulation*)

If the applicant has passed the jurisdictional exam, is at least 18 years old and is of good character then they are eligible to be registered as an Alberta Land Surveyor. Prior to completing your registration as an Alberta Land Surveyor, the following documents and fees are required by the ALSA.

- Oath of Office sworn before a Judge of the Court of Queen's Bench or Court of Appeal;
- Registration Process online Evaluation Form;
- Biographical Form;
- Registration Fees;
- Proof of professional liability insurance (section 65(1) of the ALSA bylaws).

If an applicant is eligible to be registered as an Alberta Land Surveyor and is employed at a surveyor's corporation or surveyor's partnership that has provided the registrar with proof of professional liability insurance, then they shall be deemed to have met the requirements of Section 65(1) of the Association's bylaws (policy 2014.12.016).

### **Responsibilities of Membership in the ALSA**

The Registration Committee expects that when an applicant is admitted to membership in the Alberta Land Surveyors' Association, professional responsibilities will be carried out in a manner that the public will be well served and that the applicant will be a credit to themselves, clients, employers and the Association.