

1996

c Pr22 Ontario Plumbing Inspectors Association Inc. Act, 1996

Ontario

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CHAPTER Pr22

**An Act respecting the Ontario
Plumbing Inspectors Association Inc.**

Assented to December 19, 1996

Preamble	<p>The Ontario Plumbing Inspectors Association Inc. has applied for special legislation to enable it to govern and discipline its members and to grant to its members the right to the exclusive use of the designations "Certified Plumbing Systems Inspector" and "C.P.S.I.". The applicant represents that it is a corporation.</p> <p>It is appropriate to grant the application.</p> <p>Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:</p>	<p>(c) to promote close liaison and interchange of ideas and knowledge between members of the Association and members of other associations involved in,</p> <ul style="list-style-type: none"> (i) the enforcement of regulations pertaining to building, planning, renovation, fire, health, safety or environment, (ii) the design or installation of plumbing systems, (iii) the design or manufacture of plumbing products, or (iv) the education and training of persons in the plumbing industry;
Association continued	<p>1. (1) Ontario Plumbing Inspectors Association Inc. is continued as a corporation without share capital under the same name.</p>	<p>(d) to provide full co-operation with the Ontario government in the continued study and review of the regulations respecting plumbing systems design and materials;</p>
Members of Association	<p>(2) The persons registered as members of the Association on the day this Act comes into force and such other persons who later become members of the Association constitute the corporation.</p>	<p>(e) to publish bulletins containing technical information, illustrations and interpretations respecting plumbing regulations;</p>
Continuation of present executive	<p>(3) The members of the executive of the Association and the officers of the Association in office immediately before this Act comes into force are continued in office until their successors are elected or appointed under this Act.</p>	<p>(f) to hold an annual meeting and education seminar; and</p>
Letters patent revoked	<p>(4) The letters patent of the Association are revoked, but their revocation does not affect the rights or obligations of the Association or any by-law, resolution or appointment of the Association except to the extent that it is inconsistent with this Act.</p>	<p>(g) to promote and maintain professional standards among the members of the Association.</p>
Special Act corporation	<p>(5) The Association shall be deemed to be a corporation incorporated by a special Act.</p>	<p>3. (1) The affairs of the Association shall be managed by the executive. Executive</p> <p>(2) The executive shall be composed of a president, vice-president, immediate past-president, secretary, treasurer, bulletin editor and such further number of persons as is determined by the by-laws of the Association. Composition</p>
Objects	<p>2. The objects of the Association are,</p> <p>(a) to promote the uniform enforcement of plumbing regulations throughout Ontario;</p> <p>(b) to promote the advancement of knowledge concerning the design and installation of plumbing systems by providing formal training and continuing education to members of the Association;</p>	<p>(3) The executive shall be elected or appointed in accordance with the by-laws of the Association. Election or appointment</p> <p>(4) In the event an executive position becomes vacant for any reason, the vacant position shall be filled in the manner provided by the by-laws of the Association. Vacancies</p> <p>(5) A quorum of the executive shall be as set out in the by-laws of the Association. Quorum</p>

Registrar	(6) The executive shall appoint a registrar, who need not be a member of the executive, to perform the functions assigned by this Act and such other functions as may be assigned by the executive.	6. (1) The registrar shall keep a register which shall show the names of all members of the Association in good standing and each member's class of membership and certification status, as applicable.	Register
By-laws	4. (1) The executive may pass by-laws regarding matters necessary to conduct the business and carry out the objects of the Association.	(2) Only those persons whose names appear in the register are members entitled to the privileges of membership in the Association.	Privileges of membership
Same	(2) Without restricting the generality of subsection (1), the executive may pass by-laws,	(3) The register shall be open to examination by the public at the head office of the Association during normal working hours.	Public examination
	(a) respecting the application of the funds of the Association and prescribing the remuneration of any member of the executive;	7. (1) A person who has been refused membership or certification or who has been subject to a disciplinary sanction under the by-laws of the Association may appeal to the Divisional Court from the refusal to grant membership or certification or from the sanction.	Appeals
	(b) governing the election and appointment of members of the executive, their terms of office and their responsibilities;	(2) Upon the request of a party desiring to appeal to the Divisional Court and upon payment of a reasonable fee, the registrar shall provide the party with a certified copy of the record of the proceeding that resulted in the refusal to grant membership or the imposition of a sanction, including certified copies of the documents received in evidence at the proceeding.	Record
	(c) governing the appointment of committees, their composition, responsibilities and powers and the appointment of their chairs;	(3) An appeal under this section may be made on questions of law or fact or both.	Grounds for appeal
	(d) prescribing fees payable to the Association;	(4) The court may affirm or rescind the decision being appealed, may substitute its opinion for that of the executive, may refer the matter back to the executive for rehearing in whole or in part or may direct the executive to take such action as the court considers appropriate.	Powers of court
	(e) prescribing a curriculum and courses of study and examinations for students, candidates and members of the Association and governing the granting of certificates to those who successfully qualify;	8. (1) Every member of the Association who is registered as having satisfied the qualifications required by a by-law made under subclause 4 (2) (g) (i) may use the designations "Certified Plumbing Systems Inspector" and "C.P.S.I."	Designation
	(f) establishing classes of membership in the Association;	(2) A person in Ontario who is not registered as described in subsection (1) is guilty of an offence,	Offence
	(g) prescribing the qualifications for the certification of members in,	(a) if he or she takes or uses the designation "Certified Plumbing Systems Inspector" or "C.P.S.I.", either alone or in combination with any other word, name, title, initial or description; or	
	(i) the Certified Plumbing Systems Inspector class, and	(b) if he or she implies or holds out that he or she is a member of the Association registered as a Certified Plumbing Systems Inspector.	
	(ii) other levels and subclasses of certification;		
	(h) regulating and governing the conduct of members of the Association by prescribing a code of ethics, rules of conduct and standards of practice and providing for suspension, expulsion or other penalty if a member contravenes the by-laws; and		
Membership	5. The executive shall grant a membership in the Association to every individual who applies for it, in accordance with the by-laws of the Association.		

Evidence	(3) In every case where registration is an issue, the production of a copy of the register, certified by the registrar of the Association, is sufficient evidence of all persons who are registered and their class of membership in lieu of the production of the original register.	9. This Act does not affect or interfere with the right of any person who is not a member of the Association or who is not registered by the Association as a Certified Plumbing Systems Inspector to practise or be employed as an inspector or municipal officer or municipal employee in Ontario.	Right to practise unaffected
Same	(4) A certified copy of the register purporting to be signed by the registrar is proof, in the absence of evidence to the contrary, that such person is the registrar, without proof of the signature or of that person being in fact the registrar.	10. Any surplus derived from carrying on the affairs and business of the Association shall be applied solely to carrying out its objects and shall not be divided among its members.	Surplus
Same	(5) The absence of the name of any person from a certified copy of the register is proof, in the absence of evidence to the contrary, that the person is not a registered member of the Association.	11. This Act comes into force on the day it receives Royal Assent.	Commencement
		12. The short title of this Act is the <i>Ontario Plumbing Inspectors Association Inc. Act, 1996.</i>	Short title