



CHAPTER 81

An Act to amend the Revised Statutes, 1925, respecting
civil engineers

[Assented to, the 13th of April, 1933]

HIS MAJESTY, with the advice and consent of the
Legislative Council and of the Legislative Assembly
of Quebec, enacts as follows:

1. Section 4 of the Civil Engineers' Act (Revised Statutes, 1925, chapter 218) is amended by adding thereto, after ^{s. 4, am} subsection 2 thereof, the following subsection:

"3. In the exercise of its functions for the hearing of ^{Summon-} complaints made against any member of the Corporation, ^{ing, etc., of} the council may summon witnesses, and, upon failure to ^{witnesses.} appear and answer, the witnesses shall be liable to a fine of not more than twenty dollars recoverable before any court of competent jurisdiction. Any member of the council shall have the right to administer the oath to the parties and the witnesses."

2. The said act is amended by adding thereto, after ^{R. S., c. 218,} section 6 thereof, the following section: ^{s. 6a, added.}

"**6a.** The candidate, in order to be admitted to the study ^{Qualifica-} of the engineering profession, under the provisions of sec- ^{tions re-} tion 12 of this act, and to be admitted to the practice of ^{quired of} the said profession, and to become a member of the Cor- ^{candidates.} poration, must be a British subject. This provision shall ^{Exception.} not apply to the engineers who may be employed as professors at the Polytechnic School of Montreal or in the Faculty of Engineering of McGill University, for the period of their employment only, nor to the persons who, before the coming into force of the act 23 George V, chapter 81, had been admitted to the study or the practice of the profession of engineering or who were members of the Corporation."

R. S., c. 218, s. 8, am. **3.** Section 8 of the said act is amended by adding thereto, after the figures: "1922", in the sixth line thereof, the words: ", or the degree of Bachelor of Engineering, obtained after 1931 from the Faculty of Engineering of McGill University or from the Polytechnic School of Montreal".

Id., s. 12, am. **4.** Section 12 of the said act is amended by replacing the words: "sum of twenty dollars as a fee," in the third and fourth lines of sub-paragraph *a* of subsection 1 thereof, by the words: "fees, the amount whereof shall be fixed, from time to time, by by-law of the Corporation but not exceeding fifty dollars, and".

Limitation of fees.

R. S., c. 218, s. 13, am. **5.** Section 13 of the said act is amended by replacing the words: "sum of forty dollars, as a fee", in the third line of sub-paragraph *a* of subsection 1 thereof, by the words: "fees, the amount whereof shall be fixed, from time to time, by by-law of the Corporation but not exceeding one hundred and twenty-five dollars".

Limitation of fees.

R. S., c. 218, s. 17, am. **6.** Section 17 of the said act is amended by striking out the words: "on summary conviction," in the sixteenth line thereof.

Id., ss. 17*a*-17*e*, added. **7.** The said act is amended by adding thereto, after section 17 thereof, the following sections:

Where fines recoverable. **"17*a*.** In each of the foregoing cases the fine shall be recoverable, with costs:

a. either before the Superior Court or the Circuit Court or the Magistrate's Court, according to the amount of the condemnation applied for,

b. or before two justices of the peace or any other functionary having the same powers, of the district where the offence was committed.

Provisions applicable to delays, etc. The delays upon summonses and all other procedure in actions and proceedings brought before the Superior Court, the Circuit Court or the Magistrate's Court shall be governed by the provisions of the Code of Civil Procedure respecting actions between lessor and lessee and shall be heard by right of precedence.

Provisions applicable to certain prosecutions. In all prosecutions other than those taken in the Superior Court, the Circuit Court or the Magistrate's Court, the provisions of Parts I and II of the Quebec Summary Convictions Act (Chap. 165) shall apply.

Delay. Such actions or prosecutions may be taken within a delay of two years from the commission of the offence.

"**17b.** The fines payable under section 17 shall belong ^{Destination} to the Corporation of Professional Engineers of Quebec, to ^{of fines.} form part of its general funds.

"**17c.** Any prosecution under this act shall be taken: ^{Prosecution.}

1. In the case of sub-paragraph *a* of the first paragraph of section 17*a*, by and in the name of the Corporation of Professional Engineers of Quebec which alone shall have the right to take action, and, it is sufficient in such action to allege the offence and the particular reasons for which the prosecution was taken and that the defendant has acted contrary to law.

2. In the case of sub-paragraph *b* of the first paragraph of the said section 17*a*, on the sworn information in writing of any person of the age of majority authorized for such purpose by the Council.

"**17d.** In every prosecution, the defendant must prove ^{Proof re-} that he had the right to practise as engineer and to assume ^{quired from} the title, name and qualifications thereof or to employ the ^{defendant.} letters, signs or designation which he is reproached with having taken or employed.

"**17e.** Whenever proof of registration is required under ^{Copy, etc.,} this act, a copy or extract from the register or books of the ^{deemed} Corporation, bearing the seal of the latter and the signature ^{sufficient} of its registrar, shall be sufficient proof of the contents of ^{proof.} such copy or such extract without it being necessary to produce the original."

8. This act shall come into force on the day of its ^{Coming into} sanction. ^{force.}