

“Right to Practice” Update

ARPFNB &
NBFTA Members



RTP SUBCOMMITTEE
NBFTA | ARPFNB



Today's Meeting (27 slides)

YOUR QUESTIONS

- During the meeting, should you have questions. 3 Options.

1. Raise your Hand
2. Type in the Chat.
3. Wait till the end of presentation then ask it directly.

Take note of slide number

YOUR CONCERNS

- Do you have concerns and want to discuss, please bring them forward, do not let them fester.

YOUR FEEDBACK

- We really want your feedback. After this presentation and reading proposed Act, Bylaws, Guiding principles etc.. Formal feedback is requested by filling out google doc form:
- [FeedBack Form](#)

Agenda

Why Right to Practice.

Committee Members

Accomplishments

Importance of Right to Practice for Forest Professionals

The Who, What, and How of RTP

Next Steps, & Your Involvement.

Questions & Answer Session





Why is Right to Practice important?

It is in the public interest to ensure the competency, professional conduct, and integrity of forest practitioners working in the Province.



Why it is important and beneficial to be a member of the Association?



To demonstrate leadership, professionalism, integrity and a commitment to the profession.

The Association provides opportunities for members to train, maintain competency, network, consult with colleagues, and mentor new entrants joining the profession.



Introduction

Over the past two years, a joint Committee of the ARPFNB and the NBFTA have been engaged in discussions working towards “Right to Practice” (RTP) legislation for forest professionals in New Brunswick.



RTP Joint Committee

ARPFNB Members

Blake Brunsdon

Ed Czerwinski

Jasen Golding

Maurice Leblanc

Anne LeBrun Ruff

NBFTA Members

Dustin Corey


Riley Cote-
DeMerchant


Gareth Davies


Chris Finnamore


Jeremy Schriver


Accomplishments:

 We have a new draft “Act to Incorporate the Association of New Brunswick Forest Professionals”.

 We have new draft By-Laws for the Association.

 We have drafted a five-year Financial Plan.

 We have drafted “Guiding Principles” regarding what types of activities and who is affected by the proposed legislation.

 All documents can be reviewed at the following links:

ARPFNB – [Regulating the profession](#)

NBFTA – [RTP Update](#)

Who would be members of the new “Association of New Brunswick Forest Professionals”?

- All current members (in good standing) of the ARPFNB and the NBFPA would/could automatically become members of the ANBFP.
- Any graduate of a recognized university or college forestry program, forester or forest technician, or other forest practitioner who meets the eligibility requirements may apply to become a member of the Association.





Eligibility requirements for membership as:

Registered Professional Foresters

Has graduated from a CFAB-accredited forestry degree | technician/technology program; or

Certified Professional Forest Technologists

has completed a program that meets the academic requirements deemed equivalent to a CFAB-accredited forestry degree
| technician/technology program as determined by the Board of Examiners.

Who does RTP legislation affect?

- Any member of the ANBFP engaged in any activity that is considered “professional forestry”.
- Any university or college forestry program graduate engaged in any activity that is considered “professional forestry”.
- Any person who has been issued a “Special Permit” by the ANBFP engaged in any activity that is considered “professional forestry”.
- Any person not covered by an “Exclusion” engaged in any activity that is considered “professional forestry”.
- Every student or Trainee involved in any “professional forestry” activity must be directly supervised by a forest professional that is registered or licensed.
- Any forest professional must assume responsibility and accountability for their professional forest activity.
- *No member of the ANBFP is ever permitted to abdicate or defer their professional forestry work responsibilities (competency, ethics, integrity) or accountabilities.*

Who RTP legislation does not affect. “Exclusions”

- Nothing in this Act shall interfere with or prevent Indigenous people from exercising their Indigenous rights or traditional cultural practices.
- Nothing in this Act shall be construed to prevent persons from
 - (a): carrying out functions on their own land and for their own purposes that may include the practice of professional forestry,
 - (b): performing the work of a forester-in-training, trainee forest technologist or student, provided such work is performed under the **direct supervision** of a registered member who takes responsibility for the work,
 - (c): practising engineering or geoscience under the Engineering and Geoscience Professions Act,
 - (d): practising land surveying under the New Brunswick Land Surveyors Act, 1986,
 - (e): practising agrology under the Agrologist’s Profession Act, 2004,
 - (f): carrying on any profession or occupation authorized by an Act of the Province of New Brunswick, or requires such persons to become registered under this Act to perform such functions.

What does “Right to Practice” mean?

From Section 25 of the DRAFT Act to Incorporate the Association of New Brunswick Forestry Professionals:

“No person shall practice professional forestry in New Brunswick, either privately or employed by another, unless registered to practice under the provisions of the proposed new “Act to Incorporate the Association of New Brunswick Forest Professionals” and its by-laws”.



The definition of “Professional Forestry” under the proposed new Act: (page 1 of 2)

The provision of services or undertakings which, because of their scope and implications respecting forests, forest lands, forest resources and forest ecosystems, require the specialized education, knowledge, training and experience of a registered member, and includes

(a): designing, planning, directing or advising with respect to:

(i): the inventory, classification, appraisal, evaluation, and certification of forests and forest lands,

(ii); silviculture prescriptions and treatments of forest stands, including the harvesting of timber,

(iii); planning, locating and approving forest transportation systems, including forest roads,

(iv); conservation, reclamation, and renewal of forests and forest lands, and

(v); the protection of forests and forest lands;

The definition of “Professional Forestry” under the proposed new Act: (page 2 of 2)

The provision of services or undertakings which, because of their scope and implications respecting forests, forest lands, forest resources and forest ecosystems, require the specialized education, knowledge, training and experience of a registered member, and includes:

(b): the preparation, review, amendment and approval of forest management and operating plans and administration of forest lands;

(c): assessing the impact of planned activities on forests, forest lands and forest ecosystems;

(d): auditing, examining and verifying the results of planned activities on forests, forest lands and forest ecosystems;

(e); assessing, estimating and analyzing the capability of forests, forest lands, and forest ecosystems to yield a flow of timber and other non-timber values;

(f); teaching core forestry subjects as defined in the by-laws at a college, technical institute or university.

What activities does RTP legislation affect?

(taken from the Guiding Principles)

- Any activity that is considered “professional forestry”.
- Implementation of any forest management or silviculture prescription must be directly overseen/ supervised/ monitored by a forestry professional who is registered or licensed.
- Any harvesting, forest road, or silviculture activity must be directly overseen/ supervised/ monitored by a forestry professional who is registered or licensed.
- *No member of the ANBFP is ever permitted to abdicate or defer their professional work responsibilities (competency, ethics, integrity) related to any task they undertake or directly oversee/supervise.*



Will RTP legislation impose limitations on who can practice forestry in NB?

- The intent of the legislation is not to impose strict limitations on who can practice professional forestry, but rather to ensure that anyone practicing is *competent, acting ethically, with integrity and professionalism*, complying with all legal requirements.
- The legislation includes provisions for “Special Permits” for practitioners who might not otherwise meet the requirements for full membership in the Association (normally graduation from an accredited school).
- The legislation provides for “Exclusions” allowing people to carry out forestry activities on their own lands, recognizing Indigenous rights, and not interfering with related professions (engineers, surveyors, agrologists, etc).



What is a “Special Permit”?

- Council may grant special permits, with or without terms and conditions, to persons who are not registered members and who wish to practice professional forestry in New Brunswick and who meet the requirements prescribed in the by-laws.
 - An individual who may not meet all the requirements and qualifications to become a full member of the Association may be eligible to be granted a Special Permit Limited Licence to practise professional forestry with respect to a particular work or limited purpose provided they demonstrate competency, have the necessary regulatory required training, and are otherwise in regulatory compliance with the aspect of professional forestry they are practicing.
 - The granting of a Special Permit Limited License will not be un-necessarily withheld or delayed.
- *A Special Permit shall conspicuously state*
 - (a): the title and designation that the holder of the permit is entitled to use, and
 - (b): any limitations on practice specified in granting the permit
 - (c): the time duration/limitation of the permit.



What will it cost to be a member of the new Association?

We do not plan to increase annual dues rates. Your dues rate should remain unchanged at the time when the new legislation is adopted.

We intend to maintain differential dues rates (for foresters vs forest technicians).

We expect to be able to cover increased costs by increasing the number of members.



What types of membership will be possible in the new Association?

Two “categories” of membership:

Technician/
technologists

Foresters

Five “classes” of membership:

Registered/ Certified Members

In-Training Members

Associate Members (non-resident,
non-practicing, insufficient CFEs)

Life Members

Special Permit Holders

Projected Membership Growth 2025-2030.

		Membership Numbers					
	Dues/Yr	2025	2026	2027	2028	2029	2030
			120% of 2025	150% of 2025	175% of 2025	195% of 2025	200% of 2025
Forester Members							
Registered	\$300	157	188	236	275	306	314
Associate	\$150	30	18	23	26	29	30
FIT	\$150	2	5	10	15	20	25
Technician/Technologist Members							
Certified	\$70	37	44	56	65	72	74
Associate	\$35	25	30	38	44	49	50
FTIT	\$35	0	10	10	15	0	25
Special Permit Holders	\$200	0	5	50	50	40	20
Total Membership		251	300	423	490	516	538

Expect Revenues/ Expenses.

(assuming the new Act passes by 2025)

Year	2025	2026	2027	2028	2029	2030
Revenue						
Membership Dues	\$62,160	\$73,472	\$98,940	\$112,880	\$120,917	\$120,745
Other Revenues	\$12,150	\$11,720	\$12,525	\$13,113	\$12,983	\$12,700
Total Revenues	\$74,310	\$85,192	\$111,465	\$125,993	\$133,900	\$133,445
Expenditures						
Directors' & Officers' Insurance	\$1,600	\$3,500	\$5,000	\$10,000	\$10,000	\$10,000
Office Rent	\$6,000	\$6,000	\$6,500	\$6,500	\$6,500	\$7,000
Lawyers Fees	\$5,000	\$6,000	\$7,500	\$8,750	\$9,750	\$10,000
Professional & Consulting Fees	\$40,000	\$48,000	\$65,000	\$75,000	\$80,000	\$80,000
Public Awareness	\$2,000	\$2,400	\$3,000	\$3,500	\$3,900	\$4,000
Continuing Education Offerings	\$2,000	\$3,000	\$5,000	\$5,000	\$5,000	\$4,000
Scholarship Expense	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000	\$4,000
Other Expenses	\$12,500	\$14,480	\$16,750	\$15,450	\$16,230	\$16,500
Total Expenditures	\$73,100	\$87,380	\$112,750	\$128,200	\$135,380	\$135,500
Surplus receipts over expenditures	\$1,210	-\$2,188	-\$1,285	-\$2,208	-\$1,481	-\$2,055

Enforcement. How will that be handled?

- Member – complaint driven

- Any complaints received from another member or from the public would be referred to the **Complaints Committee**.
- After investigation, the **Complaints Committee** may refer the matter to the **Disciplinary Committee**.
- The **Disciplinary Committee** must hold a hearing for any allegations.
- The **Disciplinary Committee** could dismiss the complaint, or reprimand the member, and/or impose a fine and/or impose temporary or permanent limitations on the member's right to practice.
- Any party to proceedings of the **Disciplinary Committee** has the right to appeal the decision to the **Court of Queen's Bench of New Brunswick**.

- Non-Member – complaint driven

- If a non-member refused to cooperate with the Association's investigation and decision pertaining to a violation; that offence could be referred to the **Court of Queen's Bench**.





What would happen to the ARPFNB and the NBFTA organizations?

The New Brunswick Foresters Act, 2001 would need to be repealed and Letters Patent incorporating NBFTA would need to be dissolved.

The new, Association of New Brunswick Forest Professionals would have “right to title” and “right to practice”.



Next Steps



Comments / Feedback

YOUR QUESTIONS

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Thank you

Questions ?

Comments fill form:

[FeedBack Form](#)

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