

## A Message from the President, Jeff Parks, P.Ge.

Colleagues

Change! When you consider the implications of what that word means, it takes on many connotations. Change, in the case of our Association, refers to what we must do in the way we address the issues, policies and procedures of the Association as we continue to grow. Growth is not just about the numbers. It is about maturing as a regulatory body.

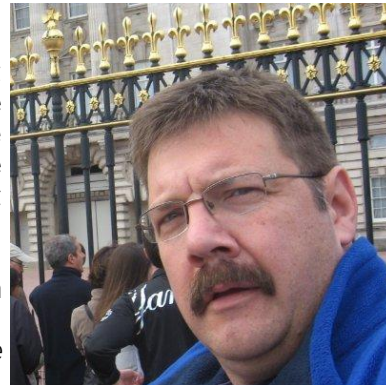
We have been around since the late 1990s and have been under legislation since 2002. We did a good job getting started and doing what we needed to do under the *Geoscience Profession Act* and By-laws, but not without issues. Some policies were not being followed consistently and we had no financial plan to grow our legal fund for any eventual challenge by or to the Association. We started by looking at some of our policies to see what worked and what didn't – and of course we documented these. A case in point was the Council nomination and election policy that I worked on several years ago. The process that we were following did not reflect the requirements of the By-laws. It does now and we will entrench some slight modifications in the revised By-laws later this year. Similarly, a potential challenge to our disciplinary policy led to a revision of that policy.

The 2011 Council, under President Gavin Kennedy, P.Ge., decided it was time to reflect on our nearly ten years under legislation and develop a strategic plan for the next five years. The 2012-2017 Strategic Plan identified four key areas that need to be addressed. In 2012, President Fred Bonner, P.Ge., got the plan into action and we started several initiatives to improve the Association and the services available to the members. We are not done.

At the 2013 AGM, I laid out a very ambitious program for this year. Central to this program is the completion of our review of the *Geoscience Profession Act* and the development of new Regulations. These will be vetted through several stakeholders this summer. A pending provincial election could derail the overall timeline, but we are on schedule to submit to the government this fall.

There are several areas that we need to address in practice: licensure awareness, compliance and enforcement, mentoring, and professional development. Committees will be addressing these issues in the near future. Council will manage the processes but we need you, the members, to be involved and make these programs work.

I am somewhat embarrassed to say that we have not convinced all of the practicing geoscientists in the province to become registered. Those who call themselves geoscientists and who continue to flout the requirement for professional registration, based on their perception of loop-holes in the legislation will soon, under the new legislation, be reminded of the requirement to become registered. The Association will have better tools – let's say a "bigger stick" – to encourage professional registration. This lack of regard for the "law of the land" has been most apparent in government sectors and universities. Are they above the law? I think not and we will continue our efforts to address this issue.



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## A Message from the President (continued)

We also need to do a better job of identifying non-resident geoscientists. Individuals, registered elsewhere in Canada, who travel to NS to work on projects are also required to be registered here. Our growth in membership of late has been encouraging (18% in the last year), and we are now approaching 200 registered members and members-in-training. Our Strategic Plan estimated our critical mass to be about 300 members and this has recently been confirmed by Careers NS statistics. They estimate 302 geology positions in the province by 2015. Folks, we have work to do!!

I am also embarrassed that we have not done a good job mentoring our Members-in-Training (MIT). In the past, we have lost contact with people, or have not provided the necessary guidance in their professional development. We have improved immensely, but we are not there yet. "Mentors" need to be identified who can assist our MITs in their transition to full registration, help them understand the requirements and responsibilities of professional registration, vet their experience, and provide career guidance.

We, the Association, need to do a better job of serving you, the members. We also need better two-way communication: to let you know what we are doing on your behalf and to be responsive to your needs. Our Communications Committee is developing strategies to communicate Association business effectively to the membership. For example, we are increasing our participation in affinity programs and we need to get that information out to the members. Our Professional Development Committee will also be looking at ways to better engage members.

More and more, we are required to address outside influences. We continue to identify and adapt to changes in other legislation that affect our members. The Environment Committee has been addressing the pending NS Environment, Contaminated Site Regulations. Our Mining Committee will be active in the review of the *Mineral Resources Act* and Regulations. These pieces of legislation could incorporate the Association's mandate to regulate geoscience activities. They may also require us to respond appropriately and effectively if geoscience work is called into question. Provincial and federal legislation is also now in place that addresses the fair treatment of foreign trained individuals and the mobility of geoscientists from other jurisdictions. To maintain our compliance with this legislation requires an update of our Act.

Our Association is active in the Canadian professional geoscience community. We are a Constituent Association (CA) of Geoscientists Canada (GC) that we support through a registration-based assessment fee. Through this national body we are aware of the policies and practices that are in place or pending across the country and how these might impact how we operate. We participate through our representatives on the GC Board of Directors, the Canadian Geoscience Standards Board, and the Staff Liaison Group. We share information, monitor and participate in discussions with admissions, discipline and enforcement officials, amongst others. To facilitate the mobility for our members, we utilize the National Professional Practice Examination (NPPE). There are many shared issues and opportunities between the CAs and it is very important that we continue our role with Geoscientists Canada.

All these challenges and opportunities are not without a cost. The main source of funding for the Association is professional fees and service charges. Council has recognized that member registration fees and service charges have been held at artificially low levels for several years. In response they have recently approved a stepped increase for 2013 and 2014. Our revised fee structure will bring us more in line with other professional regulatory organizations of similar size and mandate. The cost of regulating geoscience practice and providing services to the members, including the cost of support staff and our own financial well being (read "rainy day" money), has increased and fees need to keep pace with costs. Of course there is the critical mass that I mentioned earlier; however, more members means more funds to provide services – period! We have accepted support from member companies to sponsor events like our socials and the Annual General Meeting and I thank you for your continued support. We will continue to identify funding opportunities that are applicable to our needs.

## A Message from the President (continued)

This year, as required by the Act and the By-laws, we have taken steps to formally strike from the Register, those members and certificate holders who have not paid their fees. This has implications to both sides. The Association would have to cut programs if our budget revenues are not met.

A stricken member, however, can no longer offer or provide geosciences services and cannot use the designation P.Geo. and, members need to realize that, just “catching up” on fees is not going to fix the problem. There are significant costs to the Association both in time and resources to administer and collect late payments. We therefore apply late payment fees and reinstatement fees. The stricken member may also be required to reapply and may be subject to other sanctions or requirements for reinstatement. It is the professional obligation of the member, not the Association, to ensure that you meet all the requirements of the Act and By-laws to be considered a “member-in-good-standing”. That includes the payment of fees in a timely manner. So, it is in your best interest as members to pay fees on time, thus reducing the amount we pay staff to chase delinquents!

We will continue to need good management. It is my hope that when I look back over my year as President that we have improved our situation, that we have a stronger organization and we are in a position to be an effective regulatory body that can meet the challenges ahead of us.

In closing, I would like to thank you for your vote of confidence in me to serve as your President in 2013. I look forward to working with and meeting many of you over the year and I also thank you in advance for your service to the Association in helping us to achieve our goals.

Kindest regards,  
Jeff Parks P.Geo.  
President

[President@geoscientistsns.ca](mailto:President@geoscientistsns.ca)

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## Social Event— Wednesday May 15th—Celtic Corner Pub, Dartmouth, NS



The Geoscientists Nova Scotia Social Committee has organized a [Spring Social at Celtic Corner Pub](#). Please come out and mingle with your Geoscientists Nova Scotia colleagues.

Location: Celtic Corner Pub, Ramshead Room,  
69 Alderney Drive, Dartmouth, NS  
(Corner of Queen St. and Alderney Drive)

Date: Wednesday 15 May 2013  
Time: 5:00 – 7:00 pm

Please remember to plan a safe trip home; we do not want anyone to drink and drive.

If you have questions or would like to participate on the Social Committee, please contact Bridget Adams.

-The Social Committee

## The Ritual of the Calling for Geoscientists

*By Patrick J.C. Ryall, P.Geo.*

This year marked the thirteenth gathering for the Ritual of the Calling for geoscientists in Nova Scotia. The ritual is a formal ceremony which geoscientists attend voluntarily. Participation is limited to those students who are about to graduate with a geoscience degree meeting the knowledge requirements for Professional Registration, and practicing geoscientists who would like to get a ring.

The Ritual is based on the Ritual of the Calling for Engineers which was written by Rudyard Kipling in the 1920's. The Ritual of the Calling for Geologists and Geophysicists started in Alberta in 1978 and has gradually spread to other provinces, the first one in Nova Scotia being in 2001. The Ritual is structured to give geoscientists a strong sense of their responsibility to the public, their peers, their profession, and themselves. The symbol that represents these responsibilities is the silver ring worn on the little finger of the working hand. The design on the ring shows the hammer of geology and the seismic trace for geophysics, representing respectively direct observation and the remote sensing of nature's mysteries and knowledge.

So far a total of 369 geoscientists in Nova Scotia have made the commitments and have an Earth Ring. This year's participants, shown in the picture, were: Majur Bior, Shannon Broughm, Steven Crowell, Carla Dickson, Tara Forstner, Matt Gaudet, Kimberlea Green, Dillon Kolla, Steven Kramar, Lori Manoukian, Luke Melanson, Adam Perryman, Daniel Pfeiffer, Steven Popovich, Kevin Rupke, Shawn Taylor, Dawn Tobey and Ben Williams. The students were from Acadia, Dalhousie and Saint Mary's. The Ritual was held at the University Club at Dalhousie and followed by a delicious dinner. The cost of dinner for the students was subsidized by Geoscientists Nova Scotia, which was greatly appreciated by the students.

The Earth Ring ceremony is about a calling to service. It signifies that the participant has joined a profession dedicated to seeking the truth in Earth Science and applying this to the service of people. It is an honourable profession with a long tradition of service.

Note: Information on the Ritual of the Calling for Engineers is from "The Ritual of the Calling" by Alex Mair published in UofA Engineer in 2001.



## Announcing New Geoscientists Nova Scotia Insurance Benefits

Geoscientists Nova Scotia is very pleased to announce a new agreement with TD Insurance Meloche Monnex for home and auto insurance. As a member of Geoscientists Nova Scotia, you can benefit from special privileges, such as preferred group rates, enhanced coverage and flexible limits. Request a free, no-obligation online quote from TD Insurance Meloche Monnex and you could win a Lexus ES 300h hybrid or \$60,000 in cash! For more details, visit [melochemonnex.com/geoscientistsns](http://melochemonnex.com/geoscientistsns) or call (toll-free) 1-866-258-3036.

Term Life Insurance from Manulife Financial is available to members of Geoscientists Nova Scotia through our participation in Engineers Canada sponsored insurance programs. Details on their spring promotion where members could be eligible to win 1 of 3 Apple gift cards or take advantage of a special discount are available at [Manulife.com/springengineers](http://Manulife.com/springengineers) or by calling 1-877-598-2273.

### So, How Much Do You Make?

*By David C. Carter, P.Geo., Executive Director & Registrar*

In the spring of 2013, Geoscientists Nova Scotia will partner with APGO (Ontario) and OGO (Quebec), to conduct a Geoscience-only, Compensation and Benefits Survey of our members.

If not already, you will soon be contacted soon by Infofeedback with an opportunity to participate in the survey. Obviously, the more respondents there are, the better the results will be. The survey is brief and the information is obviously considered important since several members have requested it.



Salary surveys are always interesting and they are useful for different reasons at different points in our careers. It is not a futile exercise, but provides valuable information in how your total compensation and benefits compare to colleagues of equal experience or similar job description. It also provides potential employers with a standard to use in hiring and promotions.

We will be able to compare the data from this survey with the information presented on the Careers Nova Scotia website (<http://careers.novascotia.ca/occupation/68>). That survey noted that potential employers are involved in mining and in oil and gas exploration. They suggest that there are also opportunities in environmental assessment and monitoring, however, they also note that there is little turnover among those employed in government positions.

Careers Nova Scotia estimated that employment in 2010 was 288 geoscientists, and with projected growth and retirements in 2010-2015, the employment will increase to 302. The Geoscientists Nova Scotia 2012-2017 Strategic Plan, estimated 300 members by 2017, perhaps not such a bad guess after all. The estimated hourly earnings in 2009 were reported as an average of \$27.25 (minimum - \$18.50; maximum - \$43.25).

The majority of geoscientists (75.8 %) work in Halifax area, 12.9% work in northern NS and 8.1% of us work in Cape Breton. A total of 39% of us are employed in Professional Business Services or other Professional Services (I expect that means consulting) and 35.6% are employed in public administration (i.e. government). There are 5.1% of us employed in Educational Services and 20.4% employed in the oil & gas, mining or support sector.

Most of us are in the age category 45-54 (38.2%). The rest are 25-34 (20%); 35-44 (21.8%) and 55-64 (20%). Also, most of us are male (83.6%) and most of us have at least a bachelor's degree (48.2%). Since the total reported in the educational section was 52.5%, perhaps it also means that 47.5% of us have advanced degrees.

Now let's see what our 2013 survey says!

## 2013 Excellence in Geoscience Award Recipient—Fred Baechler, P.Ge.

This year's award recipient is Fred Baechler, P. Geo. Fred earned an M.Sc degree in Earth Science at the University of Waterloo and has been registered by Geoscientists Nova Scotia as a professional geoscientist member since October, 2000.

Fred's nomination for this award recognizes his exceptional contribution to the hydrogeological study in Cape Breton Island and Nova Scotia. Fred has contributed to a variety of projects associated with physical and chemical hydrogeology, and has presented and/or published over 40 papers in conferences proceedings, workshops, and journals as well as non-technical publications. He has given numerous presentations in the local community related to hydrogeology and climate change.

He has 38 years of geoscience experience including a term with the Nova Scotia Department of Environment (1974 to 1981) and as a consultant (1981 to the present). He is a former adjunct professor in Geology at the University of Cape Breton. Over the last 10 years, Fred has also self directed and financed research into Cape Breton's changing climate, impact on its fresh water resources and integrated regional water resources evaluations of Cape Breton Island.

Fred is a member of the Canadian Water Resources Association (CWRA), the National Groundwater Association (NGWA), the Geological Association of Canada (GAC); the International Association of Hydrogeologists (IAH); the Association of Professional Engineers and Geoscientists of Newfoundland and Labrador (PEGNL); and the Association of Professional Geoscientists of Nova Scotia (APGNS).

His community service includes presentations to a wide variety of non-government organizations and schools on various aspects of water and climate change adaptation. He is a member of the Collaborative Environmental Planning Initiative (CEPI), the Bras d'Or Lake UN Biosphere Reserve Association, the Bras d'Or Stewardship Society and the Howie Centre Volunteer Fire Department.



Fred Baechler, P. Geo., is presented the Excellence in Geoscience award by 2009 award recipient, Heather Cross, P. Geo.

## The Geoscientists Nova Scotia Excellence in Geoscience Award

The 2013 Geoscientists Nova Scotia Excellence in Geoscience Award is a custom creation. It was commissioned by Geoscientists Nova Scotia, and created by NovaScotian Crystal of Halifax, N.S.

The design of the Award was inspired by a piece of diamond drill core from the Carboniferous-age Windsor Group evaporate sequence. The crystal is mounted on a piece of Hadrynian (late PreCambrian) age, Bordeaux Marble from Cape Breton. The marble is dark red with an amber undertone. The original drill core is composed of clear to pale orange, fine grained halite with interbeds of light grey anhydrite. The complex structure represented in the design shows the result of halokenetic flow thickening and subsequent boudinage of the anhydrite; a dramatic mix of bringing together, pulling apart and growth.



## Discipline and Enforcement

*By David C. Carter, P.Geo., Executive Director & Registrar*

Several years ago, I was asked what a geoscientist could possibly do that could have an adverse impact on the public. More recently, I have been asked why revision of the Geoscience Profession Act is required and why the Association should be concerned with respect to complaints, investigations, discipline, enforcement and sanctions. The short answer is that the Act includes a mandate to regulate geoscience practice and to register qualified geoscientists. The longer answer has to do with protection of the public. Consider the following recent examples:

Case 1: A junior exploration company, Yorbeau, published a number of documents pertaining to mineral exploration on a property in Quebec. The author was not registered or authorized to practice in Quebec. The documents and the company website listed the author as a Qualified Person (QP) and a geologist. The documents included a technical report in January 2009, followed by a series of press releases to September 2009. The [Ordre des Géologues du Québec](#) (OGQ) started legal proceedings in October 2009, the case was heard in September 2010, and the judge rendered his decision on February 28, 2013.

The decision addressed four counts of illegal practice and four counts of illegal use of the title through the production of a technical report and press releases containing geological information.

The facts were not contested (public domain proof supported by testimony of a recognized expert on mineral exploration) but the accused argued that the Quebec Geologist's Act and relevant provisions of the professional Code did not apply since they were superseded by National Instrument 43-101 (NI 43-101).

*(continued on Page 8)*

## Discipline and Enforcement (continued)

In his decision, the judge rejected the arguments relating to NI 43-101 by quoting the debates of the legislature when the Geologist's Act was created and also by quoting the companion documents to NI 43-101. These specifically indicate that a QP working in a Canadian jurisdiction is expected to be in good standing (i.e. registered) in the jurisdiction where the property is located.

This may be the first enforcement decision of the NI 43-101 companion policy document (prior cases have all resulted in a negotiated guilty plea). The decision upholds the Quebec Geologist's Act. It also upholds the OGQ policy that a press release, which requires the approval of a QP, is regulated professional geoscience practice. This is an important consideration for geoscientists who are involved in mineral exploration and reporting.

Case 2: On March 28, 2013, the Ontario Securities Commission (OSC) reported the approval of a settlement agreement with Bernard Boily. He was a geologist with 30 years of experience and a QP for Bear Lake Gold Ltd., a mining exploration company listed on the TSX Venture Exchange. The OSC noted that this is the first case to come before the Commission that pertains to the conduct of a QP, defined as a "*gatekeeper of technical information under the NI 43-101 – Standards of Disclosure for Mineral Projects*".

In the agreed facts, Boily admitted that during the period of Dec, 2007 to July, 2009 he:

- altered certain assay results received by Bear Lake and transferred these results into the company's assay database;
- prepared draft press releases for Bear Lake that contained incorrect and inflated data based on the altered results and which was then issued to the market; and that he provided Independent QP's with altered assay results and assay databases that contained results which were calculated based on these altered results, and he engaged in other misconduct, including replacing core and modifying a drill core log.

In reaching the settlement, Boily admitted that he:

- perpetrated a fraud in relation to his conduct with the Independent QP's;
- breached the prohibition against issuing misleading and untrue statements to the market;
- engaged in conduct which he reasonably ought to have known resulted in, or contributed to, an artificial price for Bear Lake securities, and engaged in conduct which was not only contrary to the public interest, but abusive to the integrity of Ontario's capital markets.

In the settlement, Boily agreed to, among other sanctions, a permanent ban from acting as a Director and Officer of any issuer, an administrative penalty of \$750,000, costs of \$50,000, and a prohibition from trading for a period of 15 years, or as long as the administrative penalty and costs remain unpaid. He also agreed to a lifetime ban on acting as a QP.

It should be noted that Boily had been registered as a professional geoscientist by OGQ until a discipline decision in 2012 struck him from the Register for a period of seven (7) years.

The Nova Scotia Geoscience Profession Act is in place to protect the public. It provides "right to title" and "license to practice" for professional geoscientists. It also includes the mandate to regulate geoscience in Nova Scotia and to register qualified professional geoscientists. The upcoming revised legislation: the Geoscience Profession Act, Regulations and by-laws will provide Geoscientists Nova Scotia with the authority and ability to comply with that mandate.



## Registration & Membership

As of May 1, 2013, the Association of Professional Geoscientists of Nova Scotia Register is:

|                               |                                  |
|-------------------------------|----------------------------------|
| Professional Geoscientists    | 163 (145 in 2012)                |
| Members-in-Training           | 36 (23 in 2012)                  |
| Student Members               | 10 (8 in 2012)                   |
| Applications under review     | 12 MIT and 8 member (23 in 2012) |
| Certificates of Authorization | 36 (31 in 2012)                  |

Registration numbers have shown a steady growth during the last year and it is anticipated that the growth will continue. A particular area of focus will be corporate compliance. Firms offering or providing geoscience services are required to apply for and obtain a Certificate of Authorization. The Certificate is also one way in which a firm that is involved in geoscience but not directly offering services, can be seen to support the Association.

As per the Geoscience Profession Act and the by-laws of the Association, it is considered a professional obligation of a Member, MIT, or Licensee to ensure that professional dues are paid on or before January 1<sup>st</sup> of the calendar year. All registrations and licenses are issued and/or renewed for one calendar year. Interest is charged on all overdue accounts after January 31<sup>st</sup>.

As approved by Council on April 16, 2013, action has been taken as indicated with respect to the accounts of the following Members, MIT's and Certificate holders who have been non-responsive to communications.

| Member, MIT, Certificate Holder | Notes                                                                                    | Action                  |
|---------------------------------|------------------------------------------------------------------------------------------|-------------------------|
| Alan Ruffman, P.Geo.            | unpaid HST portion of professional fees (retired)                                        | invoiced & advised      |
| Brendan MacKenzie, P.Geo.       | non-payment of professional fees (retired)                                               | stricken from Register  |
| Genci Kallfa, P.Geo.            | non-payment of License to Practice fees (non-resident)                                   | stricken from Register  |
| Matrix Geotechnologies          | non-payment of Certificate of Authorization renewal fee (non-resident)                   | stricken from Register  |
| Joalan Pinto, MIT               | non-payment of MIT renewal fee                                                           | stricken from Register  |
| John Burton, P.Geo.             | non-payment of Member renewal fee (non-resident)                                         | stricken from Register  |
| Jonathan Gates, MIT             | non-payment of MIT renewal fee                                                           | stricken from Register  |
| SeisMap Consulting              | non-payment of Certificate of Authorization renewal (due to reported change of practice) | authorization cancelled |
| SNC-Lavalin                     | non-payment of Certificate of Authorization renewal fee (sole practitioner)              | stricken from Register  |

As per the Geoscience Profession Act and Schedule A, Professional Fees and Service Charges, of the by-laws of the Association, the application fee for reinstatement of P.Geo designation, without resignation in good standing, is \$250.00. Reinstatement may also require re-submission of documentation to the APGNS Admissions Board. The application fee for reinstatement of a Certificate of Authorization without resignation in good standing is \$250.00 and also requires re-submission of the application form.