

**Being PART 17 of By-law No. 1,
General By-laws of the Association of Manitoba Land Surveyors**

CODE OF ETHICS

Purpose of the Code of Ethics

- 17.1 The Code of Ethics shall be used to govern the professional conduct and ethics of all members in order to uphold and protect the public interest in the delivery of land surveying services by ensuring the competence, integrity, and independence of the members.
- 17.2 Every member shall realize and accept their duty to conduct themselves as a champion of the entire profession, and to further the respect and confidence which they hold in the public mind.

Code of Ethics Applies to all Members

- 17.3 Every member of the Association shall conduct themselves at all times in accordance with the Code of Ethics
- 17.4 Each member shall be responsible for the actions of all persons who perform duties related to the practice of land surveying under the supervision of the member.

Code of Ethics Applies to Corporations and Limited liability partnerships

- 17.5 The Code of Ethics applies to every corporation and limited liability partnership in the same manner as it applies to any member of the association through whom the corporation or limited liability partnership provides professional services.
- 17.6 No corporation or limited liability partnership shall be structured in a way such that it may circumvent the by-laws of the Association.
- 17.7 No corporation or limited liability partnership shall be structured in a way such that any member through whom the corporation or limited liability partnership provides professional service may circumvent the by-laws of the Association.
- 17.8 The corporation or limited liability partnership shall not pass anything in its own by-laws that is not consistent with the Act or the by-laws of the association.
- 17.9 When a conflict arises between the provisions of the by-laws of the corporation or limited liability partnership, and the by-laws of the association, the by-laws of the association shall take precedent.

Practice not consistent with Code of Ethics is an Offence

17.10 Practice by any member, corporation, or limited liability partnership that is not consistent with the Code of Ethics shall be deemed an offence that is subject to discipline by the Association.

Reporting an Offence

17.11 Members shall, in accordance with the Act, submit a complaint against any other member, corporation, or limited liability partnership when it is believed that an offence has occurred.

17.12 Failure to make a complaint when it is believed that an offence has occurred is also an offence.

General Conduct for all Members of the Association

17.13 Every member shall:

- a) conduct themselves with devotion to high ideals of honour, integrity, courtesy, and fairness;
- b) conduct themselves in a professional and competent manner that will foster public confidence in the profession and its members;
- c) serve as a role model for the profession and promote the profession and the purpose of the Association to clients and members of the public;
- d) abide by all by-laws, rules, regulations, guidelines, and standards established by the Association;
- e) participate in the affairs of the Association to the best of their ability whenever called upon to do so;
- f) respond promptly to any communication received from another member, corporation, the Association, or any committee of the Association;
- g) abstain from making statements that are false, misleading or deceiving;
- h) abstain from making statements that may damage the reputation of another member, another corporation, the Association, or any other person;
- i) abstain from advertising or marketing in any form that exaggerates their abilities or level of experience, or that claims their professional abilities are greater than any other member or corporation;
- j) avoid any activity that may bring the status or reputation of the profession or the Association into disrepute;
- k) not engage in any undertaking or act that would unnecessarily expose another member to additional liability;
- l) avoid any activity that is not in the public interest in matters affecting the protection, viability and security of the land tenure system in Manitoba;

- m) avoid entering into any arrangement or participate in any activity or enterprise that would enable a person to falsely portray themselves as a member of the association or as a corporation authorized to provide services under the Act;
- n) avoid entering into any arrangement or participate in any activity or enterprise that would enable the unauthorized practice of land surveying;
- o) report any occurrence or suspected occurrence of unauthorized practice of land surveying to the Association; and
- p) develop and maintain a level of knowledge and skill that is required to practise in a professional manner.

Conduct for Licensed Land Surveyors

17.14 Notwithstanding the generalities of conduct described in section 17.13, every member who is licensed to practise land surveying shall:

- a) practise in a manner that serves to protect public interest in matters affecting the protection, viability and security of the land tenure system in Manitoba;
- b) exercise unbiased and independent judgement with due regard for standards of practice and the legal principles affecting such judgements;
- c) ensure the necessary competencies and expertise are applied to all undertakings to the level of accepted professional standards;
- d) conduct thorough research and consult with other land surveyors, professionals and experts as required;
- e) accept responsibility for all work carried out by all persons who perform land surveying duties under their supervision; and
- f) sign, seal, or certify only those documents which were prepared under their supervision.

Business practices

17.15 All land surveyors, limited liability partnerships, and corporations, when providing land surveying services, shall:

- a) ensure that a land surveyor is the exclusive source of advice or consultations in all matters relating to the practice of land surveying;
- b) ensure that the client is made aware of the timelines associated with any undertaking;
- c) accept an assignment only when sufficient resources are available to permit completion of the assignment within a reasonable timeframe;
- d) disclose any potential conflicts of interest, affiliations, or prior involvement with any matter related to the service being provided;

- e) maintain the privacy and confidentiality of their client at all times, except as otherwise required by law;
- f) not knowingly accept an assignment from a client who has already taken steps to retain the services of another land surveyor for the same assignment;
- g) not solicit any potential client for an assignment by offering payment, commission, or any other type of inducement in exchange for an assignment; and
- h) not access public funding for survey monument restoration at rates that are higher than those being charged to the client.

Land Surveyors as Mentors

17.16 All land surveyors shall assume the role as mentors for all of their colleagues, and as such the land surveyor shall:

- a) conduct themselves in a manner that represents the conduct and personal performance expected of their colleagues;
- b) monitor the performance of their colleagues, and direct them in areas where personal conduct and performance improvements may be realized;
- c) provide necessary training to ensure their colleagues are given the knowledge that is required to perform their tasks at the expected level;
- d) provide or approve specialized training to their colleagues when it is so requested for advancement of their knowledge and abilities within the land surveyor's firm;
- e) encourage all colleagues who are members of the association to undertake a reasonable share of the work of the association when called upon;
- f) accept the request from any suitable candidate to commence an internship in accordance with the Rules and Regulations of the Board of Examiners, or if the land surveyor is unable to accept the request, then assist the suitable candidate in finding another land surveyor who may be able to accept the request for internship;
- g) monitor the progress of training of their intern and provide practical assignments to ensure the intern is receiving the correct level of training and knowledge during their internship;
- h) not advance the status of any intern who has not gained the knowledge and experience required to provide land surveying services to the public at a level of professionalism demanded by the standards of practice; and
- i) not advance the status of any intern who has failed to demonstrate their ability to conduct themselves in accordance with the Code of Ethics.

Conduct for Land Surveyors in Training

17.17 As a land surveyor in training, the member is expected to develop knowledge, skill, competency, and ethics commensurate with those of a licensed land surveyor, and as such they shall:

- a) seek knowledge through their own diligent studies and research;
- b) apply knowledge and gain experience by practicing independent judgement under the supervision of a land surveyor;
- c) seek clarification from their mentor or any other land surveyor for any topic that they do not comprehend;
- d) monitor their own progress in training and take the necessary steps to ensure their training is kept on schedule as provided in their learning plan; and
- e) not attempt to gain advancement by any means of fraud, cheating, or unethical behaviour.