



STATUTES (GIM) EXAMINATION
Thursday, November 24th, 2011
9:00AM - Noon

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|------------------------|------------------------|
| TIME ALLOWED: | Three (3) hours |
| # OF QUESTIONS: | Ten (10) |
| TOTAL MARKS: | 100 |
| PASS: | 65% |

INSTRUCTIONS

Note: This is a closed book examination. No aids are allowed.

1. There are ten (10) questions. Please ensure that you have a complete copy of the examination.
2. Note the number of marks for each question before compiling your answers and allocate your time accordingly.
3. Place your exam registration number at the top right-hand corner of **each page** of your answers and on the front of the examination booklet. **DO NOT** write your name on or in the book(s).
4. The answer to each question must begin on a new page, however questions may be answered in any order.
5. Reference each response to its question number, including subsection.
6. Write only on the right hand side of the examination book. You may wish to use the left (unruled) side for calculations, etc., however anything written on the unruled side will not be considered during marking.
7. Do not write in pencil.
8. This examination must be returned to the invigilator with your answer book(s).

November 2011 Statutes (GIM) Examination

Question 1

15 marks

The Council of the Association of Ontario Land Surveyors must establish several committees. Name five (5), and state the composition of the committee and give a brief description of each committee's function. (15 marks)

Question 2

15 marks

After working as an employed OLS for six years, your plans for starting your own new business are approaching maturity. You anticipate a substantial amount of work and have arranged to hire six full time staff, including office and clerical personnel. You live in a bungalow in a residential neighbourhood, with a large basement complete with a separate entrance, perfect for your new office. Before actually starting your new business, several issues need to be addressed with respect to the following statutes:

a) *Surveyors Act*

Outline the requirements to be satisfied and the process to be followed in order to open a professional survey practice. (6 marks)

b) *Occupational Health and Safety Act*

List and describe three responsibilities as an employer. (6 marks)

c) *Planning Act*

Describe the steps you would need to take to operate the business from your home. (3 marks)

Question 3

12 marks

a) List and describe three "duties" as an employer under the *Occupational Health and Safety Act*. (5 marks)

a) When is it mandatory to select a Health & Safety Representative? What is his or her function? (5 marks)

b) What penalties are associated with non-compliance? (2 marks)

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Question 4

12 Marks

Choose only three of the following,

- Examiner of Surveys
- Survey Review Department
- Academic and Experience Requirements Committee
- Complaints Committee
- Joint Health and Safety Committee

and for each,

- a) give the statutory authority under which each operates, (1 mark each) and,
- b) briefly explain their role. (3 marks each)

Question 5

10 marks

- a) By what authority can the Registrar of the AOLS issue a Certificate of Registration in a branch of professional surveying other than cadastral? (2 marks)
- b) Explain the similarities, differences and relationship between a Licence, a Certificate of Registration and a Certificate of Authorization. State whether they may be issued to individuals or corporations. (8 marks)

Question 6

10 marks

Provide answers to the following with reference to the *Employment Standards Act*.

- Who is the "Minister", as defined under the *Employment Standards Act*? (2 marks)
- What are the "maximum working hours" as set out under Section 17? (4 marks)
- Name 4 of the possible 10 days when "an employee may refuse an assignment of work." (4 marks)

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Question 7**10 marks**

As an Ontario Land Surveyor holding a Certificate of Registration in GIM, you advertise that you can provide boundary or cadastral surveys to the public.

Outline the possible consequences, under two separate Statutes, for such an advertisement.

Question 8**5 marks**

As a professional GIM, you are hired to establish a Geographic Information System for a small municipality. Your work includes the preparation of a final report.

- a) Does the Copyright Act cover your report, or any portion of it? Explain. (2 mark)
- b) If the report is covered, under what condition might you or your company not own the copyright? (2 marks)
- c) If the report is covered, how long does the copyright last? (1 mark)

Question 9**6 marks**

When something goes wrong with a survey there is a chance that the surveyor involved may be sued for damages in a court of law.

- a) What act sets out the rules that govern the time periods in which a potential plaintiff has the right to sue when things go wrong? (2 marks)
- b) How many years each are the basic and ultimate periods that limit the time in which a proceeding for a claim for damages can commence under this act? (2 marks)
- c) Explain the "discoverability rule" and how it can effect the limitation periods with respect to the surveying profession? (3 marks)

Question 10**5 marks**

With Reference to the Freedom of Information and Protection of Privacy Act:

- a) What is the purpose of this legislation? (3 Marks)
- b) What constitutes a Record under the Act? (2 Marks)