



What is PEO?

- ◆ Professional Engineers Ontario (PEO) is the licensing and regulating body for engineering in the province. It fulfills the same role for engineers as the College of Physicians and Surgeons for doctors or the Law Society of Upper Canada for lawyers.
- ◆ Under the *Professional Engineers Act*, a provincial statute, PEO is responsible for the licensing and discipline of engineers and companies providing engineering services. PEO protects the public by ensuring all professional engineers have met the rigorous qualifications for licensing.
- ◆ Individuals may not call themselves a professional engineer, an engineer, a P.Eng., or use any similar title that may lead to the belief that they are qualified to practise professional engineering, unless they are licensed by PEO. PEO licenses more than 73,000 professional engineers, and holders of temporary, limited and provisional licences.
- ◆ To become a professional engineer, applicants must meet the following criteria:
 - ◇ be at least 18 years of age;
 - ◇ graduate with at least a bachelor's degree from an accredited Canadian engineering program, or meet PEO's education standards;
 - ◇ successfully complete PEO's Professional Practice Examination on ethics, practice, engineering law and professional liability; and
 - ◇ obtain four years of verifiable, acceptable work experience, with at least one year in a Canadian jurisdiction under a licensed professional engineer.
- ◆ Companies and individuals may not offer or provide engineering services to the public unless they obtain a PEO Certificate of Authorization. There are approximately 4100 Certificate of Authorization holders in Ontario.

PEO's Legislated Mandate

Professional Engineers Ontario regulates the practice of professional engineering and governs those individuals and organizations that PEO licenses in order "that the public interest may be served and protected". PEO is also mandated to carry out the following additional objects under the Act:

1. establish, maintain and develop standards of knowledge and skill;
2. establish, maintain and develop standards of qualification and standards of practice for the practice of professional engineering;
3. establish, maintain and develop standards of professional ethics; and
4. promote public awareness of the role of PEO.

The Act gives PEO the power to make regulations for administration of PEO (such as fixing the number of professional engineers elected to Council), admission to PEO (such as academic training), and standards of professional engineering practice and ethics (such as setting a code of ethics). The Act permits PEO to make by-laws relating to its administrative and domestic affairs, such as defining the duties of the Registrar.

PEO is governed by a Council, the composition and operation of which is dictated by Regulation 941 under the Act. Most Councillors are elected by PEO's licensed membership. Some Councillors are appointed by the Lieutenant Governor of Ontario. These appointed Councillors may or may not be professional engineers. The PEO Registrar and CEO is responsible for staff implementation of PEO Council decisions and policies.

Regulation 941 of the Act

Regulation 941 of the *Professional Engineers Act*, amended to O. Reg. 480/09, is a regulation made to provide additional details and guidance for implementation of the Act. For example, the Regulation prescribes the process to be followed when electing professional engineers to Council. With respect to professional practice, the Regulation prescribes a *Code of Ethics*, defines negligence and professional misconduct, addresses the requirement for professional engineers to report unsafe situations and unethical practices, and states that all professional engineers shall have a seal and describes its use. Section 78 of the regulation prescribes a performance standard for general review of construction as provided for in the building code.

Regulation 260 of the Act

Regulation 260 of the *Professional Engineers Act* is a relatively new Regulation, effective July 25, 2008. It establishes Performance Standards for professional engineers, initially relating to general review of construction of a building as provided for in the building code and to demolition. The performance standards for demolition are an outcome of the coroner's inquest into the Uptown Theatre collapse in Toronto. The performance standards for general review of construction were previously s. 78 of Regulation 941, which was revoked when Regulation 260 was made.

Code of Ethics

The Code of Ethics is a basic guide to professional conduct and imposes duties on the practising professional engineer, with respect to society, employers, clients, colleagues, (including employees and subordinates), the engineering profession, and himself/herself.

Section 77 of Regulation 941 states that it is the duty of the practitioner to act at all times with:

- ◆ fairness and loyalty to the practitioner's associates, employers, clients, subordinates and employees;
- ◆ fidelity to public needs;
- ◆ devotion to high ideals of personal honour and professional integrity;
- ◆ knowledge of developments in the area of professional engineering relevant to any services that are undertaken; and
- ◆ competence in the performance of any professional engineering services that are undertaken.

Through the Code of Ethics, professional engineers have a clearly defined duty to society, which is to regard the duty to public welfare as paramount, above their duties to clients or employers. Their duty to employers involves acting as faithful agents or trustees, regarding client information as confidential and avoiding or disclosing conflicts of interest. Their duty to clients means that professional engineers have to disclose immediately any direct or indirect interest that might prejudice (or appear to prejudice) their professional judgment.

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