

Regulation 941/90 amended. Some changes effective immediately, others on July 1, 2009.

At its meeting on April 16, 2009, PEO Council approved amendments to Regulation 941/90 made under the *Professional Engineers Act*. Following approval by Cabinet, the Regulation amendments were filed with the Registrar of Regulations as O.Reg. 205/09 on May 28, 2009.

These regulation amendments:

- ◆ add at least one Lieutenant Governor Appointee member to the Executive Committee;
- ◆ create the interested classes “engineering intern” and “engineer student” and the requirements and rights for each class;
- ◆ create titles and abbreviations to be used by licence, temporary licence and limited licence holders; and
- ◆ create authority for fee remissions for members and limited licence holders, along with the corresponding reinstatement provisions.

The amended or new sections effective May 28, 2009 are shown below.

- 28.** (1) The Executive Committee shall consist of,
- (a) the president;
 - (b) the president-elect;
 - (c) the immediate past-president;
 - (d) the two vice-presidents; and
 - (e) one or more other members of the Council from time to time appointed by the Council. R.R.O. 1990, Reg. 941, s. 28(1).
- (1.1) The Council shall ensure that at least one member appointed to the Council by the Lieutenant Governor-in-Council is appointed under clause (1)(e) at any given time. O.Reg. 205/09, s.1.
- (2) Three members of the Executive Committee, at least one of whom shall be a person named in clause (1) (a), (b) or (c), constitute a quorum. R.R.O. 1990, Reg. 941, s. 28(2).
- 32.1** (1) The class of “engineering intern” is established as a class of persons whose interests are related to those of the Association. O.Reg. 205/09, s. 2.
- (2) The Registrar shall accept as a member of the engineering intern class any person who, when submitting an application for a licence, indicates in writing his or her wish to join the class and,
- (a) is enrolled in the Association’s engineering intern program;
 - (b) has applied for a licence in accordance with the Act and this Regulation and the application has not been finally dealt with; and
 - (c) meets the academic requirements for a licence prescribed by this Regulation or is in the process of completing one or more examinations or courses in order to meet those requirements. O.Reg. 205/09, s. 2.
- (3) Members of the engineering intern class have the following privileges:

1. A member of the class is a member of the Chapter in the Region in which he or she resides and,
 - i. may vote in the Chapter's elections, and
 - ii. subject to the Chapter's by-laws, may serve as a member of the Chapter executive.
 2. A member of the class may attend annual meetings of Members and meetings of the Council, but is not entitled to vote at an annual meeting.
 3. A member of the class may be appointed to a committee established by the Council, except as otherwise provided in the Act, this Regulation or the by-laws.
 4. A member of the class is entitled to receive from the Association,
 - i. notice of annual meetings of Members,
 - ii. notice of the results of elections held under the Act,
 - iii. issues of the Association's official publication, and
 - iv. any other notice, document or information provided by the Association and intended for members of the class.
 5. A member of the class is entitled to receive from the executive of the Chapter in which he or she is a member any notice, document or information provided by the executive and intended for members of the class. O.Reg. 205/09, s. 2.
- (4) The Registrar may revoke the membership of a member of the engineering intern class for non-payment of any fee that is payable by the member under this Regulation. O.Reg. 205/09, s. 2.
 - (5) A person ceases to be a member of the engineering intern class on the day that his or her application for a licence is finally dealt with, subject to his or her earlier withdrawal from the class. O.Reg. 205/09, s. 2.
 - (6) The members of the engineering intern class shall be recorded in the registers maintained by the Registrar. O.Reg. 205/09, s. 2.
- 32.2**
- (1) The class of "engineer student" is established as a class of persons whose interests are related to those of the Association. O.Reg. 205/09, s. 2.
 - (2) The Registrar shall accept as a member of the engineer student class any person who registers for membership on-line through the Association's website in the form provided by the Association for the purpose and is enrolled in,
 - (a) the Association's student's program; and
 - (b) an engineering program offered by a Canadian university and accredited to the Council's satisfaction or for which accreditation from the Canadian Engineering Accreditation Board is being sought. O.Reg. 205/09, s. 2.
 - (3) Members of the engineer student class have the following privileges:
 1. A member of the class may attend annual meetings of Members and meetings of the Council, but is not entitled to vote at an annual meeting.
 2. A member of the class may participate in events organized by the Chapter in the Region in which he or she resides.
 3. A member of the class is entitled to receive from the Association,
 - i. notice of annual meetings of Members,

- ii. notice of the results of elections held under the Act,
 - iii. electronic issues of the Association's official publication, and
 - iv. any other notice, document or information provided by the Association and intended for members of the class.
4. A member of the class is entitled to receive from the executive of the Chapter in the Region in which he or she resides any notice, document or information provided by the executive and intended for members of the class. O.Reg. 205/09, s. 2
- (4) A person ceases to be a member of the engineer student class on the day that he or she is no longer enrolled in a program referred to in subsection (2), subject to his or her earlier withdrawal from the class. O.Reg. 205/09, s. 2.
- 55.1** (1) The following are the titles and abbreviations that may be used in the practice of professional engineering by the holder of a licence or temporary licence:
- 1. "Professional engineer", "engineer" or "ingénieur".
 - 2. "P.Eng." or "ing.". O.Reg. 205/09, s. 7.
- (2) The following are the titles and abbreviations that may be used in the practice of professional engineering by the holder of a limited licence:
- 1. "Limited Engineering Licensee" or "titulaire de permis restreint d'ingénieur".
 - 2. "LEL" or "PRI". O.Reg. 205/09, s. 7.
- 79.1** The fee for membership in the engineering intern class is \$70 for every year or part of a year during which a person is a member of the class. O.Reg. 205/09, s. 8.
- 81.** Revoked. O. Reg. 205/09, s. 9.

The amended or new sections effective July 1, 2009 are shown below.

- 41.1** (1) The Registrar shall designate as a "fee remission Member" every holder of a licence who meets the following requirements:
- 1. The holder is not engaged in the practice of professional engineering because he or she,
 - i. is retired from the practice of professional engineering,
 - ii. is enrolled in a post-graduate program,
 - iii. is on maternity, paternity or other family leave,
 - iv. is unemployed, or
 - v. has a long-term health condition or physical impairment that prevents the holder from engaging in the practice of professional engineering.
 - 2. The holder gives to the Registrar a written request for the designation stating that he or she is not engaged in the practice of professional engineering and the reason why he or she is not engaged in that practice. O.Reg. 205/09, s. 3.
- (2) It is a condition of the licence of every holder designated as a fee remission Member that he or she shall not engage in the practice of professional engineering, and this condition prevails over any other term, condition or limitation to which the holder's licence is subject. O.Reg. 205/09, s. 3.

- (3) The Registrar shall revoke a holder's fee remission Member designation if the holder,
 - (a) gives to the Registrar notice in writing indicating that the reason for the designation no longer exists and the date on which the reason ceased to exist; and
 - (b) pays the following amounts:
 - (i) any fees owing to the Association from the period during which he or she was designated as a fee remission Member,
 - (ii) the difference, if any, between any amount required to be paid by the Member as an annual fee for the current year and the amount required to be paid as an annual fee for a Member who is not designated as a fee remission Member for that year and
 - (iii) a fee of \$50. O.Reg. 205/09, s. 3.
 - (4) The Registrar shall confirm the revocation of the designation and the date of the revocation by written notice to the holder of the licence. O.Reg. 205/09, s. 3.
 - (5) The condition imposed on the holder's licence under subsection (2) that he or she shall not engage in the practice of professional engineering is lifted on the date that the designation is revoked, as indicated in the notice referred to in subsection (4). O.Reg. 205/09, s. 3.
 - (6) The lifting of the condition imposed on the holder's licence under subsection (2) does not affect the application of any other term, condition or limitation to which the holder's licence is subject. O.Reg. 205/09, s. 3.
- 46.1** (1) The Registrar shall designate as a "fee remission limited licence holder" every holder of a limited licence who meets the following requirements:
1. The holder is not engaged in the practice of professional engineering because he or she,
 - i. is retired from the practice of professional engineering,
 - ii. is enrolled in a post-graduate program,
 - iii. is on maternity, paternity or other family leave,
 - iv. is unemployed, or
 - v. has a long-term health condition or physical impairment that prevents the holder from engaging in the practice of professional engineering.
 2. The holder gives to the Registrar a written request for the designation stating that he or she is not engaged in the practice of professional engineering and the reason why he or she is not engaged in that practice. O.Reg. 205/09, s. 4.
- (2) Subsections 41.1(2) to (6) apply with necessary modifications with respect to a designation under subsection (1). O.Reg. 205/09, s. 4.
- 51.** (1) Subject to subsection (2), the following qualifications and requirements are prescribed for the reinstatement of the licence of a Member who resigned:
1. Payment of the fees owing by the applicant for reinstatement to the Association at the time the applicant resigned, if any, and of the fees for the current year.

2. Payment of a reinstatement fee of \$230.
 3. Production of evidence of good character. O.Reg. 143/08, s. 7; O.Reg. 205/09, s. 5(1).
- (2) If at the time the applicant resigned he or she was designated as a fee remission Member, the fees for the current year that are required to be paid under paragraph 1 of subsection (1) are the fees that are applicable to a person designated as a fee remission Member. O.Reg. 205/09, s. 5(2).
- (3) Any term, condition or limitation that applied to a licence when a Member resigns continues to apply to the reinstated licence and, for greater certainty, a Member who at the time that he or she resigned was designated as a fee remission Member continues to be so designated on the reinstatement of his or her licence. O.Reg. 205/09, s. 5(2).

51.1 Subject to subsection (2), the following qualifications and requirements are prescribed for the reinstatement of a licence or limited licence that was cancelled for non-payment of fees:

- (1)
1. Payment of the fees owing by the applicant for reinstatement to the Association at the time his or her licence or limited licence was cancelled and of the fees for the current year.
 2. Payment of a reinstatement fee of,
 - i. \$50, if the payments referred to in paragraph 1 are made in full within 90 days after the cancellation,
 - ii. \$230, if the payments referred to in paragraph 1 are made in full more than 90 days and within two years after the cancellation, and
 - iii. \$460, if the payments referred to in paragraph 1 are made in full more than two years after the cancellation.
 3. Production of evidence of good character, if the payments referred to in paragraph 1 are made in full more than one year after the cancellation.
 4. Successful completion of an assessment by the Experience Requirements Committee that the applicant has sufficient knowledge and understanding of the current laws and standards governing the practice of professional engineering, if the payments referred to in paragraph 1 are made in full more than two years after the cancellation. O.Reg. 143/08, s. 7; O.Reg. 205/09, s. 6(1).
- (2) If at the time the applicant's licence or limited licence was cancelled for non-payment of fees the applicant was designated as a fee remission Member or fee remission limited licence holder, as the case may be, the following qualifications and requirements are prescribed for the reinstatement of his or her licence or limited licence:
1. Payment of the fees owing by the applicant for reinstatement to the Association at the time his or her licence or limited licence was cancelled and of the fees for the current year that are applicable to a person designated as a fee remission Member or fee remission limited licence holder, as the case may be.
 2. Payment of a reinstatement fee of,
 - i. \$50, if the payments referred to in paragraph 1 are made in full within two years after the cancellation, and

- ii. \$460, if the payments referred to in paragraph 1 are made in full more than two years after the cancellation.
 - 3. Production of evidence of good character, if the payments referred to in paragraph 1 are made in full more than one year after the cancellation.
 - 4. Successful completion of an assessment by the Experience Requirements Committee that the applicant has sufficient knowledge and understanding of the current laws and standards governing the practice of professional engineering, if the payments referred to in paragraph 1 are made in full more than two years after the cancellation. O.Reg. 205/09, s. 6(2).
- (3) Any term, condition or limitation that applied to a licence or limited licence that was cancelled for non-payment of fees continues to apply to the reinstated licence or limited licence and, for greater certainty, a person who at the time that his or her licence or limited licence was cancelled was designated as a fee remission Member or fee remission limited licence holder, as the case may be, continues to be so designated on the reinstatement of his or her licence or limited licence. O.Reg. 250/09, s. 6(2).
- 83.** (1) The application fee for registration as a holder of a limited licence is \$230. O.Reg. 631/92, s. 3; O.Reg. 81/06, s. 8(1).
- (2) The registration fee for an applicant for registration as a holder of a limited licence whose application is accepted is \$230. O.Reg. 631/92, s. 3; O.Reg. 81/06, s. 8(2).
- (3) Subject to subsection (4), the annual fee for a limited licence is \$160. O.Reg. 205/09, s. 10.
- (4) In the case of a holder of a limited licence who is designated as a fee remission limited licence holder, the annual fee for the limited licence is \$40. O.Reg. 205/09, s. 10.

To access the complete Regulation 941/90, please visit: http://www.e-laws.gov.on.ca/html/regs/english/elaws_regs_900941_e.htm.