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PEO to province: See you in court

At first glance, self-regulation seems to be a rather obvious choice of topic to cover in *Engineering Dimensions*. After all, PEO exists to self-regulate—to license and discipline—professional engineers by professional engineers, and to enforce the licensing provisions of the *Professional Engineers Act* (PEA). However, as our cover (and my headline) indicates, the topic of self-regulation could not be hotter than it is right now. In an attempt to clarify the extent of its authority over the practice of professional engineers engaged in building design and related activities, PEO has begun legal action to determine the jurisdictional boundaries of the *Ontario Building Code Act* (OBC) and the PEA (p. 13, 30).

Self-regulation is a given within the engineering community. From without, on the

other hand, especially from the government's perspective lately, this has been far from the case. Regular readers of *Engineering Dimensions* will be familiar with the trials and tribulations that followed in the wake of the Ministry of Municipal Affairs and Housing's decision to force building designers, including PEO licence holders, to pass examinations that demonstrate their knowledge of the OBC. We've covered this issue many times in our pages—and continue to cover it—so I won't go into more detail than that. Just open any issue of *Engineering Dimensions* from the past several years, including this one.

Building code reform has been one of the more egregious, not to mention infuriating, attempts to undermine the authority PEO has been granted to

license engineers and carry out the objects of the PEA. Having made no headway over several years of negotiations with the government on this issue, Council decided there is no other option at this time but to launch a legal assault. Specifically, PEO will be seeking a judicial pronouncement to get clarification from the court on just where the PE Act ends and the OBC Act begins as far as regulating the practice of engineers.

Unfortunately, we are by no means alone in battling government incursions to self-regulation. Most notably, the Ontario Association of Architects (OAA) has, too, faced its share of skirmishes before finally settling on a parallel qualification system to meet the government's requirements. David Craddock, president of the OAA, told *Engineering Dimensions* for "In whose interest? Self-regulation under pressure" (p. 65), that "In the past few years, we have had to deal with several major issues and new pieces of legislation that impede our ability to regulate."

Even for engineers whose work takes them nowhere near a building site, this and other threats to the autonomy of engineers to self-regulate should be troublesome, simply because it represents an insidious problem. But there may be a possibility of preventing future regulatory incursions now that PEO's Government Liaison Program (GLP), a plan designed to educate the government about PEO's responsibilities and obligations, is gaining momentum (p. 60). It remains to be seen whether the seven professional engineers who now hold seats in the House of Commons might help to bring national engineering issues front and centre.

We'll keep you posted.

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