



Guide—Would I need a licence if the repeal is proclaimed?

Are you practising professional engineering?

Under the *Professional Engineers Act*, the “practice of professional engineering” means “any act of planning, designing, composing, evaluating, advising, reporting, directing or supervising that requires the application of engineering principles and concerns the safeguarding of life, health, property, economic interests, the public welfare or the environment, or the managing of any such act”. To determine whether you are practising professional engineering, ask yourself three questions:

- (a) Are you planning, designing, composing, evaluating, advising, reporting, directing or supervising, or managing any of these acts?
- (b) Are engineering principles required to carry out the act?
- (c) Does the act concern the safeguarding of life, health, property, economic interests, the public welfare or the environment?

If you can answer yes to all three questions, you are practising professional engineering.

Does the act fall within one of the exceptions to the requirement to be licensed set out in Section 12 of the *Professional Engineers Act*?

- (a) Is the act within the practice of professional engineering in relation to machinery or equipment, other than equipment of a structural nature, for use in the facilities of your employer in the production of products by your employer?
- (b) Is it an act where a professional engineer assumes responsibility for the services within the practice of professional engineering to which the act is related?
- (c) Is it an act that involves designing or providing tools and dies?
- (d) Is it one of certain acts related to buildings of less than 600 square metres in gross area and three storeys or fewer in height (see the *Professional Engineers Act*, s. 12(4)-(5) for details)?

Note: On a day to be named by proclamation of the Lieutenant Governor, (a) above will be repealed and “or limited licence holder” will be added after “professional engineer” in (b).

If you can answer yes to any of the above, you do not need to be licensed or hold a certificate of authorization to do or manage the act.

However, if you answered no, you are required to be licensed by Professional Engineers Ontario (PEO) to carry out the act. The *Professional Engineers Act* is clear that “no person shall engage in the practice of professional engineering or hold himself, herself or itself out as engaging in the practice of professional engineering unless the person is the holder of a licence, a temporary licence, a provisional licence or a limited licence.”

What is PEO's Enforcement Policy?

PEO's policy is to seek compliance with the *Professional Engineers Act*. If compliance is not achieved, or the circumstances represent a more serious violation, PEO will initiate court proceedings. If you have concerns about either the work of an engineer, or suspect that a person or a company is practicing engineering and may not be licensed, you can contact PEO's Enforcement hotline at: 416-224-9528 ext.1444 or 1-800-339-3716 ext. 1444 or enforcement@peo.on.ca.