

REGULATION 941/90 AMENDED

Regulation amendments will enable some pending 2010 amendments to *Professional Engineers Act* to be proclaimed.

On April 2, 2015, the registrar of regulations filed long-awaited amendments to Regulation 941/90. The amendments change the requirements to obtain a limited licence; permit limited licence holders to be responsible for the engineering services provided to the public under a PEO Certificate of Authorization; create the licensed engineering technologist (LET) class of limited licence; and set out the academic requirements to be an engineering intern and engineering interns' rights and privileges. These amendments will be effective on July 1, 2015.

Other amendments, effective April 2, require the Academic Requirements and Experience Requirements committees to specify the academic or experience requirements to be met for applicants the committees determine do not meet the requirements for licensure; and change the requirements to obtain a temporary licence to harmonize them with those for obtaining a professional engineer licence, while streamlining the list of exceptions for temporary licence holders to work with a collaborator. The amendments effective on filing also include changes to avoid a perceived conflict of interest should a P.Eng. PEO staff member seek election to PEO council; ensure some time away from the highest council offices for a retiring past president; update regional boundaries to reflect road name changes; and authorize PEO's registrar to send notices electronically to practitioners and applicants to submit applications and supporting documents electronically through PEO's website. There are also several minor housekeeping amendments to correct or clarify previous wording.

The pending 2010 *Professional Engineers Act* (PEA) amendments connected to the regulation amendments coming into effect on July 1, 2015 will be proclaimed into effect on July 1. To view Regulation 941/90 and the PEA, as amended, visit www.peo.on.ca/index.php?ci_id=1812&la_id=1. To view PEO's media release on the changes and answers to frequently asked questions about them, visit: www.peo.on.ca.

CHANGES TO REGULATION 941 EFFECTIVE APRIL 2.

1.
"register" means a register maintained by the Registrar under section 21 of the Act. R.R.O. 1990, Reg. 941, s. 1; O. Reg. 13/03, s. 1; O. Reg. 143/08, s. 1; O. Reg. 71/15, s. 1.
3. (2) If the president is incapacitated or resigns, the office of president shall be filled by the president-elect, failing that by the vice-president elected by the members, failing that by the vice-president appointed by the Council, or failing that by a member of the Council who the Council shall appoint. R.R.O. 1990, Reg. 941, s. 3(2); O. Reg. 71/15, s. 2.
5. The area of each Region is the area described in Schedule 1. R.R.O. 1990, Reg. 941, s. 5; O. Reg. 143/08, s. 3; Reg. 71/15, s. 3.
7. A Member who is employed by the Association is not eligible for election to the Council unless the Member,
 - (a) takes an unpaid leave of absence that takes effect no later than the day after he or she is nominated for election; and
 - (b) submits to the Registrar his or her resignation in writing, to take effect at the time he or she would take office. O. Reg. 71/15, s. 4.
10. (2) A member of Council who has been appointed by the Lieutenant Governor in Council and who is also a Member is not eligible for election unless the member's term of office will have expired by the time the member would take office for a new term, or unless the member submits his or her resignation in writing, to take effect at the time the member would take office for the new term, to the Lieutenant Governor

- in Council prior to nomination for election. R.R.O. 1990, Reg. 941, s. 10(2); O. Reg. 71/15, s. 5.
12. (1) The Council shall appoint a Central Election and Search Committee each year composed of,
- the penultimate past-president;
 - the immediate past-president;
 - the president; and
 - two or more other Members. R.R.O. 1990, Reg. 941, s. 12(1); O. Reg. 157/07, s. 3(1); O. Reg. 71/15, s. 6.
13. (2) The Junior Regional Councillor in each Region shall act as chair of the Regional Election and Search Committee for that Region and shall be entitled to vote only to break a tie. R.R.O. 1990, Reg. 941, s. 13(2); O. Reg. 157/07, s. 4(1); O. Reg. 71/15, s. 7(1).
- (3) If the Junior Regional Councillor is unable to act, the Regional Election and Search Committee shall select a chair from among its members and the chair shall be entitled to vote only to break a tie. R.R.O. 1990, Reg. 941, s. 13(3); O. Reg. 157/07, s. 4(1); O. Reg. 71/15, s. 7(2).
14. (4) A Member is not eligible to be nominated for election to the Council as president-elect if the Member held the office of president within the last two years. O. Reg. 71/15, s. 8.
- 15.1 (2.1) A Member is not eligible to be appointed under subsection (1) to the office of president-elect if the Member held the office of president within the last two years. O. Reg. 71/15, s. 9.
- 32.2 (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,
- the Association's student program; and
 - 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; O. Reg. 71/15, s. 11.
40. (2) Where an application for the issuance of a licence, temporary licence or limited licence is referred to the Academic Requirements Committee pursuant to the Act, the Committee shall,
- assess the academic qualifications of the applicant;
 - determine whether the applicant meets the academic qualifications prescribed by this Regulation and so advise the Registrar; and
 - if the Committee determines that the applicant does not meet the academic requirements, specify the academic requirements that the applicant must meet, for the purposes of the notice referred to in subsection 14(6) of the Act. R.R.O. 1990, Reg. 941, s. 40(2); O. Reg. 71/15, s. 12(1).
41. (2) Where an application for the issue of a licence, temporary licence or limited licence is referred to the Experience Requirements Committee pursuant to the Act, the Committee shall,
- assess the experience qualifications of the applicant;
 - determine whether the applicant meets the experience requirements prescribed by this Regulation and so advise the Registrar; and
 - if the Committee determines that the applicant does not meet the experience requirements, specify the experience requirements that the applicant must meet, for the purposes of the notice referred to in subsection 14(6) of the Act. R.R.O. 1990, Reg. 941, s. 41(2); O. Reg. 71/15, s. 13.
43. The requirements for the issuance of a temporary licence are payment of the fee prescribed by this Regulation for the temporary licence and one of the following:
- ...
- Not less than 10 years of experience in the practice of professional engineering that is relevant to the work to be undertaken under the temporary licence, and wide recognition in relation to the practice. R.R.O. 1990, Reg. 941, s. 43; O. Reg. 71/15, s. 14.

52. (4) Every holder of a limited licence shall have a seal of a design approved by the Council, the impression of which shall include,
- the surname and initials of the holder of the limited licence;
 - the words “Limited Licensee” and “Association of Professional Engineers of Ontario”;
 - the limited licence number;
 - a statement that the limited licence is limited to the services within the practice of professional engineering mentioned in the limited licence; and
 - Revoked: O. Reg. 13/03, s. 15(3).
 - a statement of the limitations on the limited licence that may affect the public. R.R.O. 1990, Reg. 941, s. 52(4); O. Reg. 13/03, s. 15(3); O. Reg. 71/15, s. 19(3).
58. The Registrar, upon the granting or refusing of an application for a designation or redesignation shall mail or send electronically forthwith to the applicant a notice stating,
- that the applicant has or has not been granted a designation or redesignation as a consulting engineer, as the case may be; and
 - in the case of a refusal to grant the designation or redesignation, the reasons therefor. R.R.O. 1990, Reg. 941, s. 58; O. Reg. 71/15, s. 21.
65. The Registrar upon the granting or refusing of an application for reconsideration of an application for designation or redesignation shall mail or send electronically forthwith to the applicant a notice stating,
- that the prior refusal of designation or redesignation as a consulting engineer has been confirmed or that the application for designation or redesignation as a consulting engineer has been granted, as the case may be; and
 - In the case of a confirmation of a refusal to grant the designation or redesignation, the reasons therefor. R.R.O. 1990, Reg. 941, s. 65; O. Reg. 71/15, s. 22.
74. (1) Subject to subsection (2), a holder of a certificate of authorization must be insured against professional liability under a policy of professional liability insurance which complies with the following minimum requirements:
- ...
- The notice under clause 2(d) shall be in the form provided by the Association for the purpose, and shall be signed by,
 - in the case of a holder who is a natural person, the person;
 - in the case of a holder that is a corporation, an officer or director of the corporation;
 - in the case of a holder that is a partnership, a partner in the partnership; or
 - in the case of a holder that is a partnership of corporations, an officer or director of a partner in the partnership. O. Reg. 71/15, s. 23.
77. The following is the Code of Ethics of the Association:
- It is the duty of a practitioner to the public, to the practitioner’s employer, to the practitioner’s clients, to other members of the practitioner’s profession, and to the practitioner to act at all times with,
 - fairness and loyalty to the practitioner’s associates, employer, 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. O. Reg. 71/15, s. 24(1).
- ...
- A practitioner shall act in professional engineering matters for the practitioner’s employer as a faithful agent or trustee and shall regard as confidential information obtained by the practitioner as to the business affairs, technical methods or processes of an employer and avoid or disclose a conflict of interest that might influence the practitioner’s actions or judgment. O. Reg. 71/15, s. 24(2).

78.2 If a document is submitted under this Regulation to the Registrar on-line through the Association's website, a statement or information contained in the document that is required to be certified as true and correct by a person is deemed to have been so certified once the application is submitted. O. Reg. 71/15, s. 25.

TABLE 1 Revoked: O. Reg. 71/15, s. 26

SCHEDULE 1

1. The Western Region includes that part of Ontario lying south and west of a line drawn as follows:
Beginning at the Canada-United States border at the Town of Fort Erie on the Niagara River, north along the Niagara River to the Town of Niagara-on-the-Lake on the shoreline of Lake Ontario; then west along the shoreline of Lake Ontario to the boundary between the City of Burlington and the Town of Oakville; then north along that boundary to its northern end; continuing north along the same line to Highway 407; then west on Highway 407 to Halton Regional Road 5; continuing west along Halton Regional Road 5 to the western boundary of The Regional Municipality of Halton; then north along that boundary to Highway 401; then east on Highway 401 to Halton Regional Road 25; then north on Halton Regional Road 25, which becomes Wellington County Road 125, to Wellington County Road 124; then west on Wellington County Road 124 to Wellington County Road 26; then north on Wellington County Road 26 to Wellington County Road 18; then east on Wellington County Road 18, which becomes Dufferin County Road 3, to Dufferin County Road 24; then north on Dufferin County Road 24 to Dufferin County Road 109; then west on Dufferin County Road 109 to Dufferin County Road 25; then north on Dufferin County Road 25 to Highway 89; then east on Highway 89 to Dufferin County Road 124; then north on Dufferin County Road 124 to the northern boundary of the County of Dufferin; then north along the eastern boundary of the County of Grey to Grey County Road 19; then northwest on Grey County Road 19 to Nottawasaga Bay.
2. The West Central Region includes that part of Ontario lying within a line drawn as follows:
Beginning at Lake Ontario at the boundary between the City of Burlington and the Town of Oakville, north along that boundary to its northern end; continuing north along the same line to Highway 407; then west on Highway 407 to Halton Regional Road 5; continu-

ing west along Halton Regional Road 5 to the western boundary of The Regional Municipality of Halton; then north along that boundary to Highway 401; then east on Highway 401 to Halton Regional Road 25; then north on Halton Regional Road 25, which becomes Wellington County Road 125, to Wellington County Road 124; then west on Wellington County Road 124 to Wellington County Road 26; then north on Wellington County Road 26 to Wellington County Road 18; then east on Wellington County Road 18, which becomes Dufferin County Road 3, to Dufferin County Road 24; then north on Dufferin County Road 24 to Dufferin County Road 109; then west on Dufferin County Road 109 to Dufferin County Road 25; then north on Dufferin County Road 25 to Highway 89; then east on Highway 89 to Dufferin County Road 124; then north on Dufferin County Road 124 to the northern boundary of the County of Dufferin; then east along the northern boundary of the County of Dufferin to its eastern boundary; then south along the eastern boundary of the County of Dufferin to the northern boundary of The Regional Municipality of Peel; then east on the northern boundary of The Regional Municipality of Peel to the eastern boundary of The Regional Municipality of Peel; then south along the eastern boundary of The Regional Municipality of Peel to the southern boundary of The Regional Municipality of York; then east along the southern boundary of The Regional Municipality of York to the West Don River; then south and southeast along the West Don River to Yonge Street; then south on Yonge Street to Yorkville Avenue; then west on Yorkville Avenue to Bay Street; then south on Bay Street to College Street; then east on College Street to Yonge Street; then south on Yonge Street to Lake Ontario; then west along the shoreline of Lake Ontario, but including the Toronto Islands, to the boundary between the City of Burlington and the Town of Oakville.

3. The East Central Region includes that part of Ontario lying within a line drawn as follows:
Beginning at Georgian Bay at the eastern end of the northern boundary of The District Municipality of Muskoka, east along that boundary to the western boundary of Algonquin Provincial Park; then south along the western boundary of Algonquin Provincial Park to the northern boundary of the County of Haliburton; then west and then south and then west and then south along the northern boundary of the County of Haliburton to the central portion of the northern boundary of the City of Kawartha Lakes; then west and then south and then

west and then south along the northern boundary of the City of Kawartha Lakes to the northern boundary of The Regional Municipality of Durham; then west along the northern boundary of The Regional Municipality of Durham to its western boundary; then south along the western boundary of The Regional Municipality of Durham to York Regional Road 32; then northeast following a line to the junction where Highway 7 and Highway 12 meet; then east on Highway 7 to the western boundary of the City of Kawartha Lakes; then south and then east and then south along the western boundary of the City of Kawartha Lakes to the northern boundary of The Regional Municipality of Durham; then east along the northern boundary of The Regional Municipality of Durham to its eastern boundary; then south along the eastern boundary of The Regional Municipality of Durham to Lake Ontario; then west along the shoreline of Lake Ontario to Yonge Street; then north on Yonge Street to College Street; then west on College Street to Bay Street; then north on Bay Street to Yorkville Avenue; then east on Yorkville Avenue to Yonge Street; then north on Yonge Street to the West Don River; then north and northwest along the West Don River to the southern boundary of The Regional Municipality of York; then west along the southern boundary of The Regional Municipality of York to its western boundary; then north along the western boundary of The Regional Municipality of York to the southern boundary of the County of Simcoe; then west and then north and then west and then north along the western boundary of the County of Simcoe to Grey County Road 19; then northwest on Grey County Road 19 to Nottawasaga Bay.

4. The Eastern Region includes that part of Ontario lying within a line drawn as follows:
Beginning at Lake Ontario at the western boundary of the County of Northumberland, north along that boundary to the southern boundary of the City of Kawartha Lakes; then west along the southern boundary of the City of Kawartha Lakes to its western boundary; then north and then west and then north along the western boundary of the City of Kawartha Lakes to Highway 7; then west on Highway 7 to the junction where Highway 7 and Highway 12 meet; then southwest following a line to the eastern end of York Regional Road 32; then north along the western boundary of The Regional Municipality of Durham to its northern boundary; then east along the northern boundary of The Regional Municipality of Durham to the western boundary of the City of Kawartha Lakes; then north and then east and then north and then

east along the western boundary of the City of Kawartha Lakes to the western boundary of the County of Haliburton; then north and then east and then north and then east along the northern boundary of the County of Haliburton to the western boundary of Algonquin Provincial Park; then north along the western boundary of Algonquin Provincial Park to its northern boundary; then east along the northern boundary of Algonquin Provincial Park to the western boundary of the County of Renfrew; then north along the western boundary of the County of Renfrew to the Ottawa River.

5. The Northern Region includes that part of Ontario lying north of a line drawn as follows:
Beginning at the Ottawa River at the western boundary of the County of Renfrew, south along that boundary to the northern boundary of Algonquin Provincial Park; then west along the northern boundary of Algonquin Provincial Park to its western boundary; then south along the western boundary of Algonquin Provincial Park to the southern boundary of the Territorial District of Parry Sound; then west along the southern boundary of the Territorial District of Parry Sound to Georgian Bay; then northwest following a line through Georgian Bay to the mid-point in the main channel between the Bruce Peninsula and Manitoulin Island; then west following a line to the Canada-United States border. O. Reg. 71/15, s. 27.

CHANGES TO REGULATION 941 EFFECTIVE JULY 1

- 32.1 (1) For the purposes of clause 20.1(1)(c) of the Act, in order to be accepted as an engineering intern, an applicant for a licence must meet the academic requirements for a licence prescribed by this Regulation or be in the process of completing the examinations required by the Academic Requirements Committee in order to meet those requirements. O. Reg. 71/15, 10.
- (2) Engineering interns have the following privileges:
 1. An engineering intern 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. An engineering intern may attend annual meetings of Members and meetings of the Council, but is not entitled to vote at an annual meeting.

3. An engineering intern may be appointed to a committee established by the Council, except as otherwise provided in the Act, the regulations or the by-laws.
 4. An engineering intern 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. An engineering intern 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 engineering interns. O. Reg. 71/15, s. 10.
40. (4) For the purposes of clause 14(4)(b) of the Act, the Registrar shall refer to the Academic Requirements Committee every application for a limited licence made on or after the day section 16 of Ontario Regulation 71/15 comes into force. O. Reg. 71/15, s. 12(2).
44. (1) It is a term and condition of every temporary licence that the holder of the temporary licence must collaborate with a Member in the practice of professional engineering in respect of the work undertaken under the temporary licence, unless the holder provides evidence of one of the following:
1. At least 12 months of experience in the practice of professional engineering that is relevant to the work to be undertaken under the temporary licence and that was acquired in a Canadian jurisdiction under the supervision of one or more persons who are legally authorized to engage in the practice of professional engineering in a Canadian jurisdiction.
 2. Wide recognition in the practice of professional engineering that is relevant to the work to be undertaken under the temporary licence and that the holder is knowledgeable about all codes, standards and laws relevant to that work. O. Reg. 71/15, s. 15.
- (1.1) Experience acquired outside Canada satisfies the requirements of paragraph 1 of subsection (1) if it meets the criteria set out under subsection 33(2). O. Reg. 71/15, 15.
46. (1) The following are prescribed as requirements and qualifications for the issuance of a limited licence:
1. The applicant shall demonstrate that he or she holds a three-year degree or diploma in an engineering, technology or science program or has equivalent educational qualifications, and possesses the knowledge base corresponding to the scope of services within the practice of professional engineering to be provided under the limited licence.
 2. The applicant shall demonstrate at least eight years of experience in the practice of professional engineering that meets the criteria set out in the document titled "Guide to the Required Experience for a Limited Licence in Ontario" and dated March 2014, published by and available from the Association, with at least six years of the experience corresponding to the scope of services within the practice of professional engineering to be provided under the limited licence and at least four of those six years' experience being acquired in a Canadian jurisdiction under the supervision of one or more persons who are legally authorized to engage in the practice of professional engineering in a Canadian jurisdiction.
 3. The applicant shall pass the Professional Practice Examination.
 4. The applicant shall demonstrate that he or she is of good character.
 5. The applicant shall submit to the Registrar a completed application in the form titled "Limited Licence Application", dated November 2013 and available from the Association.
 6. The applicant shall pay the applicable fees prescribed by this Regulation. O. Reg. 71/15, s. 16.
- (2) This section, as it read immediately before the day section 16 of Ontario Regulation 71/15 comes into force, continues to apply in respect of every application for a limited licence that is made but not finally dealt with before that day. O. Reg. 71/15, s. 16.

- 46.0.1. (1) The engineering technologist class of limited licence is established. O. Reg. 71/15, s. 17.
- (2) The Registrar shall issue an engineering technologist class of limited licence to any person who, in addition to meeting the requirements for a limited licence set out in section 46, demonstrates that he or she is a certified member in good standing with the Ontario Association of Certified Engineering Technicians and Technologists and holds a Certified Engineering Technologist title with that body. O. Reg. 71/15, s. 17.
- (3) A reference in this Regulation to the holder of a limited licence includes reference to the holder of an engineering technologist class of limited licence, unless the context requires otherwise. O. Reg. 71/15, s. 17.
- (4) If the holder of an engineering technologist class of limited licence indicates in an annual renewal form under section 50 or a notice of a change under section 50.1 that he or she is no longer a certified member in good standing with the Ontario Association of Certified Engineering Technicians and Technologists and no longer holds a Certified Engineering Technologist title with that body, the Registrar shall reissue the holder's engineering technologist class of limited licence as a limited licence. O. Reg. 71/15, s. 17.
- (5) If the Registrar otherwise discovers that the holder of an engineering technologist class of limited licence is no longer a certified member in good standing with the Ontario Association of Certified Engineering Technicians and Technologists and no longer holds a Certified Engineering Technologist title with that body, the Registrar shall, after giving 60 days notice to the holder, reissue the holder's engineering technologist class of limited licence as a limited licence. O. Reg. 71/15, s. 17.
- (6) No fee is payable by the holder for the reissuance of a limited licence under this section. O. Reg. 71/15, s. 17.
- (7) The holder of a limited licence issued under this section shall forthwith deliver to the Registrar his or her engineering technologist class of limited licence, together with the related seal. O. Reg. 71/15, s. 17.
- (8) The Registrar shall reissue a limited licence issued under this section as an engineering technologist class of limited licence, if the holder,
- (a) demonstrates that he or she has been reinstated as a certified member in good standing with the Ontario Association of Certified Engineering Technicians and Technologists and holds a Certified Engineering Technologist title with that body; and
- (b) pays the fee prescribed by this Regulation for the issuance of the seal described in subsection 52(5). O. Reg. 71/15, s. 17.
- (9) Subsections (4), (5) and (8) apply only if the holder continues to meet the requirements for a limited licence. O. Reg. 71/15, s. 17.
47. The following are prescribed as requirements and qualifications for the issuance of a certificate of authorization:
1. The applicant shall designate as the person or persons who will assume responsibility for and supervise the services within the practice of professional engineering to be provided under the certificate of authorization one or more holders of,
 - i. a licence,
 - ii. a temporary licence, or
 - iii. a limited licence, if the application for the limited licence was made on or after the day section 16 of Ontario Regulation 71/15 came into force.
 2. The applicant shall submit to the Registrar a completed application in the form titled "Application for Certificate of Authorization", dated November 2013 and available from the Association.
 3. The applicant shall pay the application fee and the annual fee prescribed by this Regulation. O. Reg. 71/15, s. 18.
48. Every certificate of authorization that is issued by the Registrar shall contain a description of any terms and conditions to which it is subject under the Act. O. Reg. 71/15, s. 18.
49. (1) If a holder of a temporary licence is the only person

assuming responsibility for and supervising the services within the practice of professional engineering to be provided under a certificate of authorization, the certificate of authorization expires on the date on which the holder's temporary licence expires. O. Reg. 71/15, s. 18.

- (2) If two or more holders of a temporary licence are the only persons assuming responsibility for and supervising the services within the practice of professional engineering to be provided under a certificate of authorization, the certificate of authorization expires on the date on which the last of the temporary licences expires. O. Reg. 71/15, s. 18.
50. Every year, every holder of a certificate of authorization shall, on or before the anniversary of the date on which the certificate was issued,
- (a) submit to the Registrar a completed annual renewal form, provided by the Association for the purpose, indicating whether the information contained in the registers in respect of the certificate is current and correct and providing information respecting any necessary changes or corrections; and
 - (b) pay the annual fee prescribed by this regulation. O. Reg. 71/15, s. 18.
- 50.1(1) Every holder of a licence, temporary licence, provisional licence, limited licence or certificate of authorization shall give to the Registrar notice, in the form provided by the Association for the purpose, of any change in the information contained in the registers relating to the holder. O. Reg. 71/15, s. 18.
- (2) The notice of a change shall indicate the date on which the change occurred and be submitted no later than 30 days after that date. O. Reg. 71/15, s. 18.
52. (4) Subject to section (5), every holder of a limited licence shall have a seal of a design approved by the Council, the impression of which shall include,
- (a) the surname and initials of the holder of the limited licence;
 - (b) the words "Association of Professional Engineers of Ontario" and one or more of the following:
 - (i) "Limited Engineering Licensee";
 - (ii) "titulaire de permis restreint d'ingénieur";
 - (iii) "LEL";
 - (iv) "PRI";

- (c) the limited licence number;
- (d) a statement that the limited licence is limited to the services within the practice of professional engineering mentioned in the limited licence; and
- (e) Revoked: O. Reg. 13/03, s. 15(3).
- (f) a statement of the limitations on the limited licence that may affect the public. R.R.O. 1990, Reg. 941, s. 52(4); O. Reg. 13/03, s. 15(3); O. Reg. 71/15, s. 19(3).

- (5) In the case of a holder of an engineering technologist class of limited licence, clause 4(b) does not apply, and the holder's seal shall instead include the words "Association of Professional Engineers of Ontario" and one or more of the following:
1. "Licensed Engineering Technologist".
 2. "technologue en ingénierie titulaire de permis".
 3. "LET".
 4. "TITP." O. Reg. 71/15, s. 19(4).

- 55.1 (3) The following are the titles and abbreviations that may be used in the practice of professional engineering by the holder of an engineering technologist class of limited licence:
1. "Licensed Engineering Technologist" or "technologue en ingénierie titulaire de permis".
 2. "LET" or "TITP." O. Reg. 71/15, s. 20.

PENDING AMENDMENTS TO THE PROFESSIONAL ENGINEERS ACT BEING PROCLAIMED JULY 1, 2015

Regulations

7. (1) Subject to the approval of the Lieutenant Governor in Council and with prior review by the Minister, the Council may make regulations,
- ...
8. governing persons as engineering interns under section 20.1, including setting out the academic requirements necessary for acceptance as an engineering intern and the rights and privileges of engineering interns, and prescribing and governing other classes of persons whose interests are related to those of the Association; 2010, c. 16, Sched. 2, ss. 5(9), 6(2).

When licences or certificates required

EXCEPTIONS

12. (3) Subsections (1) and (2) do not apply to prevent a person,
- ...
- (b) from doing an act that is within the practice of professional engineering where a professional engineer or limited licence holder assumes responsibility for the services within the practice of professional engineering to which the act is related; 2010, c. 16, Sched. 2, ss. 5(18), 6(2).

Issuance of certificate of authorization

SAME

15. (4.1) Where a holder of a limited licence assumes responsibility for and supervises the practice of professional engineering related to the services provided by the holder of a certificate of authorization, the certificate of authorization is subject to the same terms and conditions prescribed by the regulations that apply to the limited licence. 2010, c. 16, Sched. 2, s. 5(26).

SUSPENSION OF EFFECT OF CERTIFICATE OF AUTHORIZATION

- (5) A holder of a certificate of authorization ceases to be entitled to offer to the public or to provide to the public services that are within the practice of professional engineering as soon as there is no holder of a licence, temporary licence or limited licence who assumes responsibility for and supervises the practice of professional engineering provided by the holder of the certificate of authorization. R.S.O. 1990, c. P.28, s. 15(5); 2010, c. 16, Sched. 2, ss. 5(27), 6(2).

NOTICE TO REGISTRAR BY HOLDER OF CERTIFICATE OF AUTHORIZATION

- (6) The holder of a certificate of authorization must give notice to the Registrar when there ceases to be a holder of a licence, temporary licence or limited licence who assumes responsibility for and supervises the practice of professional engineering by the holder of the certificate of authorization and when the holder of the certificate of authorization designates another holder of a licence, temporary licence or limited licence to assume such responsibility and carry out such supervision. R.S.O. 1990, c. P.28, s. 15(6); 2010, c. 16, Sched. 2, ss. 5(28), 6(2).

NOTICE TO REGISTRAR BY PERSON IN POSITION OF PROFESSIONAL RESPONSIBILITY

- (7) A holder of a licence, temporary licence or limited licence who ceases to be responsible for and to supervise the practice of professional engineering by a holder of a certificate of authorization as the person so designated by the holder of the certificate of authorization shall give notice of the cessation forthwith to the Registrar. R.S.O. 1990, c. P.28, s. 15(7); 2010, c. 16, Sched. 2, ss. 5(29), 6(2).

Supervision under certificate of authorization

17. (1) It is a condition of every certificate of authorization that the holder of the certificate shall provide services that are within the practice of professional engineering only under the personal supervision and direction of a holder of a licence, temporary licence or limited licence. R.S.O. 1990, c. P.28, s. 17(1); 2010, c. 16, Sched. 2, ss. 5(30), 6(2).

PROFESSIONAL RESPONSIBILITY OF SUPERVISING ENGINEER

- (2) A holder of a licence, temporary licence or limited licence who personally supervises and directs the providing of services within the practice of professional engineering by a holder of a certificate of authorization or who assumes responsibility for and supervises the practice of professional engineering related to the providing of services by a holder of a certificate of authorization is subject to the same standards of professional conduct and competence in respect of the services and the related practice of professional engineering as if the services were provided or the practice of professional engineering was engaged in by the holder of a licence, temporary licence or limited licence. R.S.O. 1990, c. P.28, s. 17(2); 2010, c. 16, Sched. 2, ss. 5(31), 6(2).

Engineering interns

- 20.1(1) The Registrar shall accept as an engineering intern any applicant for a licence, if,
- in submitting the application for a licence, the applicant requests in writing to become an engineering intern;
 - the applicant is enrolled in the Association's engineering intern training program; and
 - the applicant meets the academic requirements prescribed by the regulations. 2010, c. 16, Sched. 2, s. 5(40).

REVOCAION FOR NON-PAYMENT

- (2) The Registrar may revoke a person's status as an engineering intern for non-payment of any fee that is payable by the person under this Act. 2010, c. 16, Sched. 2, s. 5(40).

TERMINATION

- (3) Subject to a revocation under subsection (2), a person ceases to be an engineering intern on the earlier of the day that his or her application for a licence is finally dealt with or the day that he or she withdraws the application. 2010, c. 16, Sched. 2, s. 5(40).

Registers

21. (1) The Registrar shall maintain one or more registers containing the following information:
1. Every holder of a licence, certificate of authorization, temporary licence, provisional licence or limited licence.
 2. The terms, conditions and limitations attached to every licence, certificate of authorization, temporary licence, provisional licence and limited licence.
 3. Every revocation, suspension and cancellation or termination of a licence, certificate of authorization, temporary licence, provisional licence or limited licence.
 4. Every person who is an engineering intern under section 20.1.
 5. Any other information that the Registration Committee or Discipline Committee directs. 2010, c. 16, Sched. 2, s. 5(41).

Offences and penalties

OFFENCE, USE OF TERM "LICENSED ENGINEERING TECHNOLOGIST", ETC.

40. (3.1) Every person who is not the holder of the engineering technologist class of limited licence prescribed under subparagraph 9v.2 of subsection 7(1) and who uses the title "Licensed Engineering Technologist" or "technologue en ingénierie titulaire de permis" or the initials "LET" or "TITP" in a manner that will lead to a belief that the person is the holder of the engineering technologist class of limited licence is guilty of an offence, and on conviction is liable for the first offence to a fine of not more than \$10,000 and for each subsequent offence to a fine of not more than \$25,000. 2010, c. 16, Sched. 2, s. 5(64).

OFFENCE, USE OF TERM "ENGINEERING INTERN", ETC.

- (3.2) Every person who is not an engineering intern under section 20.1 and who uses any of the following terms, titles or descriptions in a manner that will lead to a belief that the person is an engineering intern under that section is guilty of an offence, and on conviction is liable for the first offence to a fine of not more than \$10,000 and for each subsequent offence to a fine of not more than \$25,000:
1. The title "engineering intern" or "stagiaire en ingénierie" or any abbreviation or variation of the title.
 2. The initials "EIT" or "SI".
 3. Any other term, title or description that will lead to the belief that the person is an engineering intern under section 20.1. 2010, c. 16, Sched. 2, s. 5(64).

LIABILITY OF PARTNERS

- (6) Where a person who is guilty of an offence under subsection (1), (2), (3), (3.1), (3.2) or (4) is a member or an employee of a partnership, every member of the partnership who authorizes, permits or acquiesces in the offence is guilty of an offence and on conviction is liable to a fine of not more than \$50,000. R.S.O. 1990, c. P.28, s. 40(6); 2010, c. 16, Sched. 2, ss. 5(65), 6(2).

LIMITATION

- (7) Proceedings shall not be commenced in respect of an offence under subsection (1), (2), (3), (3.1), (3.2), (4), (5) or (6) after two years after the date on which the offence was, or is alleged to have been, committed. R.S.O. 1990, c. P.28, s. 40(7); 2010, c. 16, Sched. 2, ss. 5(66), 6(2).

MARASIGAN ORDERED BY SUPERIOR COURT TO CEASE COPYING PROFESSIONAL ENGINEERING SEALS

DANILO “DAN” MARASIGAN of Toronto, Ontario, operating as DANMAR DESIGNS consented to a Superior Court order under s. 39 of the *Professional Engineers Act* on March 6, 2015, that he cease possessing or copying seals of professional engineers. PEO sought the order based on allega-

tions that Marasigan had copied the seals of four different professional engineers onto drawings and documents that had neither been prepared by nor reviewed by a licence holder. Further charges under s. 40 of the act seeking a fine for illegal seal use are currently pending in the Ontario Court of Justice.

CHHANIYARA FINED \$10,000 BY ONTARIO COURT FOR ILLEGAL USE OF SEAL

On April 7, the Ontario Court of Justice fined DILIP CHHANIYARA of Brampton \$10,000 for copying a professional engineer’s seal. In assessing the fine, His Worship R.J. Cotter considered the need to deter other unlicensed people from this action because of the risk of harm to the public. Chhaniyara was convicted of breaching the *Professional Engineers Act* for copying the seal of a professional engineer onto seven different drawings for two building projects in 2013.

Chhaniyara has never been licensed as an engineer by PEO.

The matter came to PEO’s attention after a professional engineer became aware of drawings that carried an engineer’s seal had been filed with two building departments, but that the engineer in question had not created or sealed. The drawings were part of building permit applications for a restaurant in Brampton and a catering business in Mississauga and included proposed sprinkler head locations and a proposed drainage layout. An investigation by PEO found the seals on the drawings to be fake. Nick Hambleton, student-at-law, represented PEO in this matter.

Please report any person or company you suspect is violating the act. Call the PEO enforcement hotline at 416-224-9528, ext. 1444 or 800-339-3716, ext. 1444. Or email your questions or concerns to enforcement@peo.on.ca.

