



Registrar's Report

March 15, 2005

Admission Review
Hearings –
Current Status

MTCU's
International
Engineering
Graduates (IEG)
Portal

PEO 2004 Audit

2004 PEO
Statistics

MTCU's International Engineering Graduates (IEG) Portal

The removal of the requirement of Canadian work experience was never part of PEO's submission on the portal. MTCU sees the requirement for Canadian experience as a significant barrier to Internationally Trained Graduates. MTCU and the federal government have acknowledge that engineers are leading the way in dealing with the Internationally Trained Graduates. MTCU was seeking to have PEO lead the way in the removal of the requirement of Canadian Experience.

Correspondence by the CEO/Registrar and President George Comrie with individual members has clarified that the MTCU IEG Portal project will not require that PEO replace the 12-month Canadian Experience requirements for licensure with a college/university course/program. There may eventually be courses offered to assist IEGs to prepare for the Canadian workplace offered by parties other than PEO but it will not be in lieu of the required 12 months of supervised Canadian engineering experience.

The MTCU project is expected to include a provision that PEO identify the core competencies that licensure applicants must obtain through work experience to meet the generally accepted standards of practical skill to engage in the practice of professional engineering and to have sufficient familiarity with Canadian codes, regulations and Standards for the practice of professional engineering.

The identification of the core competencies and the development of a process to assess the competencies obtained by applicants through prior work experience will fall within the terms of reference for Council's newly appointed Licensing Process Task Force.

Bill 124 Inquiries

PEO members continue to have many concerns over Bill 124's requirements that will require them to pass examinations set by the Ontario Ministry of Municipal Affairs and Housing (MMAH) and become qualified in order to apply for building permits after July 1, 2005. In addition, their firms will require registration by the MMAH and must provide evidence of liability insurance. Meanwhile PEO is continuing its efforts to obtain an exemption for licensed engineers. However, recent correspondence from Minister Gerretsen indicates that the requirement will become law on July 1/05.

Please visit PEO's website, as considerable ongoing communications is occurring on this issue.



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EIT seminars to be hosted at PEO Offices

The objective of these is to instruct EITs as to the role that PEO plays as the regulator of the practice of engineering in the province of Ontario, as well as to provide information useful to the licensing process. Guest speakers from all parts of the organization will be presenting information about their individual and departmental role. Overwhelming demand may require that the show take to the road at Chapter events.

Launch of New Annual PEO-ESSCO Student Conference

First one took place at McMaster University the weekend of March 4-6, 2005. 200 students participated in this event, organized jointly through ESSCO and sponsored through the SMP. George Comrie, President, PEO opened the ceremonies as the Friday night keynote speaker. Workshops and keynote addresses on various topics related to engineering and professionalism took place all day Saturday. The closing ceremonies featured Councillor Roydon Fraser.

2005-2009 Strategic Plan

The Strategic Plan has met its targeted deadline – and was approved unanimously by Council on March 4, 2005.

In December 2004, the Project Team, Senior Management and the Strategic Planning Working Group held a joint, one-day session to identify critical issues, key strategic goals, priority-setting criteria and strategic objectives. Following this, the joint session generated potential objectives within the four key strategic goals. The resulting 100 potential objectives were subsequently evaluated against the five criteria, and then regrouped into 27 objectives and their respective initiatives.

Two preliminary briefing sessions were held for all Councillors on January 20 and 25, 2005 to familiarize them with the Strategic Plan process, draft goals, objectives and initiatives, and to separate strategic from operational objectives. The results were reviewed by Senior Management and the Steering Committee. On February 15, 2005, Executive Committee and the Working Group finalized the overall priorities (strategic objectives), identifying the top seven priority objectives as:

1. Increase the public's confidence in the licence.
2. Secure the needed financial resources
3. Increase the public's confidence in PEO as a regulator.
4. Have the government view PEO as a partner, and understand and support PEO's policy direction
5. Improve Council's decision-making process.
6. Use Council's regulation-making powers to develop performance standards.
7. Make the Certificate of Authorization (C of A) a more effective instrument for regulating the provision of engineering services.

Following this meeting, Senior Management and the project team met to develop a preliminary implementation schedule over the five-year period for the selected objectives



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and their respective initiatives. The revised cost estimate for the selected objectives is \$5.3 million over the five-year period.

Following Council's approval of the Plan, Senior Management will now undertake detailed business planning for the 2005 initiatives, included detailed costing, resource planning and cost-benefit analysis. Executive Committee will be delegated the task of ongoing review of progress and funding.

Policy Development Process – Implementation

At the December 7, 2004 Executive Committee meeting, the Policy Unit presented an implementation plan for the Policy Development Process (PDP). Although the PDP Implementation Plan was accepted, implementation has been delayed pending resolution of the 2005-2009 Strategic Plan. If the Strategic Plan is approved by Council in March, PDP implementation will begin, starting with training development, but about two months behind schedule. An article on the PDP is scheduled for the May/June issue of *Engineering Dimensions*.

PEO Telephone System

Despite the failure of our old phone service on the first working day of January (Murphy strikes again!), in mid January, PEO's new telephone system was introduced delivering very important improvements to our communication system, which will positively affect both PEO head office and Chapters. This telephone system has been implemented as a part of improvements to our regulatory support processes to enable PEO including its Chapters to establish effective communication and promote increased interaction with its members.

PEO has introduced a number of features to more quickly connect callers with the staff members that they wish to speak with. Increased capacity for handling in-coming calls has eliminated the busy signals that frustrated many of our callers in years past. The Direct-In-Dial feature allows in-bound callers to connect directly to the person they wish to speak with, completely by-passing the Auto Attendant and switchboard operator. The main number for PEO remains the same: 416-224-1100. Direct-In-Dial numbers for staff are posted on the PEO web site at <http://www.peo.on.ca/>. PEO has also aggressively negotiated low cost delivery of associated voice communications services to support cost-effective operations.

The newly restructured Auto Attendant has been designed to help callers quickly get to the staff member at PEO that they wish to talk to. Callers are presented with four primary options:

- the company directory;
- exam, licensing and registration;
- financial services and update records;
- all other inquiries and chapters.

Callers can press zero at any time to connect with the operator.

To support PEO Chapters' operation, we also established a direct access number 416-840-1122 which points local calls to the section of the Auto Attendant designed



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exclusively for Chapters. This Auto Attendant has three options: the first option is to dial access to any Chapter mailbox by extension number; the second is to dial through a Directory to access the Chapter mailbox if the extension is not known; and the third is to reach the Chapter Administration office at PEO (Ext. 1064). There has been thirty eight mailbox numbers (extensions) established, one for each Chapter. PEO's members will now be able to leave messages in these mailboxes for their respective Chapter and the Chapters will be able to manage their own mailboxes to retrieve their messages. The Chapter Auto Attendant can also be accessed through a Canada-wide 1-800-339-3716 line (Ext. 1122) allowing Chapter messages to be left or retrieved without dialing long distance from anywhere in Canada. Chapter mailboxes were a recommendation from the START II initiative. We are pleased that we can now provide them. It is our hope that adopting this technology helps Chapters achieve their mandate.

CCPE Comments

S& R reviewed and returned comments to CCPE regarding the CEQB Discussion Paper on Professionalism and Ethics. The department also provided comments on the CEQB work plan.

PROFESSIONAL STANDARDS COMMITTEE

The Professional Standards Committee is populating subcommittees to work on the following guidelines:

- Professional Development;
- Peer and Technical Review;
- Demolition;
- Temporary Works; and
- Expert Witness.

PSC has been debating matters related the concepts of performance standards, practice standards, and guidelines and is considering how these should be implemented. PSC requested that staff prepare a document providing analysis of these concepts.

Sub-committee for the development of Professional Engineers providing Geotechnical Engineering Services guideline continues work on a first draft of that document.

The Professional Standards Committee reviewed concerns raised by ESA staff and electrical contractors with respect to designs they receive from professional engineers. These parties are concerned that some designs do not provide sufficient detail and as a result place undue responsibility on the electrical contractors to determine details of design. The Professional Standards Committee has agreed that notes cannot be substituted for design elements that can be reasonably foreseen and planned for by the professional engineer. The committee is working with staff to develop an article or practice bulletin providing guidance on the proper use of general notes on drawings.



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ENVIRONMENT COMMITTEE

The EVC prepared responses to the following three Environmental Bill of Rights postings that dealt with water resource issues:

- IMPLEMENTATION COMMITTEE (IC) REPORT (NOVEMBER 2004) WATERSHED-BASED SOURCE PROTECTION
- TECHNICAL EXPERT COMMITTEE (TEC) REPORT (NOVEMBER 2004) A THREATS ASSESSMENT FRAMEWORK WATERSHED-BASED SOURCE PROTECTION PLANNING
- PERMIT TO TAKE WATER (PTTW) MANUAL (DECEMBER 2004)

The major concern was the Ministry's policy outlined in the PTTW manual specifies that a QP for conducting PTTW surface water studies shall be a natural scientist. EVC believes that this policy does not conform to either the Professional Engineers Act or to the need for accountability on the part of persons conducting these studies.

EVC is also concerned that the Ministry of the Environment does not properly understand the meaning of limited and provisional licences. EVC has requested that PEO arrange a meeting with the Ministry legal counsel and have Ministry explain their reasons for specifically excluding the LL from Brownfields regulation.

REGULATORY ANALYSES

S&R provided comments to Ministry of Labour regarding references to professional engineering responsibilities outlined in new regulations for Multi-tiered Lifts. The regulations referred only to "Professional Engineer" thereby excluding holders of provisional and limited licences. S&R provided alternative wording.

S&R continues to work with Ministry of Labour on regulations and guidelines for demolition, formwork and multi-point scaffolding.

Electrical Safety Authority (ESA)

The Electrical Safety Authority is a regulator, operating with delegated authority from the Ministry of Consumer and Business Services, like TSSA. Its powers come under the Electricity Act. It performs the function that Ontario Hydro's electrical inspection did for many years and has some additional duties.

On February 3, 2005 S&R staff met at the ESA with senior ESA staff; Judith McTavish, Vice-President and General Counsel and Peter Marcucci, P.Eng, Vice President-Regulatory Affairs to discuss the coming into force of section 7 and 8 of Regulation 22/04 on February 11, 2005. The candid meeting not only provided additional insights into the policy objectives supporting section 7 and 8, but also an opportunity for both regulators to explain their respective jurisdictions.

S&R clarified PEO's jurisdiction under the Professional Engineers Act, and explained that the statutory prohibitions at section 12 of the Act are the foundations for both the licensing



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and certificate of authorization regimes administered exclusively by PEO. S&R and ESA exchanged views as to whether section 113 of the Electricity Act provided the ESA with regulation-making powers to introduce subordinate legislation (Regulation 22/04) to modify the express statutory prohibitions at section 12(1) of the Act, and whether PEO is the only regulatory authority that may licence or authorize entities to engage in acts that fall within the practice of professional engineering under section 1 of the Professional Engineers Act.

Furthermore, S&R clarified that the term "professional engineer" is only an attribute of two statutory licences issued by PEO, namely the Licence and Temporary Licence. As such, S&R expressed a concern that the use of the term "professional engineer" at section 7(1)(a) of Regulation 22/04 has apparently excluded PEO Limited Licence and Provisional Licence holders from engaging in the practice of professional engineering. In addition, the use of the term "OR" preceding section 7(1)(b) of Regulation 22/04 purports to allow CETs and other non-licensed "competent persons" the ability to do acts reserved within the practice of professional engineering.

Section 8 of Regulation 22/04 deals with ESA's core functions in the area of electrical construction, namely: inspection and approval. ESA's stated policy was to create alternate routes to deliver inspection services in order to accomplish the ESA's public interest mandate. The term "OR" that follows section 8(2)(b) of Regulation 22/04 makes this policy abundantly clear. As such, these regulatory inspection functions are not part of the practice of professional engineering.

ESA advised S&R that the intent at section 8 was to introduce a regulatory framework to permit third parties to perform inspections of electrical installations. ESA clarified that such inspections are within their jurisdiction and that under the Electricity Act the ESA has an "Appointment power"(not used to effect section 8) therefore any person or associations recognized under section 8, are not to be considered delegates of the ESA. Hence, professional engineers or other third parties (qualified persons) doing such inspections would be deemed to be acting independently from the ESA but their inspections will be deemed approved by ESA.

The ESA agreed to prepare a summary policy document in support of their positions on the issues discussed. PEO agreed to provide suggestions to the ESA and recommend certain amendments to sections 7 and 8 of Regulation 22/04. Both groups agreed to continue to work through the issues and to inform their respective ministries.

Meeting with Attorney General's Office

On February 28, 2005, S&R staff attended a meeting with senior staff at the Attorney General's Office. The purpose of the meeting was to follow up with the concerns outlined in the December 2004 email to the AG ministry and political staff on the ESA's Regulation 22/04.

S&R provided an overview of the issues and the steps taken to date including an update of the February 03, 2005 meeting with ESA. Besides the mechanisms and options for seeking remedies via the political and legal/courts avenues, S&R raised the following points and requested:



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- direction on the process that PEO should adopt when dealing with issues related to jurisdictional conflicts introduced by other regulators or government agencies (for example, ESA, TSSA etc...)
- guidance as to who needs to be involved at the AGO and what stages
- clarification on what role and function the AGO would play in respect of regulatory “incursions” as evidenced in external legislations by the notions of “competent persons” and “qualified persons”
- clarification on the role of the AGO in support of PEO when external regulations appear to conflict with the Professional Engineers Act
- clarification on what and how PEO should proceed when issues in these areas are identified and; specifically what if any documentation is required from PEO
- input from the AGO on PEO’s role and how far it can exercise its powers when facing other government sanctioned regulatory regimes that impact on our mandate (eg. Brownfields, BRRAG, Regulation 22/04)
- guidance on whether AGO staff lawyers can provide legal opinions to PEO on matters related to whether Regulations are valid or in conflict with the PEA

The AGO staff provided the following input:

- they encourage PEO to keep them apprised of any issues of interest to PEO
- they remain as usual very receptive to issues that impact on PEO and its mandate
- they encourage PEO to continue the dialogue and to work closely with staff from external groups
- they caution that no universally applicable process/solution exists to some of the issues presented to them
- they stated unequivocally that the lawyers at the AGO only provide legal advice to the Attorney General and do not provide legal opinions to administrative bodies
- they would however, review any material including any legal opinions from PEO’s counsel to provide advice to the AG on PEO matters

The meeting concluded with a better overall understanding of both the issues related to ESA’s Regulation 22/04 and PEO’s licensing regime at section 12. In addition, AG staff committed to provide a response. They asked PEO to continue to work with the ESA and to inform them of the discussions at this meeting.

ADMISSION REVIEW HEARINGS – Current Status

Introduction:

Two years have elapsed since ‘Red Tape’ revisions to the *Professional Engineers Act* removed the finality clauses of Academic and Experience Requirements Committee’s (ARC and ERC) determinations, and thus provided additional opportunities for applicants to appear before the Registration Committee (REC). The REC now holds hearings if requested by applicants, once the Registrar has issued a notice of proposal to refuse to issue a licence, where they disagreed with the ARC and/or ERC determination of their academic or experience qualifications. The following article provides a chronology of events leading to the changes and experience to date.



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Chronology:

- Prior to the 1999 Report of the Task Force on Admissions, Complaints, Discipline and Enforcement (ACDE) and the subsequent Act changes in February 2003, only those applicants for licensure who the Registrar proposed to refuse to issue a licence based on character concerns, relating to whether or not they would practise within the law and with integrity, had the right to request a hearing of the Registration Committee (REC), a first instance tribunal. The REC had and still has the powers to:
 - i) direct the Registrar to issue a licence,
 - ii) direct the Registrar not to issue a licence,
 - iii) exempt the applicant from any of the requirements for licensure (and direct the Registrar to issue a licence), and
 - iv) direct the Registrar to issue a licence subject to such terms, conditions or limitations as they specified (Act s. 19(7)).

- November 1999: Council approved the following recommendations of the Task Force on Admissions, Complaints, Discipline and Enforcement (ACDE):
 - **4.3.1 To enable an admission appeals process, Council should seek to have subsections 14(4) and 19(2)(a) and 19(2)(b) stricken from the Act.** [Note - these sections of the Act rendered determinations by the ARC and ERC binding on the Registrar and the applicant, and exempted the requirement for the Registrar to issue a notice of proposal to refuse to issue a licence to those applicants deemed by the ARC and ERC not to meet the requirements for licensure].
 - **4.3.2 Council should direct the Registrar to establish two types of review hearings before the Registration Committee and the procedures to govern the manner in which either should take place, including determining the number of individuals before whom either of the hearings shall take place and the manner in which they are to be chosen.**

The effect of the changes was to create a review process that provides a route for appeal of ERC and ARC determinations.

- September 2001: Staff proposal for an Admission Appeal Process was presented to Council. Council approved the creation of a three person task group known as the Admission Appeal Process Task Group (AAPTG) to assist in developing a procedure for an admission appeal process.

- February 2002: Report of AAPTG was received by Council. The report described a review/appeal mechanism that would permit applicants to choose one of two options – a paper review by one member of the REC or a full hearing with a panel of three – by which they could have their case heard by a tribunal of the REC, whose decision would be final. The powers of the REC would be expanded to permit it to refer matters back to the Registrar, ARC or ERC to deal with specific matters, facilitate a new assessment or substitute previous decisions with its own decisions. The report also recommended that the applicants pay a fee of \$300 for paper hearings and \$600 for full hearings to offset administrative costs.

- March 2002: Council approved the Report of the AAPTG.



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- September 2002: Council approved the submission of proposed amendments to Regulation 941 to the Attorney General (AG) in order to implement an Admission Appeal Process.
- November 2002: Council was informed that after meetings with AG staff and McCarthy Tetrault (MT) it was concluded that, in order to effect the full intent of the Council approved Appeals Process, it was necessary to introduce changes to the Act beyond those already approved (in 2001) to implement other recommendations of the ACDE Task Force. MT had, at that point in time, fully prepared a legal text in the Regulations to implement the Admissions Appeal process approved by Council in March 2002. However, due to an oversight, this text was not cross-referenced in the Act. As a result the AGO advised that this legal text could not be accepted at that time. Two options were given; the first one was to leave the Act as is with no changes and the second option was to remove the finality of the ARC and ERC decisions clause (s.14.4) without inserting the appeal text in the Regulation. In order not to further delay implementation of the other initiatives, it was decided to opt for the latter option and request proclamation of the Act changes already approved by the government at the earliest opportunity, and defer further changes regarding the admissions appeal/review process to a subsequent government 'Efficiency Bill', hopefully in 2003.
- February 2003: Act changes were proclaimed by government, including the deletion of 14(4), 19(2)(a) and 19(2)(b).
- Proposed Act revisions to authorize the (Council approved) Admission Appeals Process were prepared by MT, introducing a new section 19.1 to parallel the existing section 19 (which outlines the operation and authority of the REC). However, these Act revisions were never implemented as the government of the day introduced no more 'Efficiency Acts' and all pending legislative revisions died pending the provincial election in the Fall of 2003.
- The Registrar directed staff to prepare for Registration Hearings under the existing legislation. The Registration Committee operates as first instance tribunal (see later) and provides a decision or order on the Registrar's Notice of Proposal (NoP) to refuse to issue a licence. A decision must be made before it can be appealed in the Divisional Court. In accordance with PEA section 31(1):

A party to proceedings before the Registration Committee or the Discipline Committee may appeal to the Divisional Court, in accordance with the rules of court, from the decision or order of the committee.

- On March 30, 2004, the Registration Committee held its first hearing at the request of an applicant to whom the Registrar proposed to refuse to issue a licence based on the determination of the ARC that he did not meet the academic requirements. The REC directed the Registrar to carry out his proposal to refuse to issue a licence.
- April 2004: The Registrar directed the Standards and Regulations Department to review PEO's licensing processes to ensure that they were aligned with the Act and Regulations. One of the findings of this review, supported by legal opinion



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from the Independent Legal Counsel (ILC) to the REC, was that hearings of the REC are 'first instance tribunals' and not appeals of prior decisions; that is, the REC panels consider requests as fresh applications for licensure in which the applicants may bring all evidence in support of their application. From this point, PEO letters to applicants and other documents have been progressively revised to eliminate use of the word 'appeal', except that under s.31(1) of the Act a party to proceedings before the Registration Committee may appeal a decision of the committee to the Divisional Court.

- June 2004: The Registrar and Standards & Regulations staff were advised by AG staff that the new government was not planning an "Efficiency Act" process.
- September, 2004: The Government of Ontario announced the appointment of former Ontario Justice George Thomson to review the regulatory community's current appeals process and to develop a set of common principles upon which to base a standard independent appeals mechanism. From informal discussions, it is understood that Mr. Thomson will be recommending an independent appeal process that would consider appeals of Registration Committee decisions, before any appeal to the Divisional Court. This is similar to the procedures of the Law Society of Upper Canada, which has an internal tribunal, and an appeal process before appeals to the Divisional Court are allowed.

Current status in PEO:

- Where applicants indicate dissatisfaction with the determination of the ARC or ERC, staff initiates a full review of the applicants' files and tries to address the concerns raised. If unresolved, applicants are given Notices of Determination (NoD) as required by PEA 14 (6):

The Registrar shall give notice to the applicant of a determination by a committee under subsection (3) and, if the applicant is rejected, the notice shall detail the specific requirements that the applicant must meet.

Applicants are also informed that once the file is complete, the Registrar may issue an NoP, which enables them to request a hearing of the REC. Applicants are provided with a chart outlining the various assessments and determinations against all of the requirements for licensure, namely:

- citizen or permanent resident of Canada (Act: s.14(1)(a))
- eighteen years of age (Act: s.14(1)(b))
- meets educational requirements (Act: s.14(1)(c), Reg. 33(1)1)
- has 48 months experience (Act: s.14(1)(d), Reg. 33(1)2)
- at least 36 months of experience after meeting academic requirements (Act: s.14(1)(d), Reg. 33(1)3)
- at least 12 months Canadian experience (Act: s.14(1)(d), Reg. 33(1)4)
- successful completion of PPE examinations (Act: s.14(1)(c), Reg. 33(1)5)
- is of good character (Act s. 14(1)(c)).

Applicants are also advised of the following, to deter them from requesting a hearing when there are clearly a number of outstanding requirements for licensure:



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“Please take notice that in accordance with s. 19 of the Act, if the Registrar issues a Notice of Proposal to refuse to issue a licence, an applicant is entitled to request a hearing by the Registration Committee. At a hearing, the applicant must demonstrate to the Committee that he/she has met **all** requirements and qualifications of this Act and the regulations (as enumerated above). The Registration Committee can direct the Registrar to refuse to issue a licence; exempt the applicant from any of the requirements of this Act and the regulations and direct the Registrar to issue a licence, or direct the Registrar to issue a licence, subject to such terms, conditions or limitations as the Committee specifies. The applicant must make a written request for a hearing within 30 days of receipt of the Registrar’s Notice of Proposal.”

- Hearings of the REC are proving to be lengthy because of the need to permit applicants to provide any and all evidence concerning their qualifications for licensure. In addition PEO needs to call members of the ARC and/or ERC to provide evidence supporting the committees’ initial assessments. Furthermore, the REC panels are finding the task of evaluating candidates’ academic and experience qualifications challenging in the absence of clearly defined criteria in Regulation 941.
- The legislated powers of the REC have not been expanded to those approved by Council in September 2002, namely to permit it to refer matters back to the Registrar, ARC or ERC to deal with specific matters or order a new assessment, substitute previous decisions with its own decisions and charge a fee of \$300 for paper hearings and \$600 for full hearings; the REC, therefore, is operating as it has since 1984, but with enhanced access from applicants. It does not have the more flexible powers envisaged, or the ability to streamline paper hearings by a single REC member.
- Rules of the REC, consistent with the *Statutory Powers Procedure Act* have been approved that permit written hearings, but applicants have not yet been informed of this possibility and none have been scheduled. Regulatory Compliance is working to establish this process and expects it to be in place by September 1, 2005. It is expected that the REC would be able to deal with several written hearings in one day.
- As of February 18, 2005, more than 8,800 determinations have been made since the Act proclamation in February 2003, and 315 applicants formally indicated their dissatisfaction with the outcome of these determinations. Staff were able to resolve 275 of these, and 40 requests for REC hearings have been received. Of these, six files have been resolved without a hearing, another seven are under review, two hearings have been completed and one is in progress. Some applicants may also be seeking exemptions to requirements.
- It should be noted that, in addition to applications for a full P.Eng. licence, the REC also deals with matters where the Registrar has issued a notice of proposal to refuse to issue a certificate of authorization, temporary licence, provisional licence or limited licence. Again with respect to these licenses and the CofA the REC, has the powers to:
 - i) direct the Registrar to issue,
 - ii) direct the Registrar not to issue,



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- iii) exempt the applicant from any of the requirements (and direct the Registrar to issue), and
- iv) direct the Registrar to issue, subject to such terms, conditions or limitations as they specified (Act s. 19(7)).

Next steps:

- REC hearings will be scheduled for the outstanding requests received, and the option of written hearings is planned for introduction in 2005.
- Council established a Licensing Process Task Force in January 2005 to review the licensing issues raised in the Registrar's Licensing Review and make recommendations. It is anticipated that the scope of this task force will include consideration of mechanisms for appeals/reviews of licence applicants as proposed by the ACDE Task Force and the AAPTG.
- The report of the George Thomson review of an independent appeals process is expected in April 2005.

Enforcement Communications Plan – Survey Results

Attached at Appendix B are the results of an Internet survey designed to gauge the effectiveness of Phase I of the Association's Enforcement Communications Plan. This phase was directed at the membership and staff, before proceeding onto Phase II.

3,557 responses were received out of approximately 37,000.

This rate is considered high for participation in online surveys and the number of members who recalled an issue of *Engineering Dimensions* two years earlier (36.4%) is excellent.

One of the troubling results was that only 52% of the membership knew the difference between discipline (action taken against members and Certificate of Authorization holders for professional misconduct); and, enforcement (actions including legal sanctions taken against non-members who may be illegally practicing or offering engineering services without the required licenses).

The awareness of PEO's "Enforcement Hotline", that can be used for anonymous reporting of enforcement-related matters (35.7% and the existence of PEO brochures, "A Guide to the Enforcement of the Professional Engineers Act" and "Glossary of Terms Used and Frequently asked Questions in the Regulation of Professional Engineering" (31.2%) are considered good.

Also on the plus side, 57.7% of those surveyed indicated that their level of satisfaction with PEO's enforcement efforts were "about right" with 20.8% indicated their level as "good".

Whilst Phase II of the programme aimed towards outside stakeholders who have involvement with the engineering profession, i.e. employers, the insurance industry, legal and accounting professionals, is to be implemented during the year 2005, continuing



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efforts will be made to inform the membership on the enforcement process and its ongoing successes.

These efforts will include highlighted reporting of enforcement actions in the Gazette and Chapter Newsletters.

PEO 2004 Audit

The 2004 PEO financial audit was completed and audited Financial Statements were prepared. The audit process was a much more thorough and detailed process, as compared to those of previous years. This was mainly due to the changes in June 2004, when the Canadian Institute of Chartered Accountants (CICA) issued Handbook Section 5135 that focuses on the reliability and integrity of the accounting principles and practices used. The audit process confirmed staff's recent effort for comprehensive documentation of PEO's internal controls and procedures.

During the months of December 2004 and January/February 2005, PEO staff in Financial Services worked closely and diligently with the Auditors to ensure that:

1. The financial information is fairly presented in conformity with Canadian generally accepted accounting principles including the appropriate disclosure of all information required by statute.
2. The financial statements are free of material errors and omissions. All transactions have been properly recorded in the accounting records underlying the financial statements.
3. Auditors have all the necessary information to express an opinion as to whether the financial statements are presented fairly in accordance with Canadian generally accepted accounting principles.
4. Auditors can plan and perform an audit to obtain reasonable assurance that the financial statements are free of material misstatement.
5. PEO has complied with all aspects of contractual agreements that could have a material effect on the financial statements in the event of non-compliance.
6. Auditors have access to all financial records and related data, minutes of the meetings of board of directors and committees, or summaries of actions of recent meetings for which minutes have not yet been prepared.
7. PEO has disclosed to auditors all known related parties and related party transactions, including guarantees and transactions for no consideration. Related party transactions have been measured and disclosed in the financial statements in accordance with Canadian generally accepted accounting principles.
8. Employee future benefit costs, assets, and obligations have been properly recorded and adequately disclosed in the financial statements including those arising under defined benefit and defined contribution plans as well as termination arrangements. That the actuarial assumptions and methods used to measure



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pension assets, liabilities and costs for financial accounting purposes are appropriate in the circumstances.

9. PEO has recorded or disclosed all liabilities, both actual and contingent, and have also disclosed all guarantees that we have given to third parties.
10. No claims or potential claims in connection with litigation have been or are expected to be received.
11. PEO has properly recorded or disclosed in the financial statements all share repurchase agreements and shares reserved for options, warrants, conversions, and other requirements.
12. There have been no events subsequent to the balance sheet date up to the date hereof which require adjustment of or disclosure in the financial statements and related notes.

PEO Internal Control System & Policies

In June 2004, the Canadian Institute of Chartered Accounts (CICA) issued handbook section 5135 that focuses on the overview for the reliability and integrity of the accounting principles and practices used. The CICA handbook requires management to establish an adequate system of internal controls and procedures and effective performance of those controls. The handbook requires implementation and operation of internal controls.

Staff at Administrative Services started documenting PEO financial processes and internal control processes and investigated improvement initiatives in early October 2004.

Policies have been developed in draft form for banking, expenditure approval, extraordinary expenditure, expense reporting, procurement, and investment with the objects of enhancing and strengthening PEO's internal control system.

After broad consultations with staff, auditors, Finance Committee, and Audit Committee, the policies will be presented to Council at the June 2005 Council meeting for its consideration and approval.

PEO Website Online Services

PEO members continue using the online services to pay their membership fees and update their change of addresses after these services were introduced in mid-February 2004.

This service was initiated based on members' requests. Introduction of this service not only increased convenience to the members, but also improved PEO's cash flow position and enhanced the association's image as a flexible and customer-focused organization that deploys advanced technologies and improves its business processes. The automation process has also improved operational processes at the



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Financial Services and reduced the costs associated with the temporary staff dealing with the manual work and cheque processing which were required in the past.

As of December 31, 2004, a total of 25,615 transactions of online membership fees were processed leading to collection of \$5.1M revenue, which is 46% of PEO's 2004 \$11.1M P. Eng. fee revenue. During the month of January 2005, the monthly online membership fee transactions reached to 2,400 which helped PEO collect \$0.5 M in membership fee revenue.

As of December 31, 2004, the total online address change transactions by members reached to 8,732 transactions since February 14, 2004. During the month of January 2005, the total monthly online address change transactions reached to 1,392.

PEO Operating Reserve

The new operating reserve policy was developed and approved by Council in January 2005 Council meeting that sets the 2005 reserve fund's lower limit at \$3.5 million and its upper limit at \$5.1 million.

The policy is supported by a detailed study on the reserve policy that was prepared by Director – Administrative Services & Treasurer and presented by President-elect Bob Goodings to January 2005 Council meeting.

The policy provides the necessary funding capacity to maintain a balance between revenue and expenditures to deal with uncertainties, future liabilities, opportunities and growth and known planned initiatives. As of December 31, 2004, PEO's operating reserve of \$6.2 million exceeds its current reserve requirements. The operating reserve was increased by \$927,000 in 2004.

Administrative Services Embarks on a New Process Improvement Initiative: Self Employed Members & Certificate of Authorization

The Document Management Center (DMC) of Administrative Services has recently established a new initiative with the collaboration of Regulatory Compliance to ensure that self-employed members are not engaging in the practice of professional engineering without a Certificate of Authorization. In some cases new applicants fill out current employment as self-employed and the business address is the same as home. DMC forwards a copy to the Enforcement Division of the Regulatory Compliance department to be reviewed. Address change notifications are also forwarded to Regulatory Compliance if self-employed is written in the Job Title and business address is the same as the home address. The employment information is reviewed by Regulatory Compliance to see if there are obvious signs that a Certificate of Authorization is required. Regulatory Compliance will call the applicant or member and ask questions about the nature of the business.



Privacy Implementation - Update

In late 2004 Administrative Services identified staff's needs for new file cabinets and spare key locks and purchased supplies to improve and establish PEO safeguards. This allowed PEO not only to comply with the requirements of the new privacy policy, but also meet staff needs.

Various forms and letter heads were redesigned to ensure PEO's compliance with its privacy policy. A brochure on the PEO privacy policy was prepared jointly with the Graphics staff of the Policy and Communications Department. The brochure was published and sent to all PEO members.

Administrative Services will be working closely with the PEO Chapter Coordinator regarding Chapters implementation of privacy training and safeguard initiatives in 2005.

PEO Bank Services and Investment Counsel Projects - Update

PEO staff at Financial Services migrated all its banking and investment activities to Scotia Bank and Scotia Cassels respectively to provide membership payment options and flexibility such as telephone banking and improve PEO's financial processes. Providing membership payment options will be a major 2005 project in the Administrative Services department.

2004 PEO Statistics

The "2004 PEO Statistics" has now been released by Administrative Services as tabulated in the following table. Growth has been experienced in most areas. Please note that despite issuing more than 2,000 licenses the number of full paying P.Engs. only increased by 336.

Category of Statistics	2003	2004	Increase (Decrease) 2003 to 2004	% of Increase (Decrease)
Recorded Engineer in Training	2,584	2,996	412	15.9%
Certificate of Authorization				
Regular	4,040	4,191	151	3.7%
Temporary	46	51	5	10.9%
Total Certificate of Authorization	4,086	4,242	156	3.8%
Designated Consultants	1,531	1,552	21	1.4%
Temporary Licences Issued				



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Category of Statistics	2003	2004	Increase (Decrease) 2003 to 2004	% of Increase (Decrease)
Canadian	0	4	4	
Non Canadian	83	98	15	18.1%
Total Temporary Licences	83	102	19	22.9%
Limited Licences				
Applications	0	0	0	
Issued	0	26	26	
Membership Licence				
Applications Received	3,461	3,850	389	11.2%
Members on Register Summary				
Full Fee Members	54,655	54,991	336	0.6%
Partial Fee Remission - Retired	10,333	10,776	443	4.3%
Fee Remission - Health, Post Graduate and Others	673	1,065	392	58.2%
Total Membership	65,661	66,832	1,171	1.8%
Female Members (Included in the Total Membership)	4,288	4,574	286	6.7%

Accommodation Task Force

With the help from staff at Administrative Services, the representatives of CB Richard Ellis (CBRE) interviewed PEO President, President-elect, and members of senior management team. Consultation with the other staff and volunteer members are expected to be completed by middle of March 2005.

An accommodation plan will be presented at the June 2005 Council meeting to help PEO meet its occupancy needs prior to December 31, 2009 when the present lease terminates.



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Finance Committee

The Finance Committee met on February 21, 2005 and reviewed the draft financial statements. The committee requested Daria Babaie, P. Eng. – Director Administrative Services & Treasurer to prepare and publish a Q & A document for distribution at the AGM, as was done last year. The committee felt that such initiative was very effective last year and would improve communications with the membership. The committee members discussed a set of questions related to the operating reserve policy, 2004 surplus, and 2005 – 2009 PEO Strategic Plan.

A list of questions will be prepared and circulated to senior staff and Councillors for their input.

Finance committee moved the following motions:

Moved by R. Gupta, the Finance Committee moves to receive the 2004 Financial Statements, seconded by K. Lopez.

CARRIED

Moved by K. Lopez, the Finance Committee moves to commend and thank the CEO and his staff for the hard work and innovative approach undertaken in 2004 with regard to financial matters, seconded by R. Gupta.

CARRIED

Moved by K. Lopez, the Finance Committee moves that one Expense policy that applies to everyone across the organization, is a sound business practice, seconded by B. Goodings.

CARRIED

Audit Committee

Audit Committee met on February 24, 2005 and reviewed the Financial Statements ending December 31, 2004. Auditors presented and discussed findings and the report to the Audit Committee. Financial Statements will be presented at the March Council meeting.

Audit committee moved the following motions:

Moved by N. Hill, the Audit Committee moves to recast the PEO Financial Statements in order to re-allocate the cost of Employee Future Benefits, from the Human Resource department into Staff Salaries and Benefits. In addition the Audit Committee also moves to re-allocate cost of severance packages into Staff Salaries and Benefits as well, seconded by D. Dixon.

CARRIED

Moved by N. Hill, the Audit Committee recommends that Council should not consolidate the Chapter accounts into the PEO Financial Statements as they are considered to be individually insignificant, and seconded by D. Dixon.

CARRIED



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Moved by N. Hill the Audit Committee recommends that Council re-appoint Deloitte for PEO's 2005 annual audit process, seconded by D. Dixon.

CARRIED

PEO-OSPE Joint Review Committee (JRC)

It was agreed at the January 13, 2005 meeting of the JRC that the committee minutes would be distributed to PEO Councillors in the in-camera agenda package.

Summary Report – CCPE Board of Directors Meeting, February 12, 13, 2005

- *From Consideration to Integration (FC2I):* M. Lemay would be making a presentation to the House Standing Committee on Citizenship and Immigration (CIC) this week to discuss foreign credentials issues. As the organization now moves forward with the implementation of the recommendations of Phase II, an oversight steering committee will need to be established after the May meetings.
- *CEAB Report on ABET Review:* The report was sent to the task force for review. The report is expected to be fact checked and recommendations developed by mid-year.
- *CCPE – AUCC Agreement:* As the moratorium against CCPE taking legal action against universities misusing the term “engineering” in a non-engineering program expires in July 2005, the Board of Directors will be asked at the May meetings to endorse that CCPE continue to monitor the situation and not proceed at that time with any legal action. Consultation with the constituent members should take place prior to the May meetings.
- *Research Committee Report on Emerging Disciplines.* The committee came to a consensus that CCPE should put forward positions on emerging areas along with recommended actions. The Board approved that after receiving the report on selected emerging disciplines, CCPE should make a statement on whether the area under study is deemed to be a discipline or specialty of engineering, is still under development or is not engineering, as well as distribute the Report on Emerging Disciplines.
- *Research Committee Enrolment Report:* This report was presented as information and some discussion took place regarding the data included in the reports and the process for putting the report together.
- *International Committee Report on Chile:* The Board approved that the CCPE International Committee be empowered to re-visit the file on a potential Mutual Recognition Agreement with Chile and that recommendations be brought back to the Board of Directors. A letter will be sent to the Minister of International Trade as soon as possible informing him that CCPE is re-visiting the file and gather information.



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- *Approach to Mutual Recognition Agreements (MRAS) Discussion:* The CCPE Board approved the CEIB Transition Plan at its September 7-8, 2002 meeting which included a recommendation for “pursuing no MRAs at the full professional level (excluding the NAFTA MRD implementation) unless requested by the Constituent Members”. CCPE has since been approached by the Federal Government, as well as other countries, to develop MRAs. The Board approved that the International Committee have the authority to bring recommendations on requests for Mutual Recognition Agreements (MRAs) based on an assessment framework outlined in CCPE International Committee – Framework for Assessing Requests for Mutual Recognition Agreements, to the Board of Directors for consideration and approval.
 - *Quality-Based Selection (QBS) Position Development:* The Government Relations (GR) Committee presented a position that would be used in COPE’s government relations’ efforts with the federal government. As per the process used to develop the position statement, the Board agreed that the GR Committee send the draft position summary to constituent members for their comments.
 - *Strategic Plan Process Update:* Comments on the plan from the constituent members were received by the Board members. The comments for inclusion in the final document were reviewed and will be circulated prior to the AGM for approval at the AGM.
 - *Response to Letter from G. Comrie and Recommendations from the Member Services Task Force:* The task force established to review the request that OSPE be granted observer status at future CCPE meeting concluded that at this specific time OSPE be invited to attend the CCPE annual meetings as a guest, and in this capacity bring greetings to the delegation. The definition of observer and guest were determined as follows: Observers are constituent member representatives who sit behind their Board representatives and have been allowed to participate in meeting discussions and debates. Guests (i.e., ACEC, NCEES, etc.) are representatives of national and international organization who sit in at meetings and have an opportunity to bring greetings to the Board. OSPE will be invited to attend the CCPE 2005 meeting as a guest and a letter will be sent to G. Comrie from D. Danyluk in response to his letter and subsequent email stating the outcome of this meeting.
 - *Public Infrastructure Vulnerability Committee:* The Board approved the recommendation of the Executive Committee to appoint D. Danyluk as Chairperson of the Public Infrastructure Vulnerability Committee. A proposal to create this committee and Expert Working Groups and fund a secretariat to be operated by CCPE was accepted by National Resources Canada in late December 2004.
 - *Committee Appointment:* The Board approved the nominations to the CEAB and CEQB.
-



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CCPE Consolidated Annual Survey

Attached at Appendix A are the results of the IAMA Survey 2004. The SLG are working to remove the actions that may invoke the not-withstanding clause of the agreement and develop a common application form.

Ontario Real Estate Council of Ontario and Mandatory Courses

The Real Estate Council of Ontario (RECO) implemented mandatory continuing education (MCE). In a recent release they stated, "The real estate marketplace is constantly changing and we need to keep our skills up-to-date in order to succeed. By ensuring that we maintain and enhance our skills, we will continue to build consumer confidence and trust in our profession."

All members are required to complete a minimum of 24 credit hours every two years including the mandatory "RECO Real Estate Update" (six credit hours), specialty designation courses (three to six credit hours) and self-selected courses/seminars (the balance of the 24 hours).

Ontario Real Estate Association (OREA) Continuing Education courses are offered by individual real estate boards throughout Ontario, in conjunction with OREA. Courses are offered in three ways: e-learning, classroom and correspondence. Online courses are very affordable and cost about \$15/credit hour.

Staffing Update

January 4, 2005: Donna Piccinin-Craig, P.Eng. joined the Policy and Communications Department. Donna is responsible for providing direction, coordination, consultation and support to all 38 chapters which includes organizing chapter events, providing training, answering questions from chapter executives and providing advice to them with respect to chapter issues, procedures, processes and preparation of business plans. Donna will also assist with some PEO committees.

Upcoming Meetings

At PEO (Unless otherwise noted)

- Government Affairs Committee (GAC) - March 16th
- Complaints Committee (COC) - March 21st
- PEO-OSPE Joint Review Committee (JRC) - April st
- Enforcement Committee (ENF) - April 26th
- Environment Committee (EVC) - March 31st
- Professional Standards Committee (PSC) - April 5th
- Chapter Leaders Conference - April 15, 2005 (London, ON)
- Annual General Meeting/Council - April 16, 2005 (London, ON)



**CCPE 2004 NATIONAL MOBILITY AND INTERNATIONAL MUTUAL
RECOGNITION AGREEMENTS SURVEY**

Association: Professional Engineers Ontario **Date:** February 23, 2005

New for 2004

1. How many applicants for membership did your Association/Ordre receive in 2004? (this includes new applicants and IAMA applicants). Please provide the total number for 2004 as well as a breakdown of how many were CEAB graduates and International Engineering Graduates (IEGs).

Number of Applicants: 4,091

CEAB Grads: 1,656 IEGs: 2,435

Part A- Inter-Association Mobility Agreement

Questions:

2. How many people applied to your Association/Ordre under the IAMA agreement in year 2004 for transfer of license or getting an additional license but not transferring? Please provide the total number for year 2004 as well as a breakdown by home province and discipline if possible.

Number of Applicants: 272

By province: **N/A** By discipline: **N/A**

3. How many applicants were registered under the IAMA agreement without invoking the Notwithstanding Clause (NWC)? **269**

4. In year 2004, what was the total number of applicants for which the notwithstanding clause (NWC) was invoked? Please provide the total number as well as a breakdown by home province and discipline if possible.

Number of Applicants where NWC invoked: **3**

By province: By discipline:

Quebec 1 Chemical 2



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B.C.

2

Civil

1

5. Please detail on a case-by-case basis the reasons for invoking the NWC.

In all three cases the reason was that the PPE was never written before.

6. Do you have any further suggestions on how to reduce the use of the NWC, and specifically to any of the reasons you have used this year?

Wider acceptance of the PPE. However, this is not easy considering that in provinces like Quebec, no CEAB graduate had to write the PPE prior to 1994 and that NB depends on external controls for their PPE.

7. Any other comments?

The IAMA together with the NWC have served us well.

This completes Part A of the survey.



Part B- International Mutual Recognition Agreements

1. A) Please indicate the number of applicants processed under each of the following international agreements in your admissions process in year 2004 without invoking additional academic requirements (e.g. examinations)?

ABET Agreement: **24**

Washington Accord (by country)	U.K.:	7
	Ireland:	NONE
	Australia:	NONE
	New Zealand:	NONE
	Hong Kong:	NONE
	South Africa:	NONE

France (CTI) Agreement: **This Agreement has not been ratified by PEO.**

NAFTA MRD (years of experience): **Does not exist.**

Hong Kong Institution of Engineers (HKIE) MRA (full professional level): **We cannot sign agreements at the full professional level due to the Canadian experience requirement.**

B) List the top three disciplines of applicants processed under each agreement in year 2004.

ABET: **Electrical, Civil, Mechanical**

Washington Accord (by country)	U.K.:	Electrical, Mechanical, Civil
	Ireland:	NONE
	Australia:	NONE
	New Zealand:	NONE
	Hong Kong:	NONE
	South Africa:	NONE

France (CTI): **N/A**



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NAFTA MRD: N/A

Hong Kong Institution of Engineers (HKIE) MRA (full professional level): N/A

2. Please indicate which international agreements have reduced the time and procedures required to process an application (and how it has), and provide a general indication of the average length of time reduced to process applicants under each agreement.

In 2004, PEO received 2,435 applications from foreign-trained applicants and granted licences to 1,026 foreign-trained engineers. Our database is not set up to capture the level of detail of the information requested. In addition, PEO has not ratified the CTI Agreement while the NAFTA MRD Agreement does not exist.

3. Please indicate your top three reasons for invoking additional requirements i.e. examinations under each of the five agreements in year 2004.

ABET	1.	Advance Credits.
	2.	Lack of breadth and depth of engineering content.
	3.	Unaddressed failures.
Washington Accord (generally)	1.	Advance Credits.
	2.	Lack of breadth and depth of engineering content.
	3.	Unaddressed failures.
France (CTI)	1.	
N/A	2.	
	3.	
NAFTA MRD	1.	
Does not exist.	2.	
	3.	
HKIE MRA	1.	
	2.	



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3.

4. From applicants you have seen, are there any clarifications or more information about any of the agreements you would like?

Details of the education system in each of the countries covered by those agreements.

5. For the France (CTI) agreement, have you recognized pre-graduate experience of applicants?

N/A

6. Do you have any other comments or suggestions about these agreements or what you would like to see in future agreements?

We would prefer university and program-specific agreements, including a formalized approach by CCPE. We insist that CCPE's international activity be limited to academic agreements, excluding the full professional level.

7. Please list the top five countries that you received applications from in 2004 and how many applications were received.

	Country	# of Applications
a.	India	600
b.	China	321
c.	Pakistan	201
d.	Iran	198
e.	Romania	148

Thank you for your time to complete this survey. CCPE will prepare two separate reports on the national mobility agreement and international agreements, and will provide final versions to all of you once the CEQB and the IC (International Committee) review the reports.



1. Did you read the Jan/Feb 2003 Edition of "Engineering Dimensions" focussing on Enforcement issues?

	Response Percent	Response Total
Yes	36.4%	1294
No	63.6%	2262
Total Respondents		3556
(skipped this question)		1

2. Are you aware of the PEO Enforcement Hotline which can be used for anonymous reporting of enforcement related matters.

	Response Percent	Response Total
Yes	35.7%	1267
No	64.3%	2285
Total Respondents		3552
(skipped this question)		5

3. Do you know the difference between Discipline matters and Enforcement matters?

	Response Percent	Response Total
Yes	52.9%	1878
No	47.1%	1671
Total Respondents		3549
(skipped this question)		8

4. Do you read the summaries of enforcement action taken by PEO which are published in "The Gazette"?

	Response Percent	Response Total
Always	20.1%	712
Sometimes	66.8%	2368
Never	13.1%	465
Total Respondents		3545
(skipped this question)		12

5. Please indicate your level of satisfaction with PEO's current enforcement activities

	Response Percent	Response Total
1. Good	20.8%	735
2. About right	57.7%	2036
3. More action required.	21.5%	759
	Total Respondents	3530
	(skipped this question)	27

6. Are you aware of the following PEO proactive enforcement activities?

	Yes	No	Response Total
a) Ongoing review of Yellow Page advertising?	22% (718)	78% (2598)	3316
b) Review of newspaper job advertising and construction reports?	26% (872)	74% (2438)	3310
c) Website reviews of companies who may be advertising professional engineering services?	24% (790)	76% (2513)	3303
d) Review of new corporate names registered in Ontario containing the term "Engineering" or "Engineers"?	47% (1547)	53% (1763)	3310
e) Review of Ontario licence status of engineers residing in Ontario who are members of other provincial engineering associations	38% (1243)	62% (2062)	3305
f) Government and corporate initiatives: meetings to educate these stakeholders of our regulatory mandate?	44% (1439)	56% (1854)	3293
		Total Respondents	3318
		(skipped this question)	239

7. Are you aware of the PEO brochures "A Guide to the Enforcement of the Professional Engineers Act" and "Glossary of Terms Used & Frequently asked questions in the Regulation of Professional Engineering"?

		Response Percent	Response Total
Yes		31.2%	1088
No		68.8%	2401
		Total Respondents	3489
		(skipped this question)	66