



GLP Notes 3.0 - Status of Changes to the *Professional Engineers Act* Issued March 2012

The *Open for Business Act* (formerly Bill 68) is a piece of omnibus legislation that made changes to many existing statutes including the *Professional Engineers Act* (PEA)

The *Open for Business Act* received Royal Assent on October 25, 2010. That Act contained 66 amendments to the PEA. Of those, 26 were identified as coming into force on a day to be named by proclamation of the Lieutenant Governor and therefore were not immediately in force. Those amendments are still awaiting proclamation.

There is no action to be taken by GLP on these since the legislature has approved the *Act* and all the amendments asked for by PEO were included. Most of the amendments awaiting proclamation will be proclaimed after PEO and the government have completed work on the regulations that flow from these changes to the PEA. These amendments pertain to changes to licensing qualifications and processes, the make-up and powers of the Complaints, Discipline and Registration committees, the structure of the Certificate of Authorization regime, the creation of discipline specific seals, engineering interns, and certain administrative issues such as fees for testing.

The regulations associated with the amendments to the PEA are being drafted and going through review by the government's Legislative Counsel. The regulations are very complex and have been through numerous revisions in order to clarify their meaning. Each iteration must be reviewed by PEO's Legislative Committee, which will ultimately recommend a final version to PEO Council for approval. We expect that once the

regulations are approved by Council, Cabinet should approve them without any issue, after which they are filed by the Registrar of Regulations to come into force.

One of the amendments to the PEA that still needs to be proclaimed is the repeal of the Industrial Exception. There are no regulations associated with this amendment. The delay in proclaiming this section is due to a need to inform the public, particularly industrial firms, about the impact that the repeal will have. PEO has a staff member who is engaged in educating stakeholders. PEO is also preparing a Compliance Toolkit that will explain what industrial firms will need to do to comply with the requirements of the *Professional Engineer Act*. The GLP could be involved in assisting PEO to inform and educate these industrial firms about the upcoming repeal of the exception, alongside PEO's task force and staff efforts.

Key points:

- The *Open for Business Act* received Royal Assent on October 25, 2010.
- There are still 26 of the 66 amendments awaiting proclamation.
- No action required by the GLP since the regulations are currently being worked on and approval by Cabinet is expected once complete.
- GLP could be involved in assisting PEO to educate industry about the upcoming repeal of the Industrial Exception. A compliance toolkit will be available to help.