



January 2014

GLP Notes 9.0 – Electrical Safety Authority Issue 1

Conflict with *Professional Engineers Act* regarding authority to prepare drawings for electrical systems

PEO objects to the Electrical Safety Authority allowing unlicensed individuals to perform work that falls within the scope of the *Professional Engineers Act* (PEA). In the Electrical Distribution Safety Regulation (O. Reg. 22/04), PEO interprets section 7(1)(b) as being in conflict with the PEA.

Reference:

http://www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_98e15_e.htm

Section 7(1)(a) allows design related to electrical distribution systems based on standard drawings or specifications to be performed by an engineering technologist certified by the Ontario Association of Certified Engineering Technicians and Technologists (OACETT) or by another competent person.

This authorizes people other than licensed engineering practitioners to prepare designs for electrical systems.

Position Taken by Local Utilities

Local utilities have argued that assembling standard drawings does not involve the practice of professional engineering. They believe the work can be done by non-licensed people. PEO argues that assembling standard drawings is an act of designing, as it directs construction of a new project. PEO believes that selecting the appropriate

standard drawings or specifications requires the application of engineering skills and judgments.

Court Decision Sets Precedent for PEO Position

The 2007 court decision in which PEO successfully challenged the Ontario Ministry of Municipal Affairs and Housing confirmed PEO's position that the PEA is the only legislation that governs design involving the application of engineering principles where safeguarding public well-being is involved.

PEO maintains that creating a drawing for an electrical system, even when prepared by assembling a document from standard drawings and/or specifications, is design involving the application of engineering principles to safeguard public well-being, and so must be done by a licensed engineering practitioner under authority of the PEA.

PEO has received proposed amendments (undated) to the Electrical Distribution Safety Regulation (22/04), in which appropriate sections have been revised to remove reference to who may prepare drawings. This change is acceptable to PEO. However, it appears that these proposed amendments have not proceeded forward, and it has been several years since PEO first became aware of them.

PEO Actively Monitoring

PEO is monitoring and actively in discussion with Ministry of Consumer Services officials to confirm these changes.

For info only. No GLP action required.