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THE DEPARTMENT OF THE REGISTRAR, PEO

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Registrar's 1997 Accountability Report *Complaints, Discipline and Enforcement*

Enforcement

Enforcement is the action that the association takes against individuals and companies who violate sections 12 and 40 of the Professional Engineers Act. Section 12 states that anyone practising engineering in Ontario must be licensed, and that anyone offering engineering services to the public must not only be licensed, but must also have a Certificate of Authorization (C of A). Some exemptions to these requirements are also listed in the Act.

Section 39 makes provision for the association to get an injunction by applying to an Ontario Court judge for an order directing compliance with the Act. In other words, an order that compels the individuals or companies to stop what they are doing. This is done through an application with supporting affidavits, and is more commonly known as a "cease and desist order."

Section 40 of the Act makes provision for the association to take action by way of trial in the Provincial Offences Court, in which evidence is presented through witnesses. Section 40 also lists restrictions on the use of engineering titles, and says that persons are guilty of an offence if they:

- (a) use the title "professional engineer" or an abbreviation or variation as an occupational designation;
- (b) use a term, title or description that will lead to the belief that the person may engage in the practice of engineering; or
- (c) use a seal that will lead to the belief that the person is a professional engineer.

Section 40 also lists similar restrictions for those entities that do not have a C of A.

Table 1 indicates that the number of enforcement files opened in 1997 was much greater than in previous years. This large increase is due to an ongoing initiative to have applicants for licensure not use the term "engineer" in their job titles until such time as they are licensed. The status of this project and the ongoing *Yellow Pages* project are detailed on the following pages.

In addition to the *Yellow Pages* project and enforcement initiatives related to applicants, PEO continues to investigate and take action on matters reported to it by PEO members and others. Items that fall into this category are the use of the term "engineer" by Banyan, Novell,

Table 1. Enforcement activities

Action	1992	1993	1994	1995	1996	1997
Letter	27	166	274	162	532	1070
Investigation	34	25	58	27	32	30
Legal	10	10	6	3	4	5
Trials	2	3	1	5	4	0
Injunctions	2	1	3	4	3	10

Microsoft and other software companies. The association will take action against any company whose misuse of the term “engineer” may lead to the belief that a person using the term is a professional engineer.

To date the association has taken action against the following companies:

Banyan

PEO negotiated with Banyan Systems to have them delete reference to the term “engineer” in their training materials. Banyan offered a course which resulted in participants using the term “Certified Banyan Engineer.” The course material was revised and replaced with “CBE” with no reference to the term “engineer.”

Novell

Late in 1991, the association became aware that the term “Certified Netware Engineer” (CNE) was being used in Ontario by Novell Canada Limited and various computer education centres.

PEO first commenced court action against Novell and the education centres. Subsequently, we entered into negotiations with Novell Canada to have them delete references to the term “engineer” in their training course materials. Negotiations included the other provincial professional engineering associations as well as the Canadian Council of Professional Engineers (CCPE).

A proposal, which includes deletion of any reference to the term “engineer,” was agreed to by all of the provincial associations and CCPE on July 17, 1997. The proposal was then forwarded to Novell, and we are awaiting a response.

Microsoft

We wrote recently to Microsoft Canada Inc. advising them of PEO’s mandate and informing them that, in our opinion, the use of the terms “Microsoft Certified Systems Engineer” and “Microsoft Certified Professional Systems Engineer” violate Section 40 of the Pro-

fessional Engineers Act. We also advised them that the Federal Registrar of Trademarks has given public notice of the adoption and use by CCPE of the marks “engineer” and “engineering.”

We asked that Microsoft replace the current terms “Microsoft Certified Systems Engineer” and “Microsoft Certified Professional Systems Engineer,” so as not to violate the Professional Engineers Act and trademark legislation. We are awaiting a response from Microsoft.

Table 1 also indicates a large increase in the number of injunctions in 1997, which is due to the *Yellow Pages* initiative. The injunction route has proved to be a speedy and cost-effective way to obtain compliance with the Act. In most cases, a substantial amount of the costs of the actions are recovered from the defendant. Readers are kept apprised of the results of enforcement injunctions and trials through regular reporting of the results in the *Gazette*.

Another 1997 enforcement initiative involved corresponding with companies who advertise engineering positions, while not listing licensure with PEO as a requirement. We are continuing to monitor feedback on this initiative and will report on the results.

In an effort to ensure that companies applying for a C of A, as well as our current holders, are aware of PEO legislation regarding “advertising,” including permission to use the title “Consulting Engineers,” staff prepared a guideline setting out the rules of advertising and provided same to our Professional Practice department for distribution.

In last year’s accountability report, it was noted that PEO wrote to the Ministry of the Attorney General regarding its failure to collect fines being imposed by the courts in enforcement prosecutions. The response received was that the government has implemented a pilot project to privatize the process of collecting fines. We have not yet seen any results, but will continue to monitor the situation and report any progress.

Year	No. of directories received	No. of listings checked	No. of offenders
1996	114	4128	168
1997	103 (11 outstanding)	4139	190

Yellow Pages project

The *Yellow Pages* project was initiated by the association in an effort to ensure that those companies who advertise under the headings of “Engineers” and “Engineers–Consulting” in the *Yellow Pages*, and who are in effect offering engineering services to the public, are holders of a C of A from PEO. The *Yellow Pages* project has resulted in increased awareness of the association and the C of A program. It has also resulted in 45 engineering companies applying for and obtaining a C of A during 1996 and 1997.

Tele-Direct issues approximately 114 *Yellow Pages* directories during the course of a year. As of December 31, 1997, Tele-Direct had provided PEO with 103 directories.

In 1996, PEO managed the *Yellow Pages* project by writing directly to all of the companies without a C of A that were using the term “engineering” in their names to request compliance with the Professional Engineers Act. In December 1996, PEO and Tele-Direct agreed on a new process, in which PEO forwards to Tele-Direct the names of identified *Yellow Pages* offenders. Tele-Direct then forwards the names of these companies to its sales representatives, who contact the companies to advise them that they cannot be listed under engineering categories. In 1997, we provided Tele-Direct with the names of 190 offenders. In 1998, we intend to review whether or not this effort was successful by checking for repeat offenders.

We also wrote directly to 19 of the 190 companies without a C of A licence that were using the term “engineering” in their names. To date, two companies have obtained a C of A. We are currently speaking with the principals of 10 other companies regarding their obtaining a C of A. In addition, seven companies have either changed their name to delete “engineering” or have gone out of business. Thirteen files from previous years were forwarded to our legal counsel for action, and the remainder were closed.

Applicants

With the addition of Linda Davis to our enforcement staff in 1997, we have been able to address actively the issue of applicants for licensure using “engineering” titles. During 1997, PEO initiated an enforcement program wherein we write to both applicants and employers concerning the use of the term “engineer” in applicants’ job titles prior to their becoming fully licensed. The application form lists the restrictions on title. However, many applicants still misuse the “engineer” title. In many cases, this is due to the fact that

they are given the title by their employer.

It is our objective to educate employers and applicants on the requirements of the Professional Engineers Act and to enforce the requirements of the Act. We have provided information regarding PEO legislation to enable companies to change or reinforce policy so that the title “engineer” is given only to those licensed by PEO.

The response from both applicants and corporate human resources departments has been extensive and very positive. During the period from January to December 31, 1997, 1042 letters were written, which resulted in the following:

- ◆ 475 applicants provided satisfactory title changes, and their files were closed;
- ◆ 228 files were resolved and closed by having the employer implement policy changes; and
- ◆ 339 files remain open. (A total of 242 of the letters related these files were mailed in November, just prior to the postal strike, and in December. We are awaiting responses.)

PEO’s correspondence with 100 companies employing applicants for licensure resulted in 54 companies taking action to revise the job titles in question. Forty-seven of these companies have advised PEO that they have implemented a corporate policy on “engineering” titles that complies with the requirements of the Professional Engineers Act. Two companies have advised PEO that they are unwilling to comply. We are currently in various stages of negotiation with the remaining 44 companies.

No further action will be taken with the two non-complying companies at this time. However, they have been advised that PEO will take further action, if we receive evidence to suggest that the engineering titles being used have led someone to the belief that the person is a professional engineer.

In 1997, PEO arranged to include a specific message to employers in the *Ontario Engineer’s Salary Survey of Employees* concerning the use of “engineering” titles. This message was also included in the September/October 1997 issue of **Engineering Dimensions**. Twenty-four telephone calls were received from readers wanting to learn more about PEO legislation. Feedback recorded from members indicates that they feel this is an important effort by PEO.

A total of 120 telephone inquiries were received from companies and individuals wanting to learn more about legal requirements respecting the use of “engineering” titles. Sixty-two of the individuals who called were provided with a written response giving further explanation. The major

benefit of this effort has been the positive dialogue with engineering employers and increased awareness of the requirements of the Act among employers.

Complaints and discipline

The action that the association takes against members is called complaints and discipline. The sections of the Act relevant to complaints and discipline are sections 24-30. These sections define the role of the Complaints Committee, the Complaints Review Councillor, the Discipline Committee including a definition of professional misconduct, and the appeals process, which is to the Divisional Court.

Table 2 indicates the activity in the complaints process at the stages before Discipline Committee involvement. The number of inquiry files opened in 1997 was similar to that of 1996. The number of files proceeding to the investigation level was less than in 1996. Any file that proceeds to the Complaints Committee must first pass through the "investigation" stage.

In 1997, we worked to clear the carryover of investigation files from previous years. This resulted in less files moving to the investigation stage in 1997. As reported to Council in 1996, staff continues to move less technical complaints through to the Complaints Committee in a more timely fashion.

In previous years, staff would have had extensive and prolonged communication with complainants in an effort to obtain evidence of professional misconduct. In many of these cases, the only evidence available was the com-

plainant's version of what happened to them.

For a number of cases in 1996 and 1997, we advised the complainant that they could provide information directly to the Complaints Committee. This step was taken because our earlier efforts to assist the complainant were frustrating both the complainant and the process, and were not achieving the desired results. The forwarding of several cases more quickly to the Complaints Committee resulted in an increased workload for the committee in 1996 and 1997. Its workload was also increased by several highly detailed complaints requiring extensive review of a large number of documents.

To date, the Complaints Committee appears to find this workload manageable. Part of the operating procedures of the Complaints Committee requires an annual review of its past year's cases, as well as a review of the past year's discipline cases (hearings and stipulated orders are covered later in this report). The committee also provides its own annual report to Council. Of the 30 complaints dealt with by the Complaints Committee in 1997:

- ◆ 15 were dismissed;
- ◆ four resulted in members being sent a letter of advice;
- ◆ three were referred to the Discipline Committee; and
- ◆ eight were referred to discipline via stipulated order.

The Complaints Committee made greater use of its option to refer matters to stipulated order in 1997. The stipulated order process is proving to be a useful tool for the Complaints Committee, since it allows less serious complaints to be dealt with in a more efficient manner for both the association and the member.

The Complaints Review Councillor (CRC), Alawi Mohideen, LLB, was asked to review the processing of two complaints in 1997. He also reported on two complaints that were carried over from 1996. The status of the four complaints considered by the CRC is as follows:

- ◆ One report was included in the June 1997 Council agenda package. It recommended that the complaint be referred back to the Complaints Committee for further consideration. As a result, the Decision and Reasons of the Complaints Committee

Table 2. Complaints activities

Activity	1992	1993	1994	1995	1996	1997
Inquiries	72	64	47	77	97	99
Investigations	23	26	37	34	57	29
Complaints Committee	26	29	21	19	35	30
Complaints referred to discipline	13	9	8	5	9	3
Complaints referred to discipline via stipulated order	0	0	2	5	2	8
Complaints Review Councillor	1	4	5	0	4	2

were revised to take into account the concerns raised by the CRC. The Complaints Committee's Decision on the outcome of the matter did not change. Both the complainant and the member were advised of the process, as well as the outcome of the review.

◆ A second report presented to Council in November 1997 concluded that procedurally the complaint was dealt with in accordance with the Professional Engineers Act.

◆ Two other reports received in November 1997 and January 1998 were presented to Council in February 1998. The reports concluded that procedurally the complaints were dealt with in accordance with the Professional Engineers Act.

Discipline

Table 3 indicates the level of activity for discipline hearings and stipulated orders in 1997. Five hearings were held, which totalled 11 hearing days. The number of hearing days that took place in 1997 was less than planned, due to one hearing being postponed pending a judicial review.

We had eight matters referred to discipline via stipulated order in 1997. Since the stipulated order process was implemented, there have been 17 complaints referred to stipulated order, of which:

- ◆ four have resulted in completed orders;
- ◆ five have resulted in full hearings, which have been completed;
- ◆ one has resulted in a completed stipulated order, which was also placed before a panel of the Discipline Committee to allow the committee to monitor a practice inspection that was ordered; and
- ◆ seven are currently being processed.

Decisions in stipulated orders and discipline hearings ordered to be published by the Discipline Committee appear in the *Gazette*.

The Discipline Committee as a whole is provided with detailed information on the past year's discipline matters, and discusses each case at its annual meeting.

Table 3. Discipline activities

	1992	1993	1994	1995	1996	1997
Number of hearings	4	9	8	6	7	5
Number of hearing days	5	14	22	21	24	11
Number of engineers involved	4	9	10	6	7	5
Number of completed stipulated orders	0	0	0	3	0	1

Other Hearing Activity

The activities of the association also include:

- ◆ registration hearings for applicants and past members who have been refused membership by the Registrar;
- ◆ reinstatement hearings for past members who have had their licence revoked as a result of disciplinary action;
- ◆ appeals of past Discipline Committee decisions;
- ◆ requests for judicial review; and
- ◆ matters that were resolved without a hearing.

Table 4 indicates that in 1997, there were no registration or reinstatement hearings. Two appeals were initiated by members, as well as one request for a judicial review of a decision of the Discipline Committee.

The association is currently dealing with three appeals and the results of the judicial review. Over the past six years, five appeals have been made for the 39 discipline hearings that were held. Of the five, two were dismissed by the courts, and three are ongoing.

Table 4. Other Hearing Activity

Activity	1992	1993	1994	1995	1996	1997
Registration hearings	1	1	2	0	3	0
Reinstatement hearings	1	0	0	2	0	0
Appeals	0	0	1	0	2	2
Request for judicial review	0	0	0	0	0	1
Resolved/no hearing	4	0	3	1	0	0

Peter S. W. Lo, P.Eng.

A member of the Association of Professional Engineers of Ontario

The Association of Professional Engineers of Ontario and Peter S. W. Lo, P.Eng.

Decisions and Reasons

A panel of the Discipline Committee of the Association of Professional Engineers of Ontario met in the offices of the association on July 28, 1997, to hear allegations of professional misconduct against Mr. Peter S.W. Lo, P.Eng., (hereinafter referred to as "Lo").

Michael Royce of Lenczner Slaght Royce Smith Griffin appeared as legal counsel for the association. Lo did not attend the hearing, nor was he represented by counsel.

The hearing arose as a result of Lo's involvement in the theft of \$2,000,000 in Government of Canada bearer bonds from his employer.

The allegations of professional misconduct set out in Appendix "A" to the Notice of Hearing and filed as an exhibit are summarized as follows:

Appendix "A"

1. Lo was at all material times a member of the Association of Professional Engineers of Ontario.
2. Lo was employed as a messenger by a financial firm in Toronto, Ontario from September 1988 until on or about October 31, 1988, when he resigned from the employment. Several days later, \$2,000,000 in Government of Canada bearer bonds, the property of his employer, disappeared during the course of a transaction in which Lo was involved.
3. Lo returned to Vancouver after his resignation and began cashing the coupons from the said bonds with the result that, between March 1989 and September 1991, he collected some \$600,000 in cash by the sale of these coupons.
4. In December 1991, the bonds in question

were found in Lo's possession, at which time he was arrested and subsequently convicted on or about June 1, 1993, of the following charges:

- a) Between the 1st day of February 1989 and the 7th day of December 1991, at or near the City of Vancouver, in the province of British Columbia, he had possession of 20 Government of Canada bonds of a value of \$2,000,000, the property of his employer, a value in excess of \$5,000, knowing that the said property was obtained by commission in Canada of an offence punishable by Indictment, contrary to Section 355(a) of the Criminal Code;
 - b) between the 1st day of February 1989 and the 1st day of October 1991, at or near the City of Vancouver, in the province of British Columbia, he did by deceit, falsehood or other fraudulent means defraud his employer of money, of approximately \$600,000, by cashing coupons to the Government of Canada bonds that he was not lawfully entitled to, contrary to Section 380 of the Criminal Code; and
 - c) between the 27th day of November 1991 and the 6th day of December 1991, at or near the City of Vancouver, in the province of British Columbia, by deceit, falsehood or other fraudulent means, he did attempt to defraud his employer of money of approximately \$200,000, by attempting to sell two of the Government of Canada bonds that he was not lawfully entitled to, contrary to Section 463(b), and of the Criminal Code.
5. In the Reasons for Sentence, the presiding judge noted that Lo consistently denied guilt throughout the trial and showed no remorse for his actions.

6. On October 16, 1995, a Discipline Committee panel of the Association of Professional Engineers and Geoscientists of the Province of British Columbia held an inquiry with respect to the aforementioned conduct of Lo, and, in particular, the charge that he had been convicted in Canada or elsewhere of an offence that, if committed in British Columbia, would be an offence under an enactment of the province of Canada, and that the nature or circumstances of the offence rendered him unsuitable for registration or licensing.

7. Lo did not attend at the inquiry and was not represented by legal counsel, but did submit an Affidavit sworn on October 12, 1995, with supporting exhibits, to be considered by the Discipline Committee panel. In that Affidavit, Lo denied the charges contained in the Notice of Inquiry with respect to that inquiry and denied committing any crime. For purposes of that inquiry, it was considered that Lo had pleaded not guilty.

8. After hearing submissions from legal counsel for the Association of Professional Engineers and Geoscientists of the Province of British Columbia, and reviewing Lo's Affidavit and exhibits and the documents submitted by legal counsel, including: the Notice of Inquiry, the information of the Royal Canadian Mounted Police concerning the criminal offences, the indictment presenting the charges and the Reasons for Sentence of the trial judge, the Discipline Committee panel ordered that Lo's membership in that association be revoked effective immediately, and that this action be recorded in the register of the association.

9. It is alleged that:

- a) Lo has been found guilty of an offence relevant to his suitability to practise in violation of Section 28(2)(a) of the Professional Engineers Act; and
- b) Lo failed to advise the Association of Professional Engineers of Ontario of the aforementioned findings of the Association of Professional Engineers

and Geoscientists of the Province of British Columbia.

10. By reason of the facts aforesaid, it is alleged that Lo has been found guilty of an offence relevant to his suitability to practise contrary to Section 28(2)(a) of the Professional Engineers Act, R.S.O. 1990, Chapter P.28, and of professional misconduct as defined in Section 28(2)(b) of the said Act.

11. The sections of Regulation 941 made under the said Act and relevant to his misconduct are:

Section 72(2)(j): conduct or an act relevant to the practice of professional engineering that, having regard to all the circumstances, would reasonably be regarded by the engineering profession as disgraceful, dishonourable or unprofessional.

At the beginning of the hearing, Mr. Royce filed on behalf of Lo material (exhibit 4) outlining Lo's request for a stay of the hearing, pending the final deposition of his appeal of his conviction of the Supreme Court of Canada. Mr. Royce reported that the Supreme Court of Canada had already dealt with and denied his appeal, and a second appeal is not permitted.

After considering the aforementioned information regarding the request for a stay of the hearing, the panel decided unanimously to deny the request for the stay, and thus proceeded with the discipline hearing.

At the outset of the hearing, Mr. Royce noted that Lo pleaded not guilty to the charges against him. Mr. Royce presented the association's case against Lo.

Mr. Royce did not call any witnesses to present his case, but rather submitted many exhibits to document or reinforce the allegations of guilt against Lo. As outlined in exhibit 6, the indictment before the Supreme Court of British Columbia, Lo was found guilty by Justice Blair and sentenced to five years in prison on June 1993 on three counts: fraudulent possession of \$2,000,000 worth of Government of Canada bearer bonds; unlawful cashing of \$600,000 worth of coupons from these bonds; and attempting to defraud a financial institute by selling \$200,000 worth of their bonds. The Reasons for Sentence

of Justice Blair are outlined in exhibit 8. Mr. Royce also presented an exhibit (exhibit 9), which confirmed that the Association of Professional Engineers and Geoscientists of the Province of British Columbia had revoked Lo's membership in their association in October 1995, after a Discipline Committee meeting of the British Columbia association.

At the written request of Lo, Mr. Royce filed documents on behalf of Lo (exhibit 10) at the hearing for the Panel's consideration. This information contained a Notice of Motion for the dismissal of the hearing, on the grounds that the Notice of Hearing was invalid due to incorrect dates for his convictions. Also, the exhibit contained an Affidavit by Lo denying his guilt.

Mr. Royce acknowledged that the initial Notice of Hearing had incorrect dates, and he reported that subsequently a corrected amended Notice of Hearing was issued on May 9, 1997. Mr. Royce noted that Lo also denied guilt (exhibit 4) of the allegations in the amended Notice of Hearing.

In summation, Mr. Royce noted that Mr. Lo's misconduct did not occur during engineering practice, but rather when he was performing a non-engineering function as a messenger for a financial institution. He noted that Lo had a position of trust, and members must have integrity even if they are not practising engineering. Mr. Royce submitted that he had violated that trust when he misappropriated funds from his employer. His conduct was not acceptable for a professional engineer.

After considering the evidence and exhibits filed, the panel found Mr. Peter Lo guilty of professional misconduct. The panel accepted the evidence that Mr. Lo has been convicted of an offence relevant to his suitability to practise professional engineering in Ontario, contrary to Section 28(2)(a) of the Professional Engineers Act. The panel further found that Mr. Lo's behaviour in this matter constitutes conduct or an act relevant to the practice of professional engineering that, having regard to all the circumstances, would reasonably be regarded by the engineering profession as disgraceful, dishonourable and unprofes-

sional, contrary to Section 72(2)(j) of Regulation 941 made under the said Act.

The panel heard submission with respect to penalty from Mr. Royce. Mr. Royce argued that the association cannot tolerate this type of behaviour from a member, and therefore requests that Lo's licence be revoked and costs of \$5,000 be awarded if Lo asks for reinstatement.

Pursuant to the powers vested in the Discipline Committee by the Professional

Engineers Act, the Discipline Committee panel imposed the following penalty:

1. The licence of Mr. Peter Lo be revoked.
2. Costs incurred by the association for this hearing, not to exceed \$5,000, are to be imposed on Mr. Lo.
3. The Decision and Reasons are to be published in full with names in the official publication of the association.

Dated at Toronto this 27th day of October 1997

David W. Smith, P.Eng. (Chair)

For and on behalf of the committee:

Richard E. Emode, P.Eng.

Daniela E. Iliescu, P.Eng.

Anne S. Poschmann, P.Eng.

Oskar T. Sigvaldason, P.Eng.

1997 Trials and Injunctions – Summary

Defendants and Outcomes

Accord Building Consultants Inc.

Accord advertised in local *Yellow Pages* under the heading "Engineers-Consulting" and used the term "Engineering" on titleblocks. An injunction was obtained, which included a declaration that the company had breached the Professional Engineers Act. The company was ordered to stop offering engineering services, remove the term "engineering" from promotional material and write to current customers indicating that it did not hold a Certificate of Authorization under the Professional Engineers Act. In addition, costs were recovered in the amount of \$500.

Am-Can Engineering

After the association became aware that Am-Can was offering engineering services through the local *Yellow Pages* for the years 1995/96 without the required Certificate of Authorization, an injunction was obtained declaring that the company was in breach of the Professional Engineers Act and ordering it to refrain from advertising or offering engineering services to the public. In addition, the sum of \$500 in costs were recovered from Am-Can, which has since gone out of business.

BBC Engineering & Research Ltd.

An injunction was obtained declaring that BBC Engineering & Research Ltd. was in breach of the Professional Engineers Act by offering professional engineering services in the local *Yellow Pages* without the required Certificate of Authorization. In addition, the court ordered that the company refrain from advertising in any medium as offering or providing engineering services. PEO recovered costs in the amount of \$500 from the company, which has also changed its name to delete reference to the term "Engineering."

Data Networking Services Ltd.

An injunction was obtained against Data Networking Services Ltd., which was advertising under "Engineering" categories in the local *Yellow Pages*, ordering that it refrain from offering engineering services until such time as it obtained a valid Certificate of Authorization. In addition, costs were recovered in the amount of \$1,000.

J & P International

An injunction was obtained against J & P International, which was advertising under "Engineering" categories in the local *Yellow Pages*, ordering that it refrain from offering engineering services until such time as it obtained a valid Certificate of Authorization. In addition, costs were awarded to PEO in the sum of \$500.

Lemire & Habrich Consultants Inc.

An injunction was obtained against Lemire & Habrich Consultants Inc., which was advertising under "Engineering" categories in the local *Yellow Pages*, ordering that it refrain from offering engineering services until such time as it obtained a valid Certificate of Authorization. In addition, costs were recovered in the sum of \$1,000.

National Hydraulics & Engineering Systems

An injunction was obtained declaring that National Hydraulics & Engineering Systems had breached the Professional Engineers Act by offering engineering services without a Certificate of Authorization. In addition, it ordered National Hydraulics & Engineered Systems to refrain from offering engineering services until it holds a valid C of A. Costs were recovered against National Hydraulics in the sum of \$1,000.

Nekison Engineering & Contractors Ltd.

An injunction was obtained against Nekison Engineering & Contractors Ltd. for advertising professional engineering services improperly at a time when the Certificate of Authorization of the company had been cancelled for non-payment of fees. An injunction was obtained declaring that the company was in breach of the Professional Engineers Act and ordering that it refrain from advertising and providing engineering services to the public until it holds a valid C of A, and that it change its corporate name to delete the term "Engineering." Costs were recovered against the company in the sum of \$1,500. The company has since applied for and obtained a C of A.

Paxel

An injunction was obtained against Paxel declaring that it had breached the Professional Engineers Act by offering services within the practice of professional engineering without holding a valid Certificate of Authorization. In addition, the company was ordered to refrain from offering engineering services until it holds a C of A. The association recovered costs in this matter in the amount of \$500. In addition, the company has taken steps to remove its advertising from the *Yellow Pages*.

Roadware Corporation Inc.

Roadware Corporation Inc. had advertised in the local *Yellow Pages* under the terms "Engineering" and "Consulting Engineers" between 1993 and 1997. An injunction was obtained declaring that it had breached the Professional Engineers Act, together with an order that Roadware refrain from engaging in the business of offering or providing engineering services until such time as it holds a C of A. In addition, costs in the sum of \$1,000 were recovered from the company by the association.