



**Professional Engineers**  
Ontario

# **Engineering Integrity: Understanding Ethics, Regulations and Responsibility**

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# Ontario Regulations



## Ontario Regulation 941

Professional Misconduct (s.72)

Code of Ethics (s.77)

Requirement to Report (S.77)



## Ontario Regulation 260

Performance Standards

Design Standards



# Types of Professional Misconduct

Negligence

Undisclosed  
conflict of  
interest

Breach of the PE  
Act

Breach of  
condition

Harassment

Failure to report  
dangerous  
situation

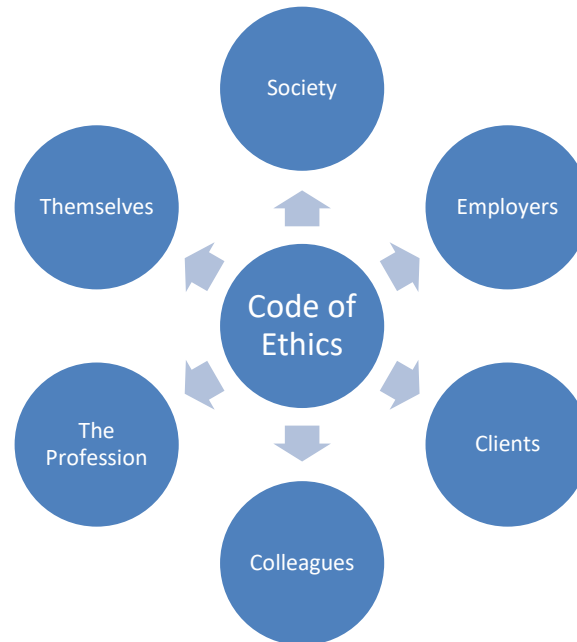
“Unprofessional  
Conduct”

Incompetence



# Code of Ethics

- Guide for how Engineers should conduct themselves in their working lives and beyond
- General standards of behaviour the profession expects of members
- Members are expected to maintain “Good Character” as a condition of being licensed





# Code of Ethics



Being a professional carries certain legal and ethical responsibilities

Recognizing ethical dilemmas and determining actions to address are important skills

Professional colleagues and PEO can assist in making ethically sound decisions



## Overview of License Types

### Valid seal

- PEO's current P.Eng. seal, issued since 1988

Available in several formats:

- Rubber seal in two sizes (standard: 4.4 cm and small: 2.2 cm)
- Metal seal-embosser (4.4 cm)
- Digital seal\* (4.4 cm)

*\* Licence holders may use a digital seal along with a digital signature. This can be a scanned image or authenticated by third parties. Digital seals must contain a licence number.*



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## Overview of License Types



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### Limited Engineering Licensee

Name: J. DOE  
Number: XXXXXXXXX  
Limitations:

Association of Professional Engineers of Ontario

### Valid seal

- The “limitations” field describes the engineering services the Limited Licensee may practise. Licensee limitations are also listed on PEO’s directory.



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## Overview of License Types

### Valid seal



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#### Licensed Engineering Technologist

Name: J. DOE

Number: XXXXXXXXX

Limitations:

Association of Professional Engineers of Ontario

- The Licensed Engineering Technologist and Limited Engineering Licensee are the same; however, the *Technologist* must be a member with the **Ontario Association of Certified Engineering Technicians and Technologists** and hold the **Certified Engineering Technologist** title.



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### **Temporary Licensee**

Name: John Doe

Number: XXXXXXXXX-01

Limitations:

Collaborator:

Expiry Date:

Association of Professional Engineers of Ontario

## Overview of License Types

### Valid seal

- The “-01” denotes the project. Holders may have multiple licences for multiple projects.
- The limitations will specify the works, facilities, machinery, equipment or other property in Ontario to which the temporary licence relates.
- The collaborating engineer's name (“Collaborator”) is included. "Exempt" is noted if the collaborator requirement is waived.



## Regulated Profession

- Graduates are **not** engineers
- **Licensing is required:** P.Eng., Limited, Temporary – **in the same province**
- Requires Practicing Status – eligible
- License holders are **required** to keep their employment information up to date (s. 50.1 of Ontario Regulation 941)



# PEO Practice Guidelines

PEO developed 34 professional practice guidelines and a handful of professional standards

PEO's practice advisory team is available to help license holders with issues related to professional practice and responsibilities under the Professional Engineers Act (PEA)





# Unlicensed Practice Enforcement

Proactive and reactive initiatives

Take action against unlicensed individuals who describe themselves as engineers

Prosecute companies or entities who illegally provide engineering services to the public

Prosecute illegal use of an engineer's seal

Grant permission to use Engineer/Engineering in a business name if obtaining a Certificate of Authorization (C of A)

Have a dedicated email and hotline to deal with unlicensed practice matters



# PEA Offences

- **Offence, practice of professional engineering**  
**40 (1)** Every person who contravenes section 12 is guilty of an offence and on conviction is liable for the first offence to a fine of not more than \$25,000 and for each subsequent offence to a fine of not more than \$50,000. R.S.O. 1990, c. P.28, s. 40 (1).
- **Offence, use of term “professional engineer”, etc.**  
**40 (2)** Every person who is not a holder of a licence or a temporary licence and who,  
(a) uses the title “professional engineer” or “ingénieur” or an abbreviation or variation thereof as an occupational or business designation;  
(a.1) uses the title “engineer” or an abbreviation of that title in a manner that will lead to the belief that the person may engage in the practice of professional engineering;  
(b) uses a term, title or description that will lead to the belief that the person may engage in the practice of professional engineering; or (c) uses a seal that will lead to the belief that the person is a professional engineer,
- **Offence, services of professional engineer**  
**40 (3)** Every person who is not acting under and in accordance with a certificate of authorization and who,  
(a) uses a term, title or description that will lead to the belief that the person may provide to the public services that are within the practice of professional engineering; or  
(b) uses a seal that will lead to the belief that the person may provide to the public services that are within the practice of professional engineering,



# Operational Highlights

## ❖ **Median time a case is open**

- 61 days, YTD. Down from 137 days in 2023
- Processes have been refined, and case reviews are completed bi-weekly

## ❖ **Seal use guide**

- Unlicensed Practice Enforcement team created a visual seal guide for building officials
- Distribution started this month

## ❖ **Ontario Provincial Court Rulings**

- Ontario Judges and Justices of the Peace continue to endorse the UPE team's thorough and concerted investigations
- Reasons for Judgements consistently acknowledge the gravity of unauthorized seal use and unlicensed offering of engineering services



# Major successes

## ❖ Five prosecutions scheduled for June

- All involve unauthorized seal usage or a forged seal by an individual or corporations

## ❖ CHOUCHAOU

- Non-engineer offering services throughout Windsor
- Violated previous injunction from 2011
- Ruled in contempt of court, sentencing is early July, **jail sentence likely**
- **\$50,000** in costs awarded to PEO, case available on CanLii

## ❖ WONG

- Former licensee
- Operating without licensure and having an unlicensed company offering engineering



# Major successes continued

## ❖ ROBAH

- Non-engineer offering services throughout GTA
- **\$88,342 (!)** in costs awarded to PEO (new record)
- **Previously convicted in 2018 by PEO**

## ❖ Attempted applicant

- Former applicant demanded licensure but refused to provide information
- Stated by email he would create his own seal, offer engineering services and continue to hold himself out as an engineer
- Filed a Human Rights claim against PEO and a Charter Rights challenge, lost and/or withdrew both challenges
- **\$25,000** in costs awarded to PEO



# How to Reach Us

- Any outstanding questions or issues to report?

Please contact us:

- Unlicensed Practice Enforcement Hotline **416-224-1100 Ext. 1444**
- E-mail: [enforcement@peo.on.ca](mailto:enforcement@peo.on.ca)
- E-mail: [complaints@peo.on.ca](mailto:complaints@peo.on.ca)
- E-mail: [practice-standards@peo.on.ca](mailto:practice-standards@peo.on.ca)
- Website: [www.peo.on.ca](http://www.peo.on.ca)

