#### Holding, Lea MEM:EX

280-30/110-N6D aldressed

From:

Minister, MNGD MNGD:EX

Sent: To: Wednesday, June 11, 2014 3:13 PM MEM Correspondence MEM:EX

Subject:

FW: Introducing APEGBC's 2014-2017 Strategic Plan

Info file, please

----Original Message----

From: Ann English CEO & Registrar [mailto:ceo&registrar@apeg.bc.ca]

Sent: Thursday, April 24, 2014 6:16 PM

To: Minister, MNGD MNGD:EX

Subject: Introducing APEGBC's 2014-2017 Strategic Plan

Dear Minister Coleman:

On behalf of the Association of Professional Engineers and Geoscientists of BC (APEGBC), I'm pleased to share with you APEGBC's Strategic Plan for 2014-

2017<a href="https://www.apeg.bc.ca/getmedia/f1f639dc-be18-427f-9167-3226e46ff6c0/APEGBC-Strategic-Plan-2014-2017.pdf.aspx">https://www.apeg.bc.ca/getmedia/f1f639dc-be18-427f-9167-3226e46ff6c0/APEGBC-Strategic-Plan-2014-2017.pdf.aspx</a>. In setting out our strategic plan for the next three years, we are laying a solid foundation to meet the opportunities and challenges in our province's future. This plan will provide direction and focus for the association's work. The goals, outcomes and objectives set by the plan will determine the priorities for APEGBC's programs and activities, and provide guidance for Council, committees branches, divisions, taskforces, boards and staff.

As a valued stakeholder, I invite you to learn more about APEGBC's Strategic Plan by watching this video<a href="https://www.youtube.com/watch?v=zk9CXrhDuF4">https://www.youtube.com/watch?v=zk9CXrhDuF4</a>, which highlights our goals and objectives.

This strategic plan marks the beginning of a deliberate transformation of APEGBC from a regulatory and administrative body to a relevant, proactive, forward-thinking organization that delivers value to our members, industry, government and the public. It's our mission to support and promote the engineering and geoscience professions as a trusted partner and progressive regulator that serves the public good.

The plan will come into effect in July 2014. For more information, visit: <a href="https://www.apeg.bc.ca/Strategic-Plan</a>, visit: <a href="https://www.apeg.bc.ca/Strategic-Plan">www.apeg.bc.ca/Strategic-Plan</a>, with the strategic-Plan of the strategic-Plan of the strategic-Plan</a>.

Engineers and geoscientists play a key role in BC's economy and we look forward to continuing to work together for the people of British Columbia.

Sincerely,

Ann

Ann English P.Eng. | CEO & Registrar

Association of Professional Engineers & Geoscientists of BC

200-4010 Regent Street, Burnaby, BC V5C 6N2

Direct: 604-412-4850 / Toll Free: 1-888-430-8035 ext. 4850

Fax: 604-430-8085 / Email: <a href="mailto:ceo&registrar@apeg.bc.ca<mailto:ceo&registrar@apeg.bc.ca">ceo&registrar@apeg.bc.ca<mailto:ceo&registrar@apeg.bc.ca</a>

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Page 2 to/à Page 4

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s.14

## MMRD

#### Holding, Lea MEM:EX

From:

Minister, MEM MEM:EX

Sent:

Tuesday, March 24, 2015 10:19 AM

To:

MEM Correspondence MEM:EX

Subject:

FW: APEGBC actions related to Mount Polley

89865

Info/file

From: Dyble, John C PREM:EX

Sent: Tuesday, March 24, 2015 9:34 AM

To: 'Ann English'

Cc: Minister, MEM MEM:EX; Minister, AVED AVED:EX; Nikolejsin, Dave MEM:EX; Morel, David P MEM:EX; Z (Council) John

Claque; Sandve, Chris MEM:EX; Chalmers, Jennifer AVED:EX; Wharf, Sandy PREM:EX

Subject: RE: APEGBC actions related to Mount Polley

Hí Ann,

Sorry about the delay in responding to your memo. I was s.22 time, but have been remiss in acknowledging the excellent work.

and did read it at the

The province very much appreciates the work that the Professional Engineers and Geoscientists have undertaken in response to the Mount Polley dam breach. I think this is a very good summary of the work to date.

As we discussed in our meeting, these efforts are very important for mining in British Columbia and we are very pleased with the commitment you are demonstrating. I will have my office set up a time in May to meet again and discuss the progress.

Thank you again.

Regards,

John

From: Ann English [mailto:aenglish@apeg.bc.ca]
Sent: Wednesday, March 11, 2015 4:34 PM

To: Dyble, John C PREM:EX

Cc: Minister, MEM MEM:EX; Minister, AVED AVED:EX; Nikolejsin, Dave MEM:EX; Morel, David P MEM:EX; Z (Council) John

Claque; Sandve, Chris MEM:EX; Chalmers, Jennifer AVED:EX

Subject: APEGBC actions related to Mount Polley

Dear John.

Please find attached APEGBC's briefing note which summarizes our actions to date related to the Mount Polley dam breach.

It outlines activities we have undertaken including developing additional practice guidelines, undertaking our own investigation, informing and educating our members about the high standards we have set and their obligations to meet them, and engaging with other stakeholders to learn, advise, and resolve issues related to the breach.

Please let us know if you have any further questions about any of the points in this document and when you would like to meet again to discuss these or any other related issues.

Sincerely, Ann

best regards, Ann

Ann English P.Eng. | CEO & Registrar
Association of Professional Engineers & Geoscientists of BC
200-4010 Regent Street, Burnaby, BC V5C 6N2
Direct: 604-412-4850 / Toll Free: 1-888-430-8035 ext. 4850
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Date: January 20, 2015 Cliff No.: 88458

## MINISTRY OF ENERGY AND MINES BRIEFING NOTE FOR INFORMATION

I PREPARED FOR: Honourable Bill Bennett, Minister of Energy and Mines

II ISSUE: Meeting with President John Clague and CEO Ann English from the Association of Professional Engineers and Geoscientists of British Columbia on January 28, 2015 to discuss some proposed amendments to the *Engineers and Geoscientists Act*.

#### III BACKGROUND:

The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC) was established in 1920 and welcomed geoscientists in 1990. It has 29,000 members including licensees, members in training and student members. APEGBC administers the *Engineers and Geoscientists Act* that regulates these professions. Their mandate is to uphold the public interest in the practice of these professions.

APEGBC works collaboratively on numerous public safety initiatives and supports jobs and economic development through supporting recognition of foreign trained professionals, enhancing labour mobility, and developing guidelines including roles and responsibilities for professional engineers and geoscientists in a number of practice areas.

APEGBC has seven proposed legislative amendments to the *Engineers and Geoscientists Act* (*the Act*) that they would like to discuss with the Minister. *The Act* is the responsibility of the Ministry of Advanced Education.

#### IV DISCUSSION:

**Proposed Legislative Amendments:** 

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Page 002

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s.12;s.13

#### **V** CONCLUSION:

APEGBC has a number of legislative change proposals that they believe will improve the efficiency of the Association and improve protection of public health and safety.

PREPARED BY:

Mark Haines 250-952-8007

**REVIEWED BY:** 

Nathaniel Amann-Blake,  $ED\sqrt{}$  David Morel, A/DM  $\sqrt{}$ 

#### Metcalfe, Megan MEM:EX

From: Sandve, Chris MEM:EX

**Sent:** Tuesday, May 19, 2015 3:37 PM **To:** Amann-Blake, Nathaniel MEM:EX

**Subject:** FW: Follow up materials

**Attachments:** DOCS-#97323-v1-APEGBC\_update\_on\_actions\_related\_to\_Mount\_Polley\_-\_May\_

20....docx; CPD Practices.pdf

Janet mentioned she talked to you last week. The slides on CPD practices in other jurisdictions will likely be helpful for briefing MBB.

#### **Chris Sandve**

Chief of Staff to the Hon. Bill Bennett

Minister of Energy and Mines

Office: 250-356-9944 | Cell: 250-818-4306 | E-mail: chris.sandve@gov.bc.ca

From: Janet Sinclair [mailto:jsinclair@apeg.bc.ca]

Sent: Tuesday, May 19, 2015 12:17 PM

To: Sandve, Chris MEM:EX Subject: Follow up materials

Hi Chris,

Thanks for taking the time to catch up today. I really appreciate the opportunity. As promised, I've attached an update on the activities that APEGBC has been undertaking in relation to Mount Polley. This is the same information that went to John Dyble earlier this month. I have also attached a couple of slides on the status of CPD requirements for other professions in BC as well as for other E&G regulators across the country. If you need any additional information on either of these items, please just let me know.

Thanks again for the chat.

Cheers,

Janet

Janet Sinclair | Chief Operating Officer

Association of Professional Engineers & Geoscientists of BC

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Date: May 4, 2015

Subject: Update on APEGBC actions related to Mount Polley Dam Breach

#### Background

On March 11, 2015 APEGBC submitted a brief to government outlining the actions APEGBC is taking with respect to the Mount Polley tailings pond dam breach. These actions include:

- 1. **Developing additional practice guidelines** on *Site Characterization for Dams in BC* as recommended by the Independent Expert Engineering Investigation and Review Panel with the target completion date of March 2016.
- 2. **Undertaking our own investigation** into the design, construction, maintenance, operation, inspection, and reporting that occurred over the life of the Mount Polley tailings pond dam which will hold individual members accountable through the discipline processes prescribed in the *Engineers and Geoscientists Act*.
- 3. **Informing and educating our members** about the high standards we have set and their obligations to meet them.
- Engaging with other stakeholders such as the Ministry of Energy and Mines, First Nations, other regulatory bodies, and associations to learn, advise, and resolve issues related to the breach.

As the regulator for professional engineering and geoscience, APEGBC is committed to ensuring that high standards are established, maintained and enforced for the qualifications and practice of its members and licensees.

#### Update

APEGBC continues to focus significant resources towards the management of the Mount Polley file. The following highlights activities recently completed or currently underway.

1. Developing additional practice guidelines on Site Characterization for Dams in BC.

A project plan for this initiative was appended to the brief that was provided to Government in February. We are pleased to report that the Guidelines Steering Committee has met twice since that time and they have made good progress. Development of specific sections has been assigned to the primary authors of the guideline and a date of July 8 has been set for the first content review. Members to serve on an independent review task force for this content are in the process of being selected. We believe that we are well on track to meet the target completion date of March 2016.

2. **Undertaking our own investigation** into the tailings pond dam breach.

APEGBCs Investigation Committee has reviewed the *Independent Expert Panel Report* and has begun work on its own investigation. To maintain the integrity of the investigation the specifics as to who might be under investigation or for what reason is held strictly confidential.

Should the Investigation Committee determine that there is sufficient cause to bring charges against a member(s), they will forward the case(s) to the Discipline Committee. The Discipline Committee will issue a Notice of Inquiry(s) which includes the charges and the date of the public hearing. The Notice of Inquiry(s) would be published on the APEGBC website.

APEGBC has experience conducting investigations of members when other investigations that could lead to criminal charges are in process as in the case of Mount Polley. We understand that these processes must be managed carefully to not affect the integrity of the other investigations underway.

APEGBC takes its obligation to enforce standards for the practice of its members very seriously and as such will hold its individual members accountable as appropriate.

#### 3. Informing and educating our members

APEGBC recognizes that it plays an important role in informing practitioners about the standards and practices they should meet. To this end, APEGBC develops guidelines, organizes professional development seminars, and publishes articles in our member journal, *Innovation*.

To inform our members about their obligations with respect to the performance of dam safety reviews, a seminar was held on March 27 in collaboration with the BC Ministry of Energy and Mines and the Canadian Dam Association in Vancouver. Forty-two members attended this session in person and 15 attended by simultaneous webcast. The session has also been recorded. The content of the seminar included an overview of the professional practice guidelines, letters of assurance, and project organization and responsibilities. Heather Narynski, P.Eng., Acting Manager, Geotechnical Engineering of the Ministry of Energy and Mines, also advised participants on the legislative authority and the role of the approving authority for dams.

A press release was issued in late March to advise members and the public about the development of the *Site Characterization for Dams* guideline. The assistance of the Ministry of Energy and Mines in this activity was appreciated. An article advising members about the development of the guidelines and reminding them about the current Dam Safety Review guidelines will be published in the May June issue in APEGBC member journal, *Innovation*.

#### 4. Engaging with other stakeholders

APEGBC attended the First Nations Dialogue on Mining Workshop organized by Ministry of Energy and Mines, Ministry of Aboriginal Relations and Reconciliation and the First Nations Energy and Mining Council on March 20, 2015.

APEGBC has also engaged nationally on this matter. In February, CEO and Registrar, Ann English, P.Eng., gave a presentation to Engineers Canada members about the Mount Polley event and the Independent Expert Panel report. She is also participating in a national task force to develop and communicate lessons learned from three recent major engineering related incidents: the Elliot Lake mall collapse, the Charbonneau Commission, and Mt. Polley.

Using Mount Polley as an example, APEGBC SCEO and Registrar participated in a panel discussion on the management of major incidents hosted by the Executive Directors and Registrars of BC group. This session was a professional development event for senior leaders of professional regulatory bodies and provided an opportunity to share best practices on managing incidents in the public interest.

APEGBC continues to take concrete action to help mitigate the risk of an accident like this ever happening again. We are pleased to provide this update and would welcome feedback from Government on the actions taken to date and on additional areas where we should be participating.

DOCS#97052

# CPD Practices BC Self Regulatory Professions



Profession	Base Activity Level	Reporting	
Doctors	Mandatory	Mandatory	
Dentists	Mandatory	Mandatory	
Lawyers	Mandatory	Mandatory	
Accountants	Mandatory	Mandatory	
Architects	Mandatory	Mandatory	
Pharmacists	Mandatory	Mandatory	
Optometrists	Mandatory	Mandatory	
Agrologists	Mandatory	Mandatory	
Biologists	Mandatory	Mandatory	

# CPD Practices Other Jurisdictions in Canada



Province	Base Activity Level	Reporting
Alberta	Mandatory	Mandatory
Saskatchewan	Mandatory	Mandatory
Manitoba	Mandatory	Mandatory
Ontario	Voluntary for P.Eng. Mandatory for P.Geo.	Voluntary for P.Eng. Mandatory for P.Geo.
Quebec	Mandatory for P.Eng. Voluntary for P.Geo.	Mandatory for P.Eng. Voluntary for P.Geo.
New Brunswick	Mandatory	Mandatory
Nova Scotia	Mandatory for P.Eng.	Mandatory for P.Eng.
Prince Edward Island	Mandatory for P.Eng.	Mandatory for P.Eng.
Newfoundland	Mandatory	Mandatory
Northwest Territories, Nunavut & Yukon	Voluntary	Voluntary

#### Metcalfe, Megan MEM:EX

From: Janet Sinclair <jsinclair@apeg.bc.ca>
Sent: Friday, May 22, 2015 3:21 PM
To: Amann-Blake, Nathaniel MEM:EX

**Subject:** update on briefing note

#### Hi Nathaniel,

Thank you for giving APEGBC the opportunity to provide you with some background on the regulation of companies as discussed last week. I just wanted to give you an update that the note is in its final stages of review here and we should be able to get something to you by Monday at the latest.

Hope you have a good weekend.

Best regards,

Janet

Janet Sinclair | Chief Operating Officer

Association of Professional Engineers & Geoscientists of BC

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Page 011 to/à Page 014

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#### Metcalfe, Megan MEM:EX

From: Nicole Salvian <nsalvian@apeg.bc.ca>
Sent: Monday, May 25, 2015 2:46 PM

To: Amann-Blake, Nathaniel MEM:EX; Jensen, Diane A MEM:EX

**Subject:** Regulation of Companies briefing note

Attachments: Regulation\_of\_Companies\_-\_Briefing\_Note\_to\_MEM.pdf

Hi Nathaniel,

As promised here is a backgrounder for you on APEGBC's experience with the process of regulating companies that practice professional engineering and professional geoscience. If there is any additional information we can provide, please just let me know.

Best regards Janet

Janet Sinclair | Chief Operating Officer Association of Professional Engineers & Geoscientists of BC 200-4010 Regent Street, Burnaby, BC V5C 6N2

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## Nicole Salvian | Administrative Assistant to the Chief Operating Officer and the Chief Regulatory Officer & Deputy Registrar

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Date: May 25, 2015

Report to: Nathaniel Amann-Blake

Executive Director, Policy, Legislation and Issues Resolution, Mines and Mineral

Resources Division, BC Ministry of Energy and Mines

From: Janet Sinclair

Chief Operating Officer

Subject: Regulation of Engineering and Geoscience Companies

#### Summary

APEGBC has been asked by the Ministry of Energy and Mines for a summary of issues related to the potential regulation of companies that conduct professional engineering and geoscience. As the administrator of the *Engineers and Geoscientists Act*, APEGBC is pleased to provide the following background information.

#### **Key Considerations:**

- Quality assurance and quality management practices would be improved by requiring companies to meet requirements as stipulated in the *Engineers and Geoscientists Act* and the APEGBC Bylaws. APEGBC currently has an Organizational Quality Management Program which is a voluntary certification program that could be adapted for this purpose.
- 2. Careful consideration should be given to which companies conducting engineering and geoscience activities should be regulated. BC and Quebec are the only jurisdictions in Canada where engineering and geoscience organizations are not regulated under legislated authority. While some jurisdictions regulate <u>all</u> companies that provide products and services requiring the practice of professional engineering and geoscience, the benefit of the scope being this broad in BC should be carefully examined.
- Amendments to the Engineers and Geoscientists Act would need to occur to specify the type of companies that are required to hold a Certificate of Authorization (COA) and to remove a clause that currently exempts companies that have APEGBC members or licensees on staff from having to obtain a COA.
- Stakeholder engagement on this matter is critical for it to be implemented successfully. To that end APEGBC would encourage government to seek the input of the Association of Consulting Engineering Companies – BC (ACEC-BC) and other stakeholder groups as appropriate.

#### **Background**

APEGBC administers the <u>Engineers and Geoscientists Act</u> (the Act) on behalf of the Government of BC. As per the Act, APEGBC has a duty to uphold and protect the public interest respecting the practice of professional engineering and the practice of professional geoscience.

To this end, APEGBC establishes, maintains and enforces standards for the qualifications and practice of its members and licensees.

As recommended by the Closkey Commission, which reviewed the Station Square Mall Collapse in Burnaby, BC, a provision was added to the *Act* in 1993 enabling APEGBC to issue a Certificate of Authorization (COA) to companies engaged in the practice of professional engineering or geoscience (Section 14). Also added at this time was an exemption to COA for companies that have a professional engineer or geoscientist on staff (Section 22(2)(b)), effectively making Section 14 unenforceable.

In August 2014, APEGBC conducted a public opinion poll through Angus Reid Strategies to assess public awareness of APEGBC and what it does, and to determine which APEGBC activities are most important to the public. Eighty one percent of those surveyed indicated that they believed an important function of APEGBC was to "regulate firms offering professional engineer and geoscientist services to the public to ensure they have qualified professionals and standards for quality assurance." These results are consistent with previous public opinion polls commissioned by APEGBC. It can therefore be inferred that there is strong public support for regulation of engineering and geoscience firms by APEGBC.

#### **Improving Quality Assurance and Quality Management**

The practice of professional engineering and professional geoscience in B.C. is influenced at two fundamental levels:

- 1. At an individual level, though the practice of APEGBC Professionals (e.g., professional engineers, professional geoscientists and licensees including limited licensees).
- 2. At the organizational level, through policies and procedures implemented by organizations employing APEGBC professionals that directly impact their professional practice.

APEGBC has several proactive and reactive programs in place influencing the practice of individual APEGBC professionals. These include: Proactive:

- Professional Practice Guidelines
- Quality Management Bylaws and Guidelines
- · Continuing Professional Development
- Practice Review Program
- Access to Practice Advisors
- Several advisory committees dealing with professional practice matters
- Joint practice committees dealing with practice overlap involving other professions
- Input to government legislation impacting the practice of the professions

#### Reactive:

- Investigation and discipline
- Enforcement action against those practicing who are not licensed to do so by APEGBC.

To address the influence organizations have on the practice of the professions, in 2012, APEGBC implemented a voluntary certification program for companies that practice professional engineering and/ or geoscience. The <u>Organizational Quality Management (OQM) Program</u> recognizes organizations employing APEGBC professionals that implement quality management procedures within their organization which are consistent with the quality management requirements in the *Act* and Bylaws. These companies must undergo a training program and demonstrate that they have appropriate quality assurance and quality

DOCS#97341 Page 2 of 5

management processes in place before they are certified. OQM companies are to be audited every five years.

OQM is strictly voluntary and there is no authority for OQM under the Act. However APEGBC has protected the use of the OQM logo and phrase as a registered trademark in Canada. APEGBC grants a license to organizations that obtain OQM certification allowing them to use the OQM designation and logo. In the licensing agreement APEGBC has with the organization, APEGBC has the authority to revoke the organization's use of the trademark and term OQM if the organization does not remain compliant based on audits carried out by APEGBC on a 5 year frequency. Thus APEGBC has the authority, through control of the OQM trademark, to revoke an organization's ability to use the designation. There are currently 124 companies certified under this program and 359 are in the process of becoming OQM certified. Industries of companies currently certified or in the process include consulting, manufacturing, construction, high tech, natural resources, utilities, and provincial and municipal governments.

To gain the full benefits of regulating companies, modeling the quality management requirements around the current OQM program would be recommended.

Should the Provincial Government consider making COAs mandatory and APEGBC be required to regulate corporations, the public interest would be enhanced as:

- APEGBC would be able to accept complaints from the public concerning COA holders and investigate and discipline such entities as a whole, rather than having to specifically identify and regulate only individual members.
- 2. COA holders would have to ensure that all estimates, specifications, reports, documents or plans prepared and delivered by them are marked with the words "APEGBC Certificate of Authorization" together with the COA number and expiry date this procedure would provide clients of the COA holders further assurance that the entity which they have retained to provide professional engineering and/or professional geoscience services is duly authorized and in good standing.
- 3. APEGBC could require its Code of Ethics and Quality Management Bylaw, including with respect to the retention of documents, to apply to corporations. Currently, as the requirement to retain documents is personal but not corporate, we intermittently have trouble seeking documents from an engineer/geoscientist when that person has left the employ of an engineering/geoscience firm.
- 4. The COA holder would be required to keep APEGBC apprised of the names of its members or licensees who are on active staff and are directly supervising or assuming responsibility for the practice of professional engineering. Subsection 14(4), in conjunction with subsection 14(5) of the *Act*, suggests that such a person or persons can be held responsible for the actions of the corporation. That is, section 14(5) says that those listed by the corporation are the "authorized representatives" for all purposes under the Act and the Bylaws and are subject to any inquiries under the Act.
- 5. Pursuant to subsection 14(8) of the Act, APEGBC may refuse to issue a COA to a corporation, if it or APEGBC members on its professional staff:
  - (i) have been convicted of offences rendering them unsuitable for the practice of professional engineering or professional geoscience,
  - (ii) have contravened the Act, the bylaws, or the code of ethics, or

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(iii) have demonstrated incompetence, negligence or unprofessional conduct.

#### **Determining Which Companies to Regulate**

BC and Quebec are the only jurisdictions in Canada where engineering and geoscience organizations are not regulated under legislated authority. A table outlining the regulatory environment for engineering and geoscience companies in other Canadian jurisdictions can be found in Appendix A. In BC, corporations practicing architecture, land surveying, and public accounting (auditing services) are regulated under the respective professional Acts. However, corporations practicing professional forestry, agrology and biology in BC are not regulated under the legislation governing these self-regulated professions.

While some jurisdictions in Canada (e.g. Alberta) regulate all companies that provide manufactured products (e.g. pipes, trusses, and steel joists) and services (e.g consulting engineering services) requiring the practice of professional engineering and or geoscience, whether this model would be effective for British Columbia should be carefully considered. There would likely be limited, if any, additional benefit to regulating entities that are controlled by other legislation or standards.

In 1996, after extensive consultations with ACEC-BC (then known as the Consulting Engineers of BC or CEBC), APEGBC recommended in a brief to government that the types of corporations, partnerships or other legal entities which should be required to hold a COA should involve the following fields of practice:

- · Consulting engineering or geoscience;
- Designing and manufacturing custom design engineered products, structures, processes or facilities;
- Engineering and or geoscience testing and assessment.

#### Amending the Engineers and Geoscientists Act

The *Act* currently provides for the issuance of COAs as stated in Section 14. The *Act* also gives APEGBC the power to investigate and discipline corporations holding a COA. Therefore, when section 14 is read alone, it appears that APEGBC should be issuing COAs. Similarly, there are references to "certificate holders" (meaning corporations to which a COA has been issued) at sections 29, 30 and 33 of the *Act*. Those sections broadly provide APEGBC with the powers to receive complaints about COA holders and to investigate and discipline COA holders. Overall, when one reads sections 14, 29, 30 and 33 of the Act, it appears that the intent of the legislation was for APEGBC to regulate COA holders in a similar manner that APEGBC regulates individual members.

However, despite these provisions, to date, APEGBC has not issued a COA to any corporation. APEGBC is not uninterested in issuing COAs. Rather, APEGBC has not issued any COAs to date because of the longstanding belief by APEGBC that the Act does not mandatorily require a corporation to have a COA in order to engage in the practice of professional engineering or professional geoscience. APEGBC submitted a brief to Government in 1996 documenting its concerns regarding this. The issue is with section 22(2)(b) of the Act, which provides an exemption from the prohibition on practice if a corporation has on active staff APEGBC members who directly supervise and assume responsibility for the practices of professional engineering or professional geoscience carried out by the corporation. In other words, there is no prohibition on practice on the part of a corporation if the corporation has an engineer/geoscientist on staff. Therefore, due to the wording of s. 22(2)(b) of the Act, APEGBC

DOCS#97341 Page 4 of 5

has not issued any COAs as APEGBC likely lacks the ability to force any corporation to have a COA prior to engaging in professional engineering or geoscience.

Should government decide that companies delivering engineering and geoscience services are to be regulated under the Engineers and Geoscientists Act, to ensure that APEGBC will be able to enforce its COAs, it is recommended that the Act be amended so to make it clear that a corporation engaged in the practice of professional engineering or geoscience is required to hold a COA. Furthermore it is recommended that the types of companies that are required to hold a COA be specifically identified in the legislation.

#### Stakeholder Engagement

APEGBC strongly recommends that Government consult with those that will be impacted by a change in the regulatory environment for companies, particularly ACEC-BC and if applicable the Mining Association of BC and any other associations whose members may be impacted by such changes. When the *Engineers and Geoscientists Act* was amended in 1993 there was strong opposition from ACEC-BC (CEBC). A briefing note prepared by ACEC-BC (CEBC) in 1991 is appended in Appendix B for reference. APEGBC believes that ACEC-BC may now be more receptive to the concept, but would still strongly recommend that they be consulted on the development of any regulation.

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viscial Association	Name of the Reculatory Tool	Description Cognisions employing APDGEC professionals have a significant influence on the practice of the professions. To address this influence CPDGEC has developed the Organisational Country Management (2004) Program to improve the quality management of	Total Membership (2016)	No. of Covarisations Registered OGM Program : 334 registered and 110 certified	Application Fee	Other Annual Certification Fee = \$200 × M	Annual Certification Reminements	Auditine	Value Company needs to develop, implement , and have	Mandatory?	Score of Practice/Tunes of Erres Rendsted	Mertification
ciation of Professional Engineers and scientists of British Columbia (APEDBE)	1.Organizational Quality Management Program	Organizations employing APEGEC professionals have a significant influence on the practice of the professions. To address this	34625 (29625 total Registered)	DQM Program: 334 registered and 110 certified	Covered by Annual Fee	OQM Annual Cartification Fee = \$200 × N Where N = number of APPORC professionals in the asgentuation applying for OQM certification, and	Submit:	Initial Level 1 Audit 5 year cycle Level 2 Audits Isite	Company needs to develop, implement, and have their APEGEC prefessionals follow: quality	DOM No	Amregatics, Council and New York Council and New Yo	Companies can include the fact that they are OQM certified in their email signatures and promotional materials.
STORE OF BUILDING COMMINING (APPENDIC)	Act 2 Certificates of Authorization (in the CBG	professional engineering and geoscience practices at the individual and organizational level. This soluntary program indudes				the square root of N ( ) is rounded to a whole number using standard rounding rules.	<ol> <li>Updated Company Into and name of the member respensible for ensuring QM practices are in place</li> </ol>	m + m + m + m + m + m + m + m + m + m +	management procedures which are consistent with	C at A , permouve not not more atory	Consulting.	
	Act but only permissive authority net mandators so never implemented)	certification for enganteritors.				] currently varies from \$200/yr. for one man firm to over \$5000 yr. for large firms)	and followed  2. New Attestation confirming conformance to QM		the TQM practices under the £80 Adv.		Construent Agenties,	
	resedatory so never implemented)						<ol><li>New Attentation confirming conformance to QM grantings</li></ol>				Vitanicipal Generature / Prosincial	
							Substantive Revisions to QM practices				Soverment,	
											Meditions,	
											High-Text and agry, Hexays tendustry,	
											Light Industry,	
											Manufacturing	
											Marine Drug learing and Naval Architecture, Matural Resources,	
											Operations,	
											Sciences and Development, 19 (Store	
											STATE OF THE PROPERTY OF THE P	
rison of Professional Engineers and	Permit to Practice (Mandatory)	The Engineering Gessolence Professions Act requires that partnerships, corporations and other such entities which practice	72,375 (total Registered)	4995	Permit Holder-\$435.00 (The first year's annual due	Permit Helder- \$455.00 = \$21.75-03T (05T # 106728505)		Permit helders must attend a seminar every 5 year	Permit helders must follow a professional	Res	Any company, partnership, or corporation precisioning prefessional engineering (regardless of whether offering to the public or not). Applies to companies even if one engineer only, sele preprietors, etc.	Permit stamps are optional and may be obtained upon request.
ereists of Alberta (ARCGA)		originaering or geoscience have a Permit to Practice. The requirements concerning Permits to Practice are described in Articles 3, 5, 7, 21, 24, 25, 26, 27, 28, 29, 93, 42, 43, 44, 55, 75, 76, 78, 79, 80, 81, 82, 57, 98 and 99 of the Act and Part 7 of the Regulations.			are included in the initial application fee.)	A Permit Holder may apply for a SON set action in an wal dues it (a) The Permit Holder has only one Prefessional Engineer, Professional Geoscientist or Prefessional Licensee as a full time employee or member of the firm, and			management plan  • Permit holders must ottend a seminar every 5			
		The second secon				Licensee as a full time-employee or receiber of the firm, and			years			
						(b) The grass resenues of the firm did not exceed \$150,000.00 in the preceding 12 months.			<ul> <li>Permit number must be displayed on all stamped decrements</li> </ul>			
tion of Professional Engineers and	Certificate of Authorization Bitsedators)	A Certificate of Authorization (CoRI) issued under the seal of the APGGM, certifies that a partnership, corporation, or other legal	ENA MATERIAL DE LA CONTRACTOR DE LA CONT	449	A non-refuedable administration fee in an amount	Esta Association of Esta (New III)		The certificate of authorization shall not be said		No.	Manufacturing, Construction, Consulting thorn Colik info sheet	The form of identification required under sub-section 26(4) of the Azt shall
ention of Province of Manitoba	Certificate of Authoritistics (Milestony)	A certificate or Nationarization (come issued whose translate or the National, certified in a partnership, comparation, or other registerably, excepting the description of the registerable and the practice Professional Engineering or Gessionarization within the previous of Meet Bable, through partners or employees what are Registered Meetabers or Temporary Issueroes of APESIAL. A code properticable (i.e. not an isocrepatated writing is not required.)	S-risk, (lakke total registered)	460	to be set arresally by council. TUE 2014 AMOUNT	The fee for Certificate of Authorization for a type SF entity is \$250.00	of a certificate of authorization shall comprise a ne-	<ul> <li>the certificate of authorization shall not be used</li> <li>unless it bears a sticker toxed by the association indicating that the certificate is valid for the period</li> </ul>	leave or start employment with Permit Holder	nes .	Venezitaturnig, contrationo, consisting priori cook wito stelet.  Generaling Entity (Tipic (E))  As aperating entity in a partnership, exoposation, agency or other entity where:	Include the identity of the holder and a number on a stamp based by the
A		who are Registered Members or Temporary Licensess of APESM. A sole proprietorship (i.e. not an incorporated writy) is not required			WITH 5% GST+ \$125	(\$288.10 + \$11.90 GSY)	refundable administration fee in an amount to be	indicating that the certificate is valid for the period	(requirement of Act)		An apecating entity is a partnership, corporation, agreep or other entity where:	Association. The image of the charge may be reproduced by the builder of the
		to held a Certificate of Authorization.				Practising Entity (Type PE) The file for Cortificate of Authorization for a type Milentity is \$100.00	set annually by council plus the annual dues for a swittleate of authorization. Certificates of	shewn on the stiden.	Certifies professional Unbility insurance is in place as it expires / within 80 days of expire of		All perfectional services are consumed internally in the creation of the product that the apecing entity salis, and	Certificate of Authorization and incorporated in electronic documents.
						(\$47E.20 = \$25.8E-05T)	Authorization expire annually on April 58th. Renewal forms are sent to all Certificate of		professional liability insurance, permit to practice is	,	Na professional services are offered directly to anyone (person or company) outside the operating entity for a fee or other consideration.	
							Renewal forms are sent to all Certificate of Authoripation halders in February.		cancelled   PU is requirement of the Act)		Type CII writine which do any provide provides one all engineering or professional agrossion Ris remission in addition to goods an orangement of a result of agreed as folds a	
							Renewal governor or written resignations must be				geocore in cervico in accinion co gocos el presuco are net requeste la socio a Certificata di Administration.	
							received by March 33st.					
is and Decodertists New Branswick	Certificate of Authorisation (Mondatory)	If you are working in the name of a company or firm that will be providing engineering or geostience in 10t, the company may need a Certificate of Authoristation for 100 as well. If your firm will be providing engineering or geostience in New Bannards, for New Porservinds, or efficiently the pality softly, your for month or engineering and APPOARS. All engineers walking presidents between the provision of the p	2065	550	Resident - \$350 HST Nav-Besident - \$260 + HST Rote: Feet are under review and will be voted on a	Resident \$260 + HST. Nan-Resident - \$520 + HST	Prior to undertaking the practice of engineering or geoscience in any calendar year any holder of a	No		fles	All purdinerships, assessations of persons or compositions providing professional services to the public.	Na seal far companies
		Brunswick, or affecting the public safety, your firm must be registered with APROME. All engineers and/or greatentists listed on the			our ADM in Fredericton February 20, 2015		certificate of authorisation shall submit to the				Does ent apply to sale proprietarships (i.e. not an incorporated entity)	
		Contribute of Authorization must be registered/licensed or in the process of registering with APCGND.					Registrar, in the force prescribed by Council, content				Must list all engineers vecking at the company	
							application. Annual does shall accompany the					
							salantistion. Upon approval of the salantistics by Council the Association shall louve evidence of					
							rallelation which shall be attached to the certificate	,				
tion of Professional Engineers and	Certificate of Authorization (Mandators)	A Coffi. is required in accordance with section 22 of The Engineering and Greacience Professions Act, which provides that every	30,442 (total registered, from 2013 Annual Report)	1083	Non-refundable application fee: \$343.25	The annual fee is \$400 jokus GST) if the holder employs five or fewer professional employers would be	of authorization. Each Coff, helder is required to have at least one	There is no sudit per se, but the official	The value in requiring a certificate of authorization	Nes	All partnerships, associations of persons or cospositions practising	There is a seal for the holder of a CoM-which must appear on final documents that require the seal of professional engi-
entities of Sachatchewan (APEGS)		partnership, assessation of persons or comparation that engages in the practice of professional engineering or the practice of professional approximation professional processional procession at a principal or customary function shall obtain a transferate of antherstation.				The annual fee is \$400 (plus GST) if the holder employs fine or fewer professional engineers and/or professional genotembre registered with APRGS or sensite expensations, and 5000 (plus GST) if the holder employs six or more professional engineers and/or professional geoscientists registered with	efficial representative ja hoensed APEGS member)	representative is sent on "arread return" along	is that there is a responsible individual APCSS		professional engineering (regardless of whether offering to the public or not)	prefessional generalistic.
		professional geoeclence as its principal or customery function shall obtain a "sertificate of authorization"				holder employs six or more professional engineers and/or professional geoscientists registered with APCIS or similar organizations.				•	Applies to all companies, even if there is only one looks on helder     Does not apply to sale properheadings (i.e., not all miscopporated and tity).	
						acous and a general	Saskatchewan licensed engineer/geooderflist responsible for the engineering and geoodence undertaken (it may be the same person).	falls to maintain on official representative, the Coll	entity, be it a consulting firm, a mine, an oil			
							responsible for the engineering and groadence	will be revoked until an official representative is	company, etc.		The Base for the Califor requirement is not just smoothing on titles, but operating entities as well, such as all correpands, mining sampantes, manufactures, etc. Our to section 36 of the interpretation Act Observables are tought you the Government of Saskethewan and its Crown corporations. That	
							and the second s	rant.				
											from the government ministry or Grown corporation involved.	
rs Neva Seetla	Certificate of Compilance (Mandatory)	Companies that provide engineering services to the public of Nova Scotia must be members of Engineers Nava Scotia and have a	5556 (3254 full memberships – 2012 annual report)	C of C Holders 455 + Sole Practitioners 257 = 710 in	None	Certificate of Compliance Company - a company that employs a number of engineers and provides	Organizations engaged in providing Prefessional	No.		tes	Every organisation that currently provides Professional Engineering	No seal for companies
		Contificate of Compliance. Each engineer who works with a company that practices in Nove Scotia must also hold a license with Engineers Nove Scotia.		total (2013 are sol report)		engineering services to the public of Nave Scotio. The 28L3 fees and dues are \$320,00 plus HST \$46.00 for a total of \$388.00.	O Engineering services to the Builds must like an Information Return on as before				services directly to the public is to select an information flature that is assisted through the Assessation's office. Those leadness entities that psacker hadessenal Engineering for their own use, such as Nova boots Power transposited and Allani, are not required to obtain a Certificate of Compliance.	
		togreen now some				Sole Practitioner Company - a company that is owned and operated by a registered member of	January 1 of each year. Engineers Nova				ASSOCIATION OF CHICAGO STREET, THE TOTAL CONTROL OF CHICAGO STREET, AND ASSOCIATION OF	
						Engineers Novo Scotia and provides engineering services to the public of Novo Scotia. The 3035 fees and does are \$53,00 obs HST \$7.95 for a total of \$60.95.	Social will some a Certificate of Compliance indicating adherence to the requirements of By-Law					
						and deep and 20100 bird ups 55:30 you a pool as 36020.	1500 apon filing of the necessary information.	•				
een PEI	Certificate of Authorisation (Mandatory)	Any partnership, association of persons or corporation that holds a certificate of authorization may, in its own name, practice	675	225	\$250/yr for 1" year, but tred, are sal fee for 1" pr	\$150/yr	Renewal notice needs to be updated with any	No		Res	Any partners hip, association of persons or compension practicing professional	No seal for companies. Validation seal on the certificate – sticker says which year its railed.
		All converses in the execution of evaluation on one of its extension & sections; and	(http://www.orgineorspoi.com/sites/www.orgineor	<ol> <li>\$10,//www.engineerspel.com/sites/www.engineers.next.com/sites/fullwarengineers.ne</li></ol>			shanges by the company.				Engineering (regardless of whether offering to the public or not). Does not apply to sole proprietorships (i.e. not an isospeciated entity)	
		(ii) has a member or liseness of the Association who, as principal of the Association of persons, partner of the partnership, or director or hill-time-employee of the corporation, is responsible for the practice of engineering and its supervision.	3_1 pdf) 266 licensees, EFT 88, members 269	45								
		or full-time-employee of the exponsition, is responsible for the practice of engineering and its supervision.  A partnership, accordation of persons or corporation may apply for a Certificate of Authorization by submitting to the Registrar an										
		application in the form prescribed by the council										
ation of Professional Engineers of Yukon	Permit to Practice (Mandatory)	The Engineering Professions Act also requires that the partnerships, corporations and other such entities, which practice origineering.	BLD Sktp://www.aprp.yk.ca/membership-list also)	258 (http://www.apeyyk.ca/permit to prostice-	Permit to Practice Application Fee: \$78.75	Permit to Practice Annual Pee: \$252.00	Renewal notice sent. It is checked to make sure that	1 %	APEY closely morrors APEGA. The association is	fes	Eyes are practiting engineering you require a Perwil to Practice. This includes partnerships, corporations and other such certities, which practice the profession of engineering the Engineering Professions Act does	Pennii Te Prastice Stone: \$40.00
		have a Pernist to Practice. The requirements concerning Pernist to Practice are described in Articles 34 through 34 and in Regulation 14 through 19 (PDF).		holders ahp)			the members responsible are the same. If there are shanges the company needs to update info. Until		trying to set up once/5 yr permit holder seminar		not differentiate between size of an organization or whether the organization is practicing for internal or external reasons.	
		Presign 19 (PSF).					all the responsible members' dues are paid up, the		Session.			
vest Yenharies and Nunavet Association of	Annual State of the Advantage of	A Receil to Practice is required for firms practing engineering and grossience in the Northwest Territories and Massaus. "Firm"	200 h 1 200 h	200		404.1	second too'l renewed. They send a renewal form which has to be filled our			*	Any partners No. appoint on or process or comparation practicing and residence of records	All starroys detember, Licensee and Permit) are invalided at \$40.00 plus SE7 (502.00) per starroy.
ional Engineers and Geoscientists (NAPEG)	PRIVATE OF PARTIES (MARKET STATE)	means a partnership, a corporation, an association of persons and a sole proprietor (if is corporated). To become a fermit Holder, the first route based as a fermit Holder, the first route based as a person registered to accurate responsibility for the Person. In most cases, these will need to be several	Phttp://www.nopog.nt.co/Nies/AnnusPh2XRoports/2	1		***	by the company. Company lists the major projects they are working on and have to list the engineers.	. 140		int.	Any partiers regularization or many arrows arrow purchase yet according permission of the properties of the public or not apply to sole proprietorships 8 a. not an incorporated existy).	An along comment, contains and revent are revented at process part and ground part time.
		form result have at least one person registered to accume expansibility for the Persit. In real cases, there will need to be several individuals registered to assume responsibility for various disciplines. Please note that a copy of the Certificate of incorporation or	DE PRODUCES AND STREET OF THE PRODUCE OF THE PRODUC				they are working on and have to list the engineers working in their company in Nanavat/NWT.					
		instruction disparates a season responsively for learness accomment, inside note that a copy of the curriculation incomparation of insurance and inside the professional code of Quebec which applies to more than 45 professional bodies includes the ability for the professions to regulate					working in their company in number (wint).					
des ingénieurs du Québec (OPQ)	None for the moment.		60826	M/A	N/O	N/A	N/A	No sudit will be carried out.	There will be conditions to be respected regarding ownership of soting rights, ethics and professional	N/A	Quebec law forbids members of professional orders (such as ORQ) to carry professional archides within a LLP, or a joint-stock company constituted for that purpose unless the relevant professional order authorizes it by regulation. There is a grant father clause applicable for joint stock companies that provided professional engineering services before over 214 2001.	Not known at this time.
		We assignance that DIG and DISC have the above to appeal to the companies and may look into regulation in the reset shakes a consult of the neutre is written with the DIR does now Commission, in 4 Office deep preferations is looking into the possibility of negulating companies under the Phofessional Code, more to come on this subject offer the sameer. Currently, there is no legal authority in							Eability insurance.			
		companies under the Professional Code, more to come on this subject after the sammer. Currently, there is no legal authority in									The regulation will allow engineers to work within a UP or a company who provides professional engineering services (i.e. a consulting firm). The regulation will not apply to engineers working for other types of	
		Quebec to regulate companies. OIQ has power only over its members. There is expected to be new regulation in Nev 3815 which would provide authority for members to week in companies as well as U.Ps.									businesses or governmental agencies.	
sional Engineers and Geoscientists of	Permit to Fractice (Mandatory)	The requirement under the Engineers and Geosciomists Act and the associated Regulations for those offering engineering or	3012 Annual Report - 4,459	SIN	Bone	Annual Dues Permit to Practice II. disciplinel \$627.32	Confirm the names of members in reserve this	No with the exception of the items noted in the	Establish 'members in responsible charge' or they	Nes	Restricted to those offering services to the public, which includes consulting companies and those for which customized engineering or geocalesces services are a significant portion of the product they after to their	Professional Seal (For Professional Member or Company Remit to Practice) 562-15
and land and takeoder (PEGPL)		geostienes services to the public.	http://www.pegnl.ca/events/PEDFL_AnnualReport_	. [	I	Annual Dues Permit to Practice [2 disaplines] \$803.32	sharge for each discipline	fallowing topic See raws believe on this column.	leave or start employment with Permit Holder		clients.	The state of the s
		the Est (feron coverebly of callegiblation/or/area ships betw/ 2008/c37-1 408 from	2014_WGR.pdf			Annual Dues Permit to Practice (3+ disciplines) \$1.565.69 Professional Seal (Not Professional Merober or Campains Permit to Practical \$62.75	Confirm that Professional Gability Insurance is in place for the second		(requirement of Act)  Confirm professional Unitality insurance is in place.		They supply engineering and geoscience services to most section of the economy.	
						Processor Search Control (Control Control Cont	Pay required fees		Confirm prefessional Date fits insurance is in place as it expires / within 30 days of expiry of		As you gather from the above, PEGNL Sceness germit holders by discipline. It does this by requiring there be at least one member in responsible drauge for each discipline under the cernit Scenes. PEGNL	
		the Regulations http://www.assembly.nl.su/legislation/su/annualings/2013/nr218045.htm							professional hobility insurance, permit to practice to		As you gather from the above, PGGAL forerast permit holders by discipline, it does this by requiring there be at least one member in responsible charge for each discipline under the permit forese. PGGAL professional members are not licensed by discipline to get likely P. Eng or P. Geo Brence. However when a member is put foresed as in responsible charge for a dissipline, the members resource is reviewed by the	
		the PESSE, website www.acgrica							cancelled   RJ is requirement of the Act) Permit Holders are subject to the discipline presess		Registration Committee to essure that the members' education and experience is aligned with the discipline requested. Special attention is given to the structural category.	
									(requirement of the Act)			
ssional Engineers Ontario (PEO)	Certificate of Authorization (Mandatory)	In Detario, prefessional engineers who provide engineering services directly to the public must have a Certificate of Authorization IC of A). This certificate is issued to individuals or firms and the perfessional engineers on the certificate enquire at least five years of	Total P.Eng. Scenoes 77,081.	4560	APPLICATION FEE-\$330.00 = \$42.90 (HST) = \$372.00 (HST orkundakin)	Annual fire-\$330.00 + \$42.90 (HST) = \$372.90	Original Renewal Application accompanied by the annual Confector of Authorization for of Statement	No (Note: they have an auditor who reviews PED's work and the auditor has also looked at companie		Res	Individuals and business entities that provide professional engineering services to the public	No other identification other than the C of A, which is a lisenor that pennits
							\$42.90 (HST) = \$372.90 in Canadian funds.	regulated by PCO(				companies to offer and provide engineering services
		medividuals and firms holding a C of X must adhere to the professional liability insurance regulations required by the Professional Transversion										so the public.
des géologues du Québec (DOQ)	None for the recent.	The professional Code of Quebes which applies to more than 45 professional bodies includes the ability for the professions to regulate	11.00	M/A	PL(A	N/A	14/4	N/A	N/A	M/A	Quebec law farbids members of professional orders (such as DIQ) to carry professional activities within a LLP or a joint stock company constituted for that purpose unless the relevant professional order	N/A
		the companies. Both DIG and DIGD have the ability to negulate the companies and may look into negulation in the near future as a result of the recent events with the Chadron reau Commission, the Office desperalessisms is looking into the possibility of regulating.									authorises it by regulation. There is a grandfather clause applicable for joint-stack companies that provided professional engineering services before June 21st 2001.	
		result of the resent events with the Drudon result Commission, the Office desperates is looking into the possibility of regulating companies under the Professional Code, more to come on this subject after the summer.									The regulation will allow engineers to work within a LLP or a company who psolides professional engineering services (i.e. a coexulting firm). The regulation will not apply to engineers working for other types of	
											Audinesses or governmental agendes.	
securiton of Prefessional Geospientists of	Certificate of Authorisation (Mandatory)	From the Geoxiemer Professions Act, 14 (1) A partnership, association of persons or body corporate shall not be registered as a member of the Association or Iconsect to practice.(3) A partnership, association of persons or body corporate may undertake and	1200	198	250	Sole Practitioners: \$200.	The association ensures that there is at least a	No	There is a requirement to have hability insurance.	tes	A partnership, association of genoms ar body corporate may a selectate and carry out the application of genomenent in this own same if are eith principal and customary functions is the application of genomenent and such application of genomeness is carried on under the appendix of a member or full-time permanent employee of the postnership, association or body corporate who holds a certificate of registration or a supervision of genomeness and such application of genomeness and such application of genomeness and such as the supervision of genomeness and such as the supe	No story for companies
Scotia (APGNS)		member of the Association or Romand to practice.(3) A partnership, association of persons or body corporate may undertake and corry out the application of geosterice in its own name of one of its principal and sustemary functions is the application of geosterice.				Corporations: \$750	single registered professional geoscientist on staff a the company prior to resertification.	of Control			and such application of geoscience is carried on under the supervision of a member or full-time permanent employee of the partmenthip, association or body corporate who holds a certificate of registration or a largest the partment of permanent employee of the partmenthip, association or body corporate who holds a certificate of registration or a largest term.	
							and company prior to resertification.				MERCE OF PARTIES	
		partnership, assessation or leads surpresse who holds a certificate of registration or a license to practice (E) A partnership, assessation										
		and such appropriate of productions are sentent to be the sentential or a distinction or a "promotive product" in equipment of the partnerships, scenarion or beats required with high a confinite of registration as a linear or partnerships, scenarion of process at body compress that, in the production of the Council for the										
		principal and continuous functions is the confliction of encoterns and units registration of encoterns is control on under the										
		supervisite of a member or full-fitte permanent employee of the partnership, association or body corporate who holds a certificate of neglotration or a licence to practice (ID A partnership, association of persons or hody expensive that, in the opinion of the Council										
		be toxed a certificate of authorization.										
artion of Professional Geosphentists of	Certificate of Authorisation (Mandatory)	Under Section 15 of the Professional General entities Act, 2000 (the "Act"), in order for a corporation or other entity to offer or provide	2777 of which 1947 are full members (2003 annual	188	Application fees are \$183.75 (plus applicable tax)	One Praditioner \$362.50	Certificate of Authorization holder must	No		fies	Registered professional geossientists who operate as one practitioner or partnerships, and who offer and pravide services to the public in their own legal name (or names) are not required to hold a Certificate of	No storp for companies
(APGO)		services to the public in Ontario that constitute the practice of Professional Geoscience, it is required to obtain and annually renew a C of A few APRO.	report)			Two Practitioners \$420 Three or more Practitioners \$1270	demonstrate proof of Professional Liability Insurance; and hold a Professional Denscientist				Authorization (C of A). However, all practitioness who offer or provide cervices through the use of a differently named entity jobber an incorporated or unincorporated entity, or who offer or provide services through an incorporated entity (whether in their own name or another name) must hald a C of A.	
						(pius applicable tax)	designation in good standing.					

## Consulting Engineers of BC Proposed rewrite of the Engineers and Geoscientists Act

#### Background to CEBC's Position on the Proposed Mandatory Certificate of Authorization

#### Introduction

The CEBC Task Force believes that some of the proposed changes to the Engineers and Geoscientists Act (the Act) will be detrimental, both to individual members and to consulting engineering business.

In particular, introducing a mandatory Certificate of Authorization (C of A), and thereby subjecting corporations offering engineering services to additional regulation under the Act, introduces many problems to the regulatory, legal and business environment surrounding consulting engineering. The Task Force believes that these changes will be detrimental to the consulting engineering industry and will not serve the stated purpose of protecting public safety and the environment. The opposition of the Task Force to the proposed detrimental changes is summarised below under five headings:

		PENS bylows
	cost of administration	\$250
	influence on competitiveness	Keen and foreign
	<ul> <li>potential governance problems affecting APEGBC and C of A holders</li> </ul>	S Nor CEEC proble.
-	<ul> <li>ineffective protection of public safety and the environment</li> </ul>	LU P Aves
		O

#### **Increased Liability Exposure**

1. Under the revised Act, C of A holders will be required by law to adhere to the Code of Ethics. The Code was written for use by individual professional engineers, at a time when there was very limited government regulation of the design and construction of buildings and other infrastructure. When applied to individuals, the Code is open to a wide range of interpretations. When applied to corporations, the Code would not recognize the wide range of project roles and contractual relationships of consulting engineering firms in today's world. The Code should continue to focus on the actions of individual professional engineers and geoscientists, and it should be removed from the Act and published as a separate document that is not legally binding.

### Appendix B

CEBC's Position on the Proposed Mandatory Certificate of Authorization September 2002

- 2. APEGBC's proposed object to "establish, monitor and enforce standards of practice" will cause confusion in legal disputes involving errors and omissions. Common Law has already established criteria for standards of practice and duty of care for the purpose of settling disputes in this subject area. The Task Force believes that the term "Guidelines" must be used rather than the term "Standards of Practice". The use of the term "Guidelines" rather than "Standards" has been reviewed and accepted by APEGBC in preparing and publishing "Guidelines" for Structural, Mechanical, Electrical and Geotechnical Engineering Practice over the last several years.
- 3. Notwithstanding the liability protection for the association and its members incorporated into Section 10.1 of the revised Act, the Task Force believes that new liability exposure will be created by the newly stated duty of the association "...at all times to serve and protect the public and the environment." For example, if a C of A holder is found incompetent in a court case involving loss of life or environmental damage, the association could be exposed to legal action for failure to regulate C of A holders adequately.

#### **Cost of Administration**

- 1. The cost to the association, and therefore C of A holders, arising from the introduction of the mandatory C of A will be a function of the regulatory approach to be adopted by APEGBC. A "light handed" approach of the type followed in some other Canadian provinces could be a tolerable cost (perhaps \$300 per firm), whereas a more intrusive or proactive approach would be much more expensive and unsupportable. The "light handed" approach would be unlikely to deliver the supposed benefits of regulation due to a lack of association staff resources, and the need to adopt a reactive approach of responding to complaints. A more intrusive approach consistent with the apparent regulatory objectives of APEGBC is likely to be very costly and will introduce an additional and potentially unsupportable cost of doing business in a highly competitive international marketplace.
- 2. APEGBC has not prepared a Business Plan to define how and at what cost the C of A would be administered. Nor has APEGBC provided any assurances regarding cost control and accountability to C of A holders for the cost and effectiveness of regulation. This reinforces the Task Force's belief that is would be very unwise to approve the introduction of the C of A.
- 3. If the increased liability exposure cited above materialises, increased costs will be incurred by the association and all of its members, as well as C of A holders, to defend against legal challenges. One or two protracted claims could cause dramatic fee increases, place the association in severe financial difficulty, or both.

#### Influence on Competitiveness

- 1. The revised Act and Bylaws as currently drafted clearly call for the C of A to be obtained by all consulting engineering firms operating in private practice. Since the C of A represents a cost of doing business, a "level playing field" would only be achievable if C of A were held by all corporate entities practicing professional engineering. This includes many management consultants and law firms, and the in-house engineering groups of private and public sector resource companies, utilities, government funded engineering or geoscience entities, contractors, etc. The consulting engineering industry routinely competes with these entities for business, both from third parties, and from their parent companies or entities/agencies. The wording of the new Act is unclear as to the requirement for such entities to hold a C of A.
- 2. The application of the Act and its disciplinary features to BC-based C of A holders who are practising interprovincially and internationally is a serious concern. One danger is the potential for "nuisance" demands for disciplinary actions to be brought against C of A holders in connection with real or imagined violations of the Code of Ethics on international projects. This is a particular concern given the newly stated and emphasized duty of the association to "serve and protect the public and the environment", since special interest groups could call upon the association to "protect the environment" in an offshore location.
- 3. The cost of a C of A and the associated regulatory compliance obligations imposed on C of A holders represents an additional cost of doing business that is not shared by the industry's interprovincial and international competitors. While C of A fees could be set at low levels when introduced, the cost of defending against claims could severely penalize BC-based C of A holders.

#### Potential Governance Problems within APEGBC

- 1. Proposed rules affecting Bylaw changes, allowing changes to be implemented following a 2/3 majority vote at the AGM, will allow special interest groups to exert undue influence within APEGBC. This could adversely affect the association as a whole and minority groups such as C of A holders, limited licence holders, SER's, etc., unless a reasonable proportion of the membership (preferably 33%) is represented in person or by proxy at the AGM.
- 2. The new Act and Bylaws set out disciplinary procedures that are better suited to individual members. It is unclear how these will be adopted to apply to C of A holders. The Task Force is concerned that withdrawal or restriction of a C of A could and likely would result in loss of employment and adverse financial and emotional impacts on blameless individuals employed by the affected company. This will likely mean that any

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action by the association to withdraw a C of A and prevent a company from practicing will result in litigation.

#### Ineffective Protection of Public Safety and the Environment

- 1. The proposed new Act specifically states "It is the duty of the association at all times to serve and protect the public and the environment...". While this is a lofty goal, it is difficult to see how the APEGBC would fully live up to this mandate, and how the mandatory C of A would contribute to it. Moreover, the term "protect the public and the environment" is open to extremely broad and greatly differing interpretations by individual members, the public, regulatory agencies and special interest groups. The Task Force believes that publicity and potentially legal actions arising from these differing interpretations are likely to be detrimental to the reputation of the association, its members and its C of A holders, while contributing nothing of substance to protection of public safety and the environment.
- 2. Under the current Act, an individual professional engineer or geoscientist is responsible for his/her work and is subject to disciplinary action for failure to safeguard public safety or adhere to the Code of Ethics, or for professional incompetence. The Task Force is concerned that introduction of the C of A will diminish this important level of personal responsibility by erecting a "corporate veil" between the individual engineer or geoscientist and APEGBC as well as the public.
- 3. Many types of corporate entity, as well as comparable private and public sector bodies, employ professional engineers and geoscientists who affect public safety and the environment through their professional activities. Introduction of the mandatory C of A for only the consulting industry would ignore this fact. If the C of A is to function effectively as a regulatory measure, the Task Force believes that the Act and Bylaws must clarify that all such entities (eg. BC Hydro, most government ministries, resource companies and contractors) are required to obtain a C of A. The evident impracticality of such a broad application of the C of A is a further reason for the Task Force's opposition to the C of A proposal.

#### Metcalfe, Megan MEM:EX

From: Jensen, Diane A MEM:EX

Sent: Monday, May 25, 2015 2:49 PM
To: Amann-Blake, Nathaniel MEM:EX

**Subject:** FW: Regulation of Companies briefing note - did you receive this?

Attachments: Regulation\_of\_Companies\_-\_Briefing\_Note\_to\_MEM.pdf

From: Nicole Salvian [mailto:nsalvian@apeg.bc.ca]

Sent: Monday, May 25, 2015 2:46 PM

To: Amann-Blake, Nathaniel MEM:EX; Jensen, Diane A MEM:EX

Subject: Regulation of Companies briefing note

Hi Nathaniel,

As promised here is a backgrounder for you on APEGBC's experience with the process of regulating companies that practice professional engineering and professional geoscience. If there is any additional information we can provide, please just let me know.

Best regards

Janet

Janet Sinclair | Chief Operating Officer

Association of Professional Engineers & Geoscientists of BC

200-4010 Regent Street, Burnaby, BC V5C 6N2

Direct: 604-412-4874 / Toll Free: 1-888-430-8035 ext. 4874

Fax: 604-430-8085 www.apeg.bc.ca

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Nicole Salvian | Administrative Assistant to the Chief Operating Officer and the

Chief Regulatory Officer & Deputy Registrar

Association of Professional Engineers & Geoscientists of BC 200-4010 Regent Street,

Burnaby, BC V5C 6N2

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Page 028 to/à Page 038

Withheld pursuant to/removed as

DUPLICATE

#### Metcalfe, Megan MEM:EX

From: Janet Sinclair <jsinclair@apeg.bc.ca>
Sent: Wednesday, June 3, 2015 11:03 AM
To: Amann-Blake, Nathaniel MEM:EX

Cc: Tony Chong
Subject: RE: follow up

**Attachments:** PublicOpinion2014\_17Sep2014.ppt

#### Hi Nathaniel,

That's correct. We do not issue COAs and as far as I am aware we have never issued one. The public opinion poll was conducted Sept 8 – 12, 2014 (sorry there was an error in the briefing note) and it did not refer in any way to Mount Polley. This result is consistent with the other public opinion surveys we've done previously. I've attached the Insights West report of the 2014 survey and the question regarding regulation of firms is dealt with on slide 21. We also have the full data tables from the survey if those are of interest. If there are any further questions, please let me know! Cheers,

Janet

From: Amann-Blake, Nathaniel MEM:EX [mailto:Nathaniel.Amann-Blake@gov.bc.ca]

Sent: June-02-15 5:07 PM

To: Janet Sinclair Cc: Tony Chong Subject: RE: follow up

Thanks Janet. Do I understand that no one has applied for a COA in BC?

Also, curious if the public opinion poll in Aug 2014 was taken after Aug 4 and did it refer in any way to Mt polley? Are you able to share the report from that poll? (not critical, just interested).

From: Janet Sinclair [mailto:jsinclair@apeg.bc.ca]

**Sent:** Tuesday, June 2, 2015 1:54 PM **To:** Amann-Blake, Nathaniel MEM:EX

Cc: Tony Chong Subject: RE: follow up

#### Hi Nathaniel,

I'm glad the note is helpful. The people here that could provide the most comprehensive assistance with this would be our Chief Regulatory Officer, Tony Chong or me. You have my contact points and Tony can be reached at <a href="mailto:tchong@apeg.bc.ca">tchong@apeg.bc.ca</a> or 604-412-6058.

As for the investigations piece, page 3 of the briefing note mentions the benefit of the public being able to complain about a company rather than just the individual member. This is useful as there may be more than one member involved on the complainant's project, or they may not know specifically which member was assigned to the part of their project that is problematic. It also would give APEGBC access to relevant documentation regarding the complaint should the member no longer be with that company.

There are currently provisions in the E&G Act that allows the cancellation of a COA or other disciplinary action (sections 33 and 34) if a certificate holder is found "guilty" in a disciplinary hearing. Section 46 regarding confidentiality would also be applicable.

If there is anything additional information we can provide about the investigation or discipline of companies as currently provided for in the Act, please just let me or Tony know.

Best regards, Janet

From: Amann-Blake, Nathaniel MEM:EX [mailto:Nathaniel.Amann-Blake@gov.bc.ca]

Sent: June-01-15 5:01 PM

**To:** Janet Sinclair **Subject:** RE: follow up

Hi Janet, thanks for following up. The note is very helpful. Is there someone my staff can work with going forward on this? I also note the implications for investigations isn't in there.

From: Janet Sinclair [mailto:jsinclair@apeg.bc.ca]

Sent: Monday, June 1, 2015 9:54 AM To: Amann-Blake, Nathaniel MEM:EX

Subject: follow up

Hi Nathaniel,

I just wanted to check in to see if you had any questions about the briefing note. If so, please just give me a call or drop me a line.

Best regards,

Janet

Janet Sinclair | Chief Operating Officer

Association of Professional Engineers & Geoscientists of BC

200-4010 Regent Street, Burnaby, BC V5C 6N2

Direct: 604-412-4874 / Toll Free: 1-888-430-8035 ext. 4874

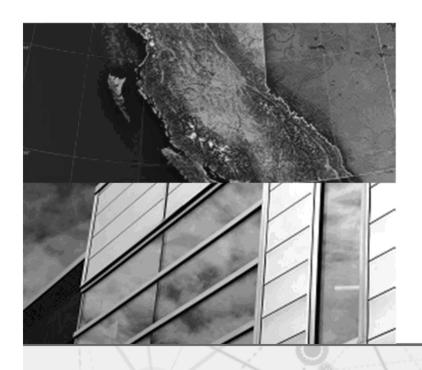
**Fax:** 604-430-8085 <u>www.apeg.bc.ca</u>

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PROFESSIONAL
ENGINEERS AND
GEOSCIENTISTS OF BC:
2014 PUBLIC OPINION SURVEY
(WAVE 3)

Simplified Understanding

September 2014

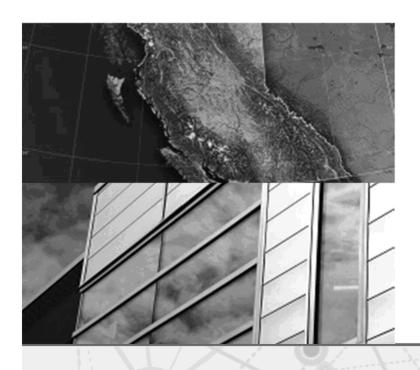


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## INTRODUCTION

Simplified Understanding



## **Background & Objectives**



The Association of Engineers and Geoscientists of British Columbia (APEGBC) regulates and governs the professions under the authority of the Engineers and Geoscientists Act by setting and maintaining high academic, experience and professional practice standards for its over 29,000 members. Individuals licensed by APEGBC are the only persons permitted by law to undertake, and assume responsibility for engineering and geoscience projects in the Province of British Columbia.

One of the objectives of APEGBC's strategic plan is to increase public awareness of the professions and the association. One of the deliverables supporting this goal is the undertaking of a public opinion survey. APEGBC's last public opinion survey was conducted in August 2011 as an online omnibus with a representative sample of 805 adult British Columbians. Prior to that the survey was also conducted in 2008. APEGBC has asked Insights West to conduct the third wave of this public opinion survey in 2014.



### **Objectives**

The objectives of wave three (2014) of are to:

- ☐ Gauge public perception of engineers and geoscientists;
- □ Determine public awareness of what engineers and geoscientists do;
- □ Determine public awareness of APEGBC and what it does; and,
- □ Determine which of APEGBC's activities are most important to the public.

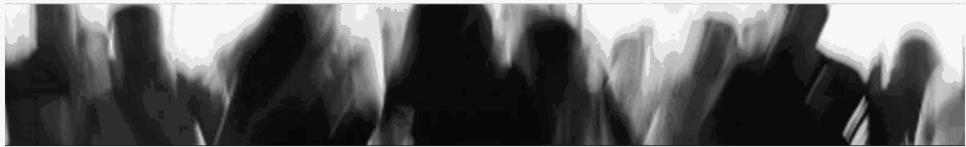




## Methodology

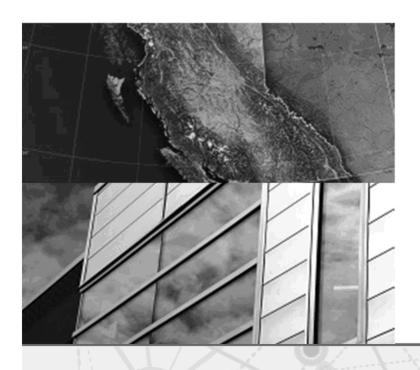


- ☐ The online survey was conducted of 810 adult British Columbians between September 8 and September 12, 2014.
  - □ 79 potential respondents were screened out of the survey because they, or a member of their immediate family works as a professional engineer or geoscientist.
- □ Sample was provided by Insights West's Your Insights Panel. A Western Canadian focused panel with over 15,000 adult British Columbians and Albertans. For more information on the Your Insights panel and Insights West's recruiting sources please visit the panel website at:
  - http://www.insightswest.com/consumer-research-panel/yourinsights-ca/
- □ Data has been weighted to reflect the adult British Columbian population based on census data for region, age, and gender.
- ☐ Insights West has ensured that where applicable, all data from all three waves has been compared and significant differences noted.









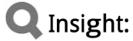
### KEY INSIGHTS



#### **Enduring Respect**

Engineers and Geoscientists continue to garner praise from the public as professionals, well above journalists, lawyers and politicians.

But most importantly, the level of awareness of the APEGBC increased by six points in a screened sample.



✓ British Columbians continue to express positive views on the work of engineers and geoscientists. But, in a welcome change from 2011, more residents are becoming aware of the activities of the APEGBC.

#### The Perceived Barriers Persist

As shown in previous waves, most respondents perceive mathematics and tuition costs are the main barrier for teens to pursue engineering, while geoscientists continue to face difficulties on lack of information sources and awareness about career options.

### **Q** Insight:

✓ It is important to note that the perceived barrier for engineers is related to aptitude and money, whereas the difficulty for geoscientists is directly related to lack of awareness.

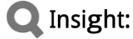






#### An Important Institution

Most British Columbians maintain positive views on the responsibilities of the APEGBC, particularly in regards to developing guidelines and standards of practice for members, and investigating complaints.



✓ The perceptions of the APEGBC"s mandate continue to be regarded as important, on areas like assessments and audits.

#### In Touch with What British Columbians Want

Reception to the branding questions was very good, with three of the four characteristics that British Columbians would like to see on most organizations (Safety, Integrity and Accuracy) being among the top four mentions for APEGBC.

Also, reaction to the name and logo were mostly positive.

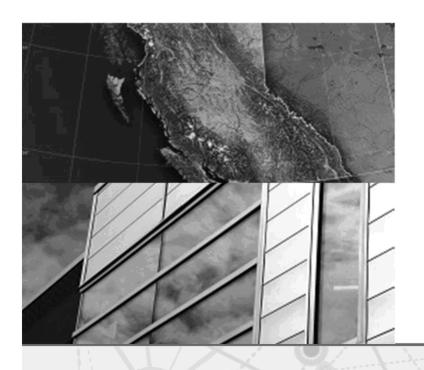
### **Q** Insight:

✓ The split-sample allowed for a direct comparison, which shows that the APEGBC is connecting on the key characteristics that residents want to see in organizations of its size and scope.









### DETAILED FINDINGS

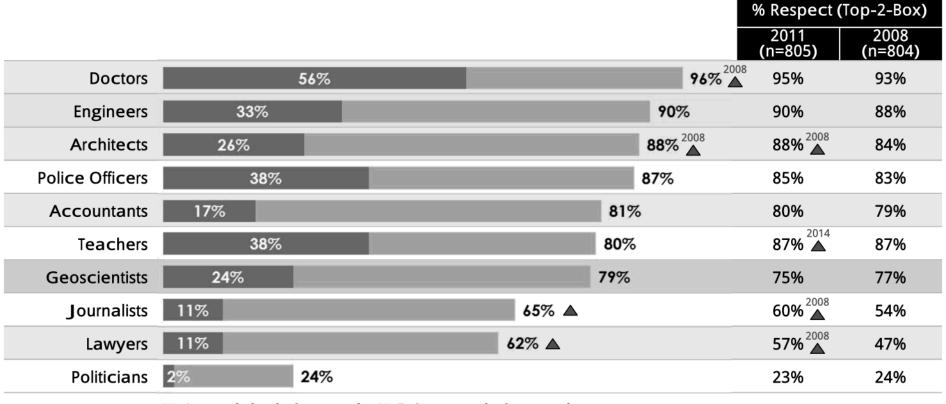


Awareness and Perceptions of the Professions



# Engineers held steady at 90% on the "respect" question, while Geoscientists improved on their 2011 score by four points (79%).

#### Respect for Professional Engineers and Geoscientists



A great deal of respect
Fair amount of respect

Base: All respondents (n=810)

Q1. Generally speaking, do you tend to have a great deal of respect, a fair amount of respect, not much respect or very little respect for each of the following professions?

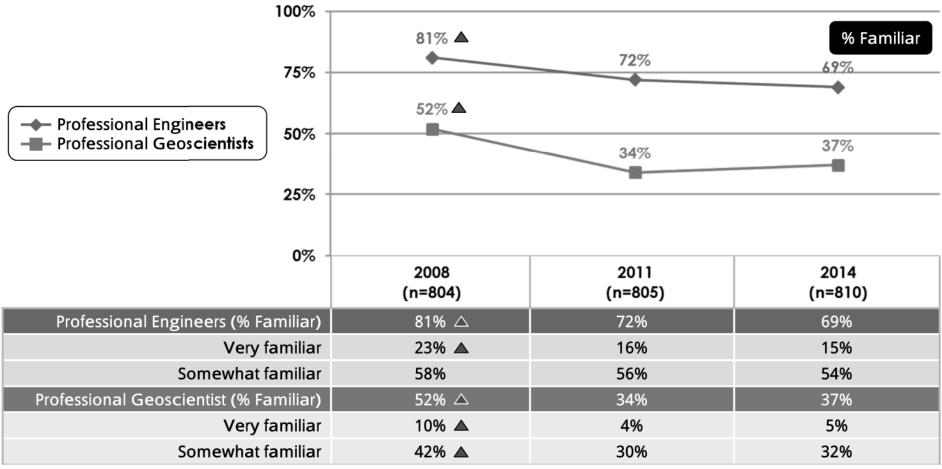






# Familiarity with what these professionals do is similar to the numbers reported in 2011 (+3 for Geoscientists and -3 for Engineers).

#### Familiarity with What Professional Engineers & Geoscientists Do



Base: All respondents

Q2. How familiar are you with what professional engineers and professional geoscientists do as part of their jobs?







# As was the case in the previous two waves, most open-ended responses related to engineers focus primarily on design.

#### Perceptions of What Professional Engineers Do (Among Those Familiar)

			2011 (n=574)	2008 (n=638)
DESIGNING (NET)		49%	48%	50%
To create/design	18%		30% 📤	17%
Design of structures	16% ▲		11% <sup>2008</sup>	5%
MANAGEMENT (NET)	23%		26%	34% 🔺
Plan/organize things	9%		9% <sup>2014</sup>	14% 📤
Evaluate/assess	<b>5</b> %		7%	7%
Monitor and supervise	<b>5</b> %		6%	9% 🔺
CONSTRUCTION (NET)	22%		24%	29% 🔺
Build/construct	8%		10% <sup>2008</sup>	6%
Build/develop roads/roadways/bridges etc.	<b>4</b> %		9% <sup>2008</sup>	6%
Build structures	<b>4</b> %		5% <sup>2008</sup>	9% <sup>2014</sup>
MISCELLANEOUS (NET)		60% <sup>2010</sup>	49% <sup>2008</sup>	55%
Depends of the type of engineer	19%		18% <sup>2008</sup>	<b>26%</b> <sup>2014</sup>
Calculate the safety norms	19% <sup>2010</sup>		13% <sup>2008</sup>	19%
Analyze designs/structures	<b>5</b> %		7% <sup>2008</sup>	3%
Functionality/working of the structures	4%		8% 📤	4%
Don't know	■ 2%		11% 📤	<1%

Note: Only 2014 responses of 5% or higher are shown.

Base: Among those familiar with what professional engineers do (n=500) Q3. What do you think professional engineers do as part of their job?







# Practically half of open-ended responses related to geoscientists focused on the study of the earth, land use and stability.

#### Perceptions of What Professional Geoscientists Do (Among Those Familiar)

		2011 (n=276)	2008 (n=424)
Geology/study of the earth	33%	<b>44%</b> <sup>2014</sup>	60% 📤
Checks for ground stability/that buildings can be built safely/evaluate risk of land use	15%	-	-
Explore natural resources	12% 🛦	5% <sup>2008</sup>	2%
Assess/analyze things underground/ underground exploration	11%	-	_
Mining	10%	10%	15% 📤
Environmental studies	9%	6%	10%
Research	8% 🛦	<b>4%</b> <sup>2008</sup>	1%
Science of earth	6%	12% <sup>2014</sup>	8%
Explore the oil/gas	6%	6%	9%
Study rock samples	5%	6%	10% <sup>2014</sup>
Seismology	5%	5%	11% 🔺
Study plate tectonics	<b>4</b> %	2%	3%
Volcanology	3%	2%	4%
Study of geography	3%	10% 📤	3%
Research natural calamities	1%	2%	2%
Don't know	1%	14% 📤	<1%

Note: Only 2014 responses of 1% or higher are shown.

Base: Among those familiar with what professional geoscientists do (n=275) Q4. What do you think professional geoscientists do as part of their job?





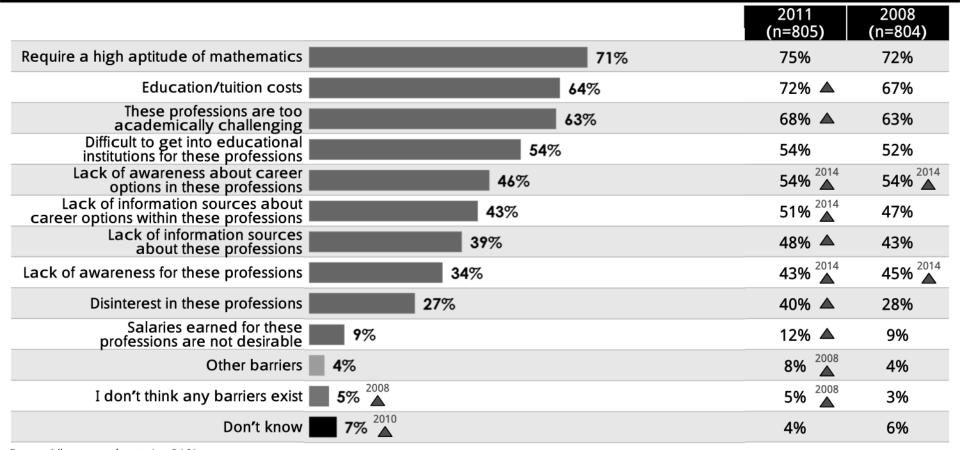


### Perceived Barriers to Teens Pursuing the Professions



## Consistent with the findings of previous waves, a high aptitude in mathematics and a perceived high costs of tuition are regarded as the main barriers for teens.

#### Perceived Barriers to Teens Pursuing Engineer Professions



Base: All respondents (n=810)

Q5. Thinking specifically of the engineer and geoscientist professions what barriers, if any, do you think prevent teens (13-19 year olds) from pursuing careers in these fields? From the list below, please select the barrier(s) that you feel exist for the engineer profession and the geoscientist profession respectively.

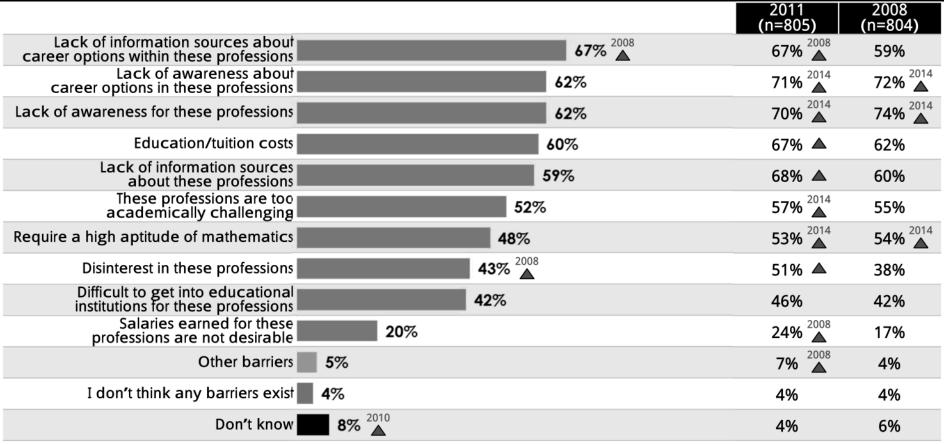






# The lack of information sources about career options remains the biggest perceived barrier for teens when it comes to the geoscientist profession.

#### Perceived Barriers to Teens Pursuing Geoscientist Profession



Base: All respondents (n=810)

Q5. Thinking specifically of the engineer and geoscientist professions what barriers, if any, do you think prevent <u>teens</u> (13-19 year olds) from pursuing careers in these fields? From the list below, please select the barrier(s) that you feel exist for the engineer profession and the geoscientist profession respectively.





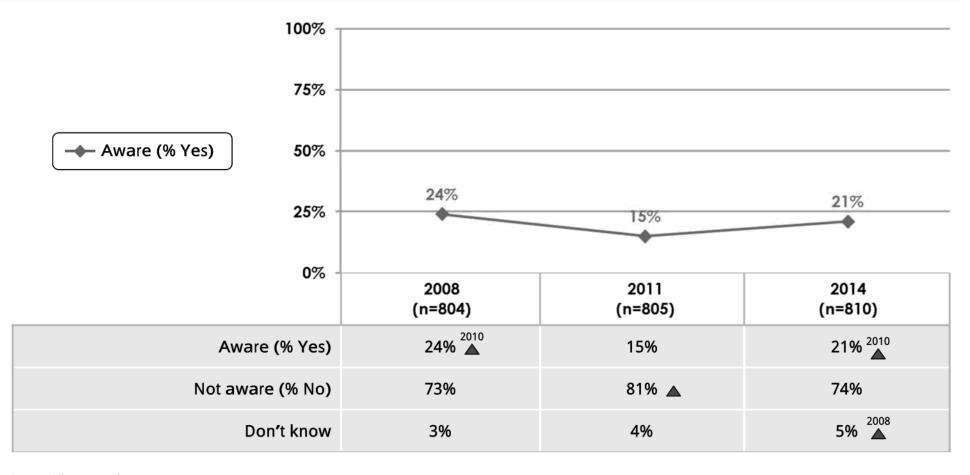


### Awareness and Perceptions of APEGBC



# Awareness of the APEGBC (in a screened sample) increased by six percentage points since 2011 to 21% across the province.

#### Awareness of APEGBC



Base: All respondents

Q7. Before today, had you heard of the "Association of Professional Engineers and Geoscientists of British Columbia" also known as APEGBC?

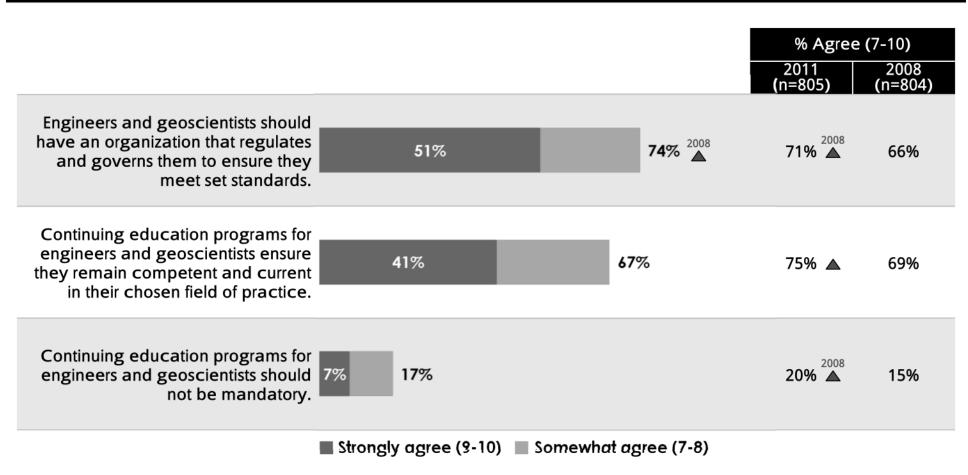






# There is a marked drop in perceptions related to continuing education programs, although they are endorsed b two-thirds of respondents.

### Importance of APEGBC



Base: All respondents (n=810)

Q6. On a scale of 1-10, please tell us how much you agree or disagree with the following statements.







### The public's perceptions on the responsibilities of the APEGBC are remarkably consistent with previous waves of research.

#### Importance of APEGBC's Current & Potential Responsibilities

			% Important (7-10)	
			2011 (n=805)	2008 (n=804)
Develop guidelines and standards of practice for members.	60%	83%	82%	84%
Investigate complaints regarding member's practice and to discipline members if appropriate.	59%	82%	82%	84%
Assess qualifications of applicants to determine if they should be issued a license to practice.	61%	81%	83%	83%
Regulate firms offering professional engineer and geoscientist services to the public to ensure they have qualified professionals and standards for quality assurance.	60%	81%	79%	81%
Audit the practice of individual members to assess compliance with rules and standards.	55%	78%	79%	78%

■ Very important (9-10) ■ Somewhat important (7-8)

Base: All respondents (n=810)

Q8. From the list below, please rate the importance of each of APEGBC's current and potential responsibilities.







# The only significant change on the responsibilities question is related to the assessment of labour market needs.

#### Importance of APEGBC's Current & Potential Responsibilities

			% Importa	nt (7-10)
			2011 (n=805)	2008 (n=804)
Require members to keep up-to-date through a mandatory continuing education program.	47%	77%	78%	79%
Offer professional development opportunities for members.	42%	76%	78%	77%
Promote the professions of engineering and geoscience as a career choice.	39%	72%	73%	73%
Promote the role of the professions of engineering and geoscience.	38%	71%	71%	72%
Assess labour market needs for engineers and geoscientists and make recommendations to ensure the sustainability of the profession.	35%	66%	<b>73%</b> <sup>2010</sup>	<b>72%</b> <sup>2</sup>
Advise the public of disciplinary actions.	34%	62%	59%	63%

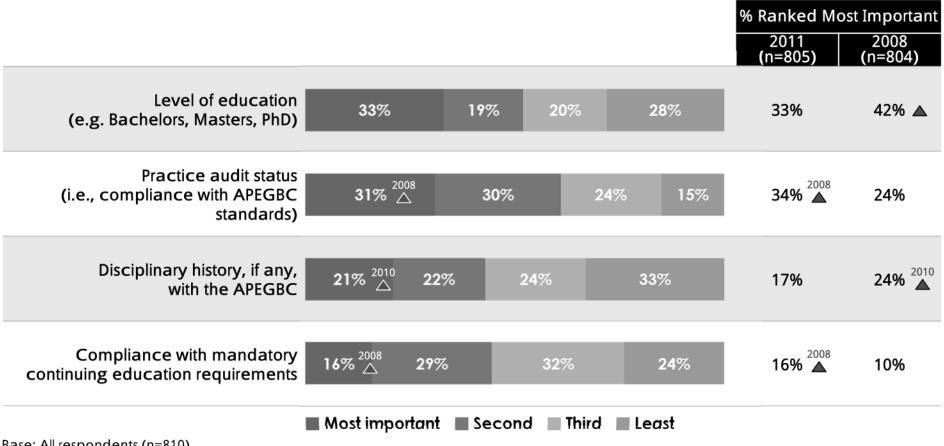


▲ Statistically significantly higher.



### As was the case in 2011, the most important element to access is the level of education, followed by the practice audit status.

#### Ranking the Importance of Information APEGBC Provides to Clients



Base: All respondents (n=810)

Q9. In your opinion, how important are the following pieces of information about engineers or geoscientists that APEGBC should allow a client to have access to when hiring these professionals?







### APEGBC Branding



# Safety, Integrity, Trustworthiness and Accuracy are the most important characteristics that British Columbians want to see on organizations.

#### Organizational Characteristics Important to Serving Public Interest

Not Sure	Does not		Does	
4%	1%	Ensures public safety	82%	95%
4%	1%	Integrity	82%	95%
3%	1%	Trustworthiness	82%	95%
4%	1%	Accurate	81%	95%
4%	1%	Reliable	79%	95%
4%	1%	Protects consumers	<b>76</b> %	95%
3%	2%	Accountability	82%	94%
4%	2%	Fairness	67%	94%
3%	2%	Accessible	60%	94%
4%	4%	Transparency	72%	93%
4%	2%	Supports its members	54%	93%
4%	3%	Respectful	64%	92%
6%	4%	Timeliness	51%	91%
5%	<b>9</b> % 1	Supports the community	43%	86%
5%	12% 2%	Encourages economic development	40%	83%
5%	12%	Innovative	35%	83%
4%	16%	Friendly	35%	<b>79</b> %
Probably not	■ Definitely not ■		■ Definitely ■ Probably	

Base: All respondents (n=411)

Q10a. In your opinion, which of the following characteristics are the most important for an organization that serves the public interest?







### Support, Safety, Integrity and Accuracy are the main characteristics associated with APEGBC.

#### Organizational Characteristics Associated with APEGBC

Not S <b>ure</b>	Does not		Does	
5 <b>3</b> %	3% 🌃	Supports its members	13%	45%
49%	7% 29	Ensures public safety	14%	45%
5 <b>5</b> %	4% 🌃	Integrity	10%	42%
5 <b>3</b> %	5% 🌃	Accurate	<b>9</b> %	42%
5 <b>3</b> %	<b>7</b> % 15%	Accountability	10%	40%
<b>53</b> %	8% 1	Protects consumers	<b>9</b> %	40%
5 <b>6</b> %	4% 🌃	Reliable	8%	40%
<b>56</b> %	5% 🔢	Respectful	7%	40%
<b>54</b> %	7% 1	Trustworthiness	<b>9</b> %	39%
5 <b>4</b> %	9% 📑 Enc	ourages economic development	<b>9</b> %	38%
5 <b>7</b> %	5% 🌃	Fairness	6%	38%
5 <b>7</b> %	10% 1	Innovative	7%	34%
5 <b>7</b> %	13% 2%	Supports the community	7%	31%
5 <b>8</b> %	12% 29	Accessible	6%	30%
63%	11% 1%	Timeliness	5%	27%
<b>64</b> %	10%	Friendly	3%	27%
6 <b>2</b> %	14% 2%	Transparency	3%	25%
Probably not	■ Definitely not ■		Definitel	y 🔳 Probably

Base: All respondents (n=398)

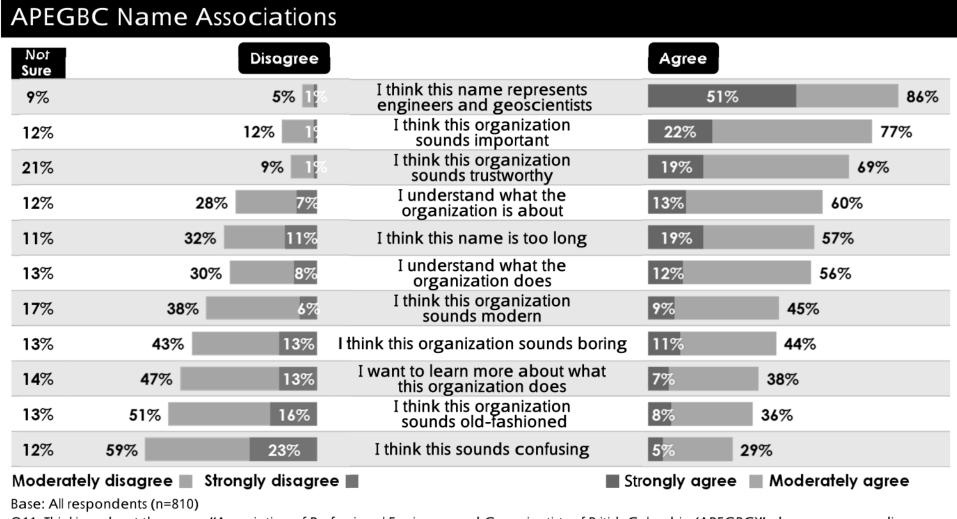
Q10b. In your opinion, does the APEGBC possess each one of the following characteristics?







# The APEGBC name is regarded as a good representation of the members, and also evokes "trust" for seven-in-ten respondents.

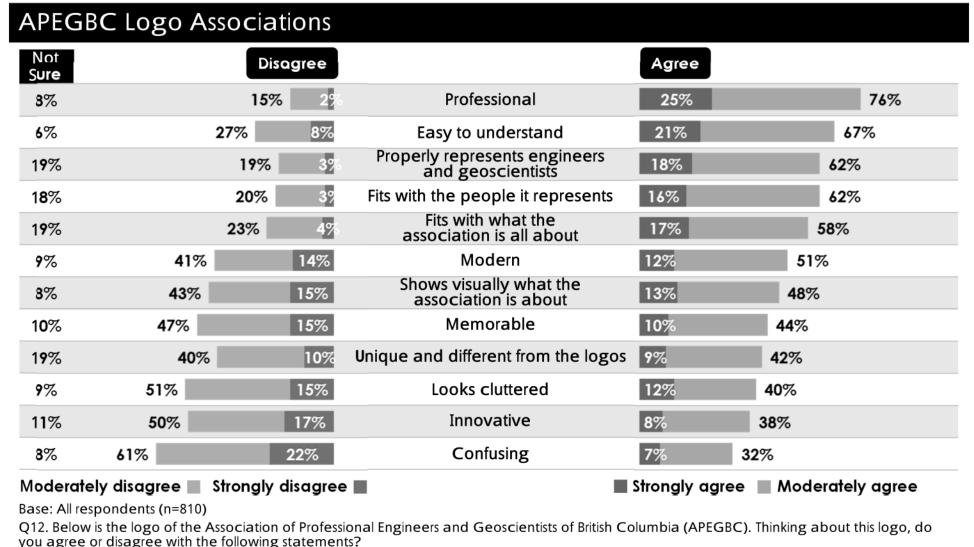


Q11. Thinking about the name "Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)", do you agree or disagree with these statements?





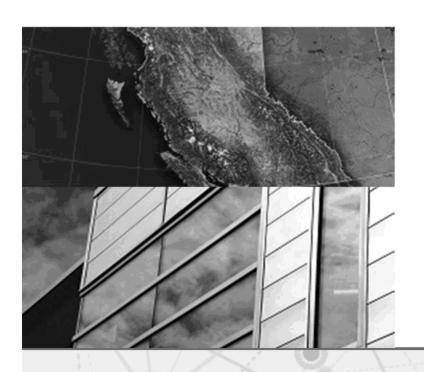
# The APEGBC logo is seen as professional and easy to understand, while only a third of respondents found it confusing.





Insights West





### SAMPLE & WEIGHTING



### **Weighted Sample Characteristics**

	2014 (n=810)	2011 (n=805)	2008 (n=804)
Age			
18 to 34	28%	29%	27%
35 to 54	37%	39%	40%
55+	35%	32%	33%
Gender			
Male	49%	49%	49%
Female	51%	51%	51%
Region			
Metro Vancouver	54%	51%	51%
Vancouver Island	20%	19%	19%
Interior/Northern BC	26%	30%	30%

	2014 (n=810)	2011 (n=805)	2008 (n=804)
Children in Household			
Yes	31%	19%	24%
No	69%	81%	75%
Household Income			
<\$40K	35%	29%	27%
\$40K to \$75K	42%	34%	34%
\$75K+	23%	37%	39%
Education			
High school or Less	19%	24%	41%
Some post secondary	40%	44%	31%
University grads	41%	32%	27%

Base: All respondents







For more information please contact:
Mario Canseco
Vice President, Public Affairs
Insights West
mariocanseco@insightswest.com
778.929.0490

#### Metcalfe, Megan MEM:EX

we have this information.

Any thoughts you have would be appreciated.

Thanks.

From:	Tony Chong <tchong@apeg.bc.ca></tchong@apeg.bc.ca>
Sent:	Tuesday, June 9, 2015 11:12 PM
To:	Cox, Brad MEM:EX
Cc:	Janet Sinclair; Amann-Blake, Nathaniel MEM:EX; McNevin, Bernadette MEM:EX
Subject:	Re: regulation of engineering and geoscience firms
Good evening Brad,	
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Best Regards, Tony	
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**Brad Cox** 

Senior Policy Analyst

Policy, Legislation and Issues Resolution Branch Mines and Mineral Resources Division BC Ministry of Energy and Mines (250) 952-8007

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Sent: Wednesday, June 10, 2015 6:50 PM

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Cc: Janet Sinclair; Amann-Blake, Nathaniel MEM:EX; McNevin, Bernadette MEM:EX

Subject: RE: regulation of engineering and geoscience firms

Great Questions Brad! Let's see what we can find out from our sister associations. Will get back to you when we have this info.

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Policy, Legislation and Issues Resolution Branch Mines and Mineral Resources Division BC Ministry of Energy and Mines (250) 952-8007

#### Metcalfe, Megan MEM:EX

From: McNevin, Bernadette MEM:EX
Sent: Friday, June 12, 2015 3:46 PM
To: 'Tony Chong'; Janet Sinclair

Cc: Amann-Blake, Nathaniel MEM:EX; Cox, Brad MEM:EX; Jensen, Diane A MEM:EX

Subject: RE: regulation of engineering and geoscience firms

Hi Janet / Hi Tony

Thanks for responding to our requests for information about this issue.

We would be interested in discussing the matter via phone call on Wednesday next week. Can I suggest that we book in 10:30am on Wednesday June 17 for a discussion?

Please let me know if this would suit.

**Thanks** 

Bernadette McNevin

Director, Policy & Regulatory Reform, Mines and Mineral Resources Division, MEM

Phone: (250) 952-0317 Cell: (778) 679-5226

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From: Tony Chong [mailto:tchong@apeg.bc.ca] Sent: Wednesday, June 10, 2015 6:50 PM

To: Cox, Brad MEM:EX

Cc: Janet Sinclair; Amann-Blake, Nathaniel MEM:EX; McNevin, Bernadette MEM:EX

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Senior Policy Analyst

Policy, Legislation and Issues Resolution Branch Mines and Mineral Resources Division BC Ministry of Energy and Mines (250) 952-8007

#### Metcalfe, Megan MEM:EX

From: Tony Chong <tchong@apeg.bc.ca>
Sent: Monday, June 15, 2015 9:19 AM
To: McNevin, Bernadette MEM:EX

Cc: Amann-Blake, Nathaniel MEM:EX; Cox, Brad MEM:EX; Jensen, Diane A MEM:EX

**Subject:** RE: regulation of engineering and geoscience firms

Importance: High

Good Morning Bernadette,

s.22

In checking my calendar, I am available anytime Wednesday afternoon this week but unfortunately, I have a couple of meetings already lined up in the morning.

Would 1:00 p.m. work for you and your staff?

Please confirm along with the phone no. for me to call.

Best Regards,

Tony

Tony Chong, P.Eng. | Chief Regulatory Officer & Deputy Registrar Association of Professional Engineers & Geoscientists of BC

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### Metcalfe, Megan MEM:EX

From: Tony Chong <tchong@apeg.bc.ca>
Sent: Monday, June 15, 2015 4:59 PM

To: Cox, Brad MEM:EX

Subject: RE: regulation of engineering and geoscience firms

Good afternoon Brad,

We are still in the process of gathering more info but what I can tell you from info received from our sister associations APEGA (Alberta) and PEO (Ontario) is the following:

- 1. The regulation of Companies via Certification of Authorization (or license) dates back a number of years. PEO reported that it's about 30 years.
- 2. Certification of Authorization can be revoked if a company fails to pay the annual fees or appoint a "Designated Responsible Individual". However, there would be warning notices before revocation takes place.
- 3. Companies that have their Certification of Authorization revoked can apply to have reinstatement by correcting the infraction(s).
- 4. We try to find out examples where a Company had its Certification of Authorization revoked for reasons other than the reasons stated in 2. above but our contacts indicated either that they are not aware of recent examples or that they can not talk about it because the matter is confidential.

Hope this helps. Will forward more info as we receive it.

Cheers!

Tony

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Sent: June-15-15 4:29 PM

To: Tony Chong

Subject: FW: regulation of engineering and geoscience firms

Hi Tony,

I just wanted to touch base on these questions. No pressure - just trying to get a sense of when you think you might have some of the info we discussed below? I know it can be hard to estimate things like this as you may be seeking info from your sister organizations but any sense you have would be really appreciated.

Thanks for all your help on this, Tony!

Cheers,

**Brad** 

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## Metcalfe, Megan MEM:EX

From:	Tony Chong <tchong@apeg.bc.ca></tchong@apeg.bc.ca>
Sent:	Tuesday, June 16, 2015 10:42 AM

To: Harshan Radhakrishnan

Cc: Mitchell, Peter FLNR:IN; Cox, Brad MEM:EX

**Subject:** FW: regulation of engineering and geoscience firms

Importance: High

Hello Harshan,

Can you please provide some contacts for Brad at our sister Associations for Brad's purpose? It looks like there is some urgency for them to obtain more info directly.

You may wish to connect with Peter to provide you with contacts that he knows will provide the info quickly.

Many thanks!

Tony

Tony Chong, P.Eng. | Chief Regulatory Officer & Deputy Registrar Association of Professional Engineers & Geoscientists of BC

200-4010 Regent Street, Burnaby, BC V5C 6N2

Direct: 604-412-6058/Toll-Free: 1-888-430-8085 ext. 6058 Email: tchong@apeg.bc.ca Fax: 604-430-8085 www.apeg.bc.ca

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----Original Message----

From: Cox, Brad MEM:EX [mailto:Brad.Cox@gov.bc.ca]

Sent: June-16-15 9:30 AM

To: Tony Chong

Subject: RE: regulation of engineering and geoscience firms

Hi Tony,

Is there any chance I could get some contact numbers for your sister orgs in other provinces? There is a desire here to find out quickly when other provinces started regulating engineering firms. I know you folks have asked for some info as well - but I'm hoping I might be able to get the "when" answered over the phone.

Any contact lists would be greatly appreciated. Thinking for APEGBC sister orgs that regulate firms.

Thanks

Brad

----Original Message----

From: Tony Chong [mailto:tchong@apeg.bc.ca]

Sent: Monday, June 15, 2015 4:59 PM

To: Cox, Brad MEM:EX

Subject: RE: regulation of engineering and geoscience firms

Good afternoon Brad,

We are still in the process of gathering more info but what I can tell you from info received from our sister associations APEGA (Alberta) and PEO (Ontario) is the following:

- 1. The regulation of Companies via Certification of Authorization (or license) dates back a number of years. PEO reported that it's about 30 years.
- 2. Certification of Authorization can be revoked if a company fails to pay the annual fees or appoint a "Designated Responsible Individual". However, there would be warning notices before revocation takes place.
- 3. Companies that have their Certification of Authorization revoked can apply to have reinstatement by correcting the infraction(s).
- 4. We try to find out examples where a Company had its Certification of Authorization revoked for reasons other than the reasons stated in 2. above but our contacts indicated either that they are not aware of recent examples or that they can not talk about it because the matter is confidential.

Hope this helps. Will forward more info as we receive it.

Cheers!

Tony

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----Original Message-----

From: Cox, Brad MEM:EX [mailto:Brad.Cox@gov.bc.ca]

Sent: June-15-15 4:29 PM

To: Tony Chong

Subject: FW: regulation of engineering and geoscience firms

Hi Tony,

I just wanted to touch base on these questions. No pressure - just trying to get a sense of when you think you might have some of the info we discussed below? I know it can be hard to estimate things like this as you may be seeking info from your sister organizations but any sense you have would be really appreciated.

Thanks for all your help on this, Tony!

Cheers,

**Brad** 

-----Original Message-----From: Cox, Brad MEM:EX

Sent: Wednesday, June 10, 2015 11:19 AM

To: 'Tony Chong'

Cc: Janet Sinclair; Amann-Blake, Nathaniel MEM:EX; McNevin, Bernadette MEM:EX

Subject: RE: regulation of engineering and geoscience firms

Hi Tony,

Thanks for following up on this. What we are really trying to get a sense of is whether other provinces started regulating engineering/geoscience firms after 2002. We know that the CEBC (now ACECBC) had some competitiveness concerns in 2002 and if the regulatory landscape hasn't really changed since then, it's more likely that the ACECBC would have similar concerns today. We definitely recognize that if there is a decision to move this forward, there would need to be consultation with the ACECBC, but at this point we are just trying to get a sense of where they might be. As far as I am aware, we don't have anything more recent than the September 2002 CEBC position paper that was included in APEGBC's May 25, 2015 report.

If you folks are talking to your sister associations, we are also interested in what the regulation of engineering/geoscience firms generally looks like and how it plays out from an enforcement perspective. My sense from looking at a few of the statutes on other jurisdictions is that typically there is a prohibition on practice for firms unless authorized by the applicable professional association (e.g., through the issuance of a certificate of authorization (COA) for a fee). Continuing to hold a COA is conditional on the firm following the association's rules/bylaws - with suspension/revocation of the COA possible. Do we have examples of how model this typically plays out when a firm is in contravention? I imagine Individual engineers have their licenses pulled occasionally (?) but wondering how or if that works with a firm. Have we seen this happen anywhere in Canada?

Thanks again Tony - and please feel free to contact me with any questions you might have.

Cheers,

Brad

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From: Tony Chong [mailto:tchong@apeg.bc.ca]

Sent: Tuesday, June 9, 2015 11:12 PM

To: Cox, Brad MEM:EX

Cc: Janet Sinclair; Amann-Blake, Nathaniel MEM:EX; McNevin, Bernadette MEM:EX

Subject: Re: regulation of engineering and geoscience firms

Good evening Brad,

Thank you for raising these questions. My answers/comments follow your questions below.

Best Regards,

Tony

Sent from my iPad

On Jun 9, 2015, at 2:06 PM, Cox, Brad MEM:EX <Brad.Cox@gov.bc.ca<mailto:Brad.Cox@gov.bc.ca>> wrote:

Hi Janet and Tony,

Hoping you can help me out on a couple of questions that have come up regarding the potential regulation of engineering and geoscience firms in BC as I try to understand the issue better:

As you know, in 2002, the Consulting Engineers of BC (now the Association of Consulting Engineering Companies of BC or ACECBC) opposed mandatory regulation of engineering firms in part because of impacts on interprovincial competitiveness (e.g., regulated BC engineering firms would face more claims and have higher costs than their interprovincial counterparts. Do you think this is still as big of concern for ACECBC with the current regulatory landscape across Canada?

T/C -While I can not speak on behalf of ACECBC, my sense is that this has become lesser of a concern over the years. They may have other concerns, however. It is for this reason that we strongly suggest that Government should consult ACECBC and other stakeholders before making a decision on this.

• A related question – Do you have a sense of whether the regulation of firms in other Canadian jurisdictions is a longstanding practice or more of a recent trend?

T//C - We need to check with our sister associations to provide you with an accurate Response. I have asked one of my staff to check into this. Will get back to you when we have this information.

Any thoughts you have would be appreciated.

Thanks.

**Brad Cox** 

Senior Policy Analyst

Policy, Legislation and Issues Resolution Branch Mines and Mineral Resources Division BC Ministry of Energy and Mines (250) 952-8007

### Metcalfe, Megan MEM:EX

From: Harshan Radhakrishnan <hrad@apeg.bc.ca>

**Sent:** Tuesday, June 16, 2015 11:34 AM

To: Cox, Brad MEM:EX

Cc: Mitchell, Peter FLNR:IN; Tony Chong

**Subject:** RE: regulation of engineering and geoscience firms **Attachments:** DOCS-#95608-v4-C\_of\_A\_table-PRM\_s\_revisions.docx

Hi Brad,

Please see the attached document prepared by APEGBC in the recent past for a Council discussion on regulation of companies. Starting from Page 7 of the doc, the references are available. These are the people I contacted to obtain info about CofA/Permit to Practice from the APEGBC's sister associations in the Country.

I have talked to PEO and APEGA recently regarding your request.

### APEGA has mentioned the following:

"The Permit to Practice was introduced into the EGP Act in 1968, but was only required for consulting firms. In the 1981 EGP Act revision, it was expanded to include all operating companies."

The contact at PEO has mentioned that she is not sure about when they started requiring CofAs, but is sure that the requirement has been there for at least 30 years.

Hope this helps. Please let me know if there is any other way I can help.

Best Regards,

Harshan Radhakrishnan, M.A.Sc., P.Eng. | Practice Advisor, Professional Practice, Standards & Development Association of Professional Engineers & Geoscientists of BC 200-4010 Regent Street, Burnaby, BC V5C 6N2

Direct: 604-412-6054 / Toll Free: 1-888-430-8035 ext. 6054

Fax: 604-430-8085 www.apeg.bc.ca

BC's Professional Engineers and Geoscientists: Building progress through innovation every day.

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Quest for Quality in Professional Practice ü Please consider the environment before printing this email -----Original Message-----From: Tony Chong

Sent: Tuesday, June 16, 2015 10:42 AM

To: Harshan Radhakrishnan

Cc: Peter Mitchell; Cox, Brad MEM:EX

Subject: FW: regulation of engineering and geoscience firms

Importance: High

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Senior Policy Analyst

Policy, Legislation and Issues Resolution Branch Mines and Mineral Resources Division BC Ministry of Energy and Mines (250) 952-8007

Provincial Association	Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Association of Professional Engineers and Geoscientists of the Province of Manitoba (APEGM)	Engineers and Geoscientists New Brunswick (APEGNB)	Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)	Engineers Nova Scotia	Engineers PEI	Association of Professional Engineers of Yukon (APEY)	Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG)	Ordre des ingénieurs du Québec (OIQ)	Professional Engineers and Geoscientists of Newfoundland and Labrador (PEGNL)	Professional Engineers Ontario (PEO)	<u>Ordre des</u> géologues du Québec (OGQ)	The Association of Professional Geoscientists of Nova Scotia (APGNS)	The Association of Professional Geoscientists of Ontario (APGO)
Name of the Regulatory Tool	1.Organizational Quality Management Program (voluntary with no authority under the E&G Act Act) 2.Certificates of Authorization (in the E&G Act but only permissive authority not mandatory so never implemented)	Permit to Practice (Mandatory)	Certificate of Authorization (Mandatory)	Certificate of Authorization (Mandatory)	Certificate of Authorization (Mandatory)	Certificate of Compliance (Mandatory)	Certificate of Authorization (Mandatory)	Permit to Practice (Mandatory)	Permit to Practice (Mandatory)	None for the moment.	Permit to Practice (Mandatory)	Certificate of Authorization (Mandatory)	None for the moment.	Certificate of Authorization (Mandatory)	Certificate of Authorization (Mandatory)
Description	Organizations employing APEGBC professionals have a significant influence on the practice of the professions. To address this influence APEGBC has developed the Organizational Quality Management (OQM) Program to improve the quality management of professional engineering and geoscience practices at the individual and organizational level. This voluntary program includes certification for organizations.	The Engineering Geoscience Professions Act requires that partnerships, corporations and other such entities which practice engineering or geoscience have a Permit to Practice. The requirements concerning Permits to Practice are described in Articles 2, 5, 7, 21, 24, 25, 26, 27, 28, 29, 39, 42, 43, 44, 55, 75, 76, 78, 79, 80, 81, 82, 97, 98 and 99 of the Act and Part 7 of the Regulations.	A Certificate of Authorization (CofA) issued under the seal of the APEGM, certifies that a partnership, corporation, or other legal entity, is entitled to practice Professional Engineering or Geoscience within the province of Manitoba, through partners or employees who are Registered Members or Temporary Licensees of APEGM. A sole proprietorship (i.e. not an incorporated entity) is not required to hold a Certificate of Authorization.	If you are working in the name of a company or firm that will be providing engineering or geoscience in NB, the company may need a Certificate of Authorization for NB as well. If your firm will be practicing engineering or geoscience in New Brunswick, for New Brunswick, or affecting the public safety, your firm must be registered with APEGNB. All engineers and/or geoscientists listed on the Certificate of Authorization must be registered/licen sed or in the process of registering with APEGNB.	A CofA is required in accordance with section 22 of The Engineering and Geoscience Professions Act, which provides that every partnership, association of persons or corporation that engages in the practice of professional engineering or the practice of professional geoscience as its principal or customary function shall obtain a 'certificate of authorization'	Companies that provide engineering services to the public of Nova Scotia must be members of Engineers Nova Scotia and have a Certificate of Compliance. Each engineer who works with a company that practices in Nova Scotia must also hold a license with Engineers Nova Scotia.	Any partnership, association of persons or corporation that holds a certificate of authorization may, in its own name, practise professional engineering if it (a) engages in the practice of engineering as one of its principal functions; and (b) has a member or licensee of the Association who, as principal of the association of persons, partner of the partnership, or director or full-time-employee of the corporation, is responsible for the practice of engineering and its supervision. A partnership, association of persons or	The Engineering Professions Act also requires that the partnerships, corporations and other such entities, which practice engineering, have a Permit to Practice. The requirements concerning Permit to Practice are described in Articles 14 through 24 and in Regulation 14 through 19 (PDF).	A Permit to Practice is required for firms practicing engineering and geoscience in the Northwest Territories and Nunavut. "Firm" means a partnership, a corporation, an association of persons and a sole proprietor (if incorporated). To become a Permit Holder, the firm must have at least one person registered to assume responsibility for the Permit. In most cases, there will need to be several individuals registered to assume responsibility for various disciplines. Plea se note that a copy of the Certificate of Incorporation or	The professional Code of Quebec which applies to more than 45 professional bodies includes the ability for the professions to regulate the companies. Both OIQ and OGQ have the ability to regulate the companies and may look into regulation in the near future as a result of the recent events with the Charbonneau Commission, the Office des professions is looking into the possibility of regulating companies under the Professional Code, more to come on this subject after the summer. Currently,	The requirement under the Engineers and Geoscientists Act and the associated Regulations for those offering engineering or geosciences services to the public.  the Act http://www.assembly.nl.ca/legislation/sr/annualstatutes/2008/e12-1.c08.htm  the Regulations http://www.assembly.nl.ca/legislation/sr/annualregs/2011/nr110043.htm  the PEGNL website www.pegnl.ca	In Ontario, professional engineers who provide engineering services directly to the public must have a Certificate of Authorization (C of A). This certificate is issued to individuals or firms and the professional engineers on the certificate require at least five years of relevant experience after the conferral of the engineering degree or the completion of an equivalent engineering education. Individuals and firms holding a C of A must adhere to the professional liability insurance regulations required by the	The professional Code of Quebec which applies to more than 45 professional bodies includes the ability for the professions to regulate the companies. Both OIQ and OGQ have the ability to regulate the companies and may look into regulation in the near future as a result of the recent events with the Charbonneau Commission, the Office des professions is looking into the possibility of regulating companies under the Professional Code, more to come on this subject after the summer.	From the Geoscience Professions Act, 14 (1) A partnership, association of persons or body corporate shall not be registered as a member of the Association or licensed to practise. (2) A partnership, association of persons or body corporate may undertake and carry out the application of geoscience in its own name if one of its principal and customary functions is the application of geoscience and such application of geoscience is carried on under the supervision of a member or full-time permanent employee of the partnership,	Under Section 15 of the Professional Geoscientists Act, 2000 (the "Act"), in order for a corporation or other entity to offer or provide services to the public in Ontario that constitute the practice of Professional Geoscience, it is required to obtain and annually renew a C of A from APGO.

							Janua	<u>19, 2015</u>							
							corporation may apply for a Certificate of Authorization by submitting to the Registrar an application in the form prescribed by the council		equivalent documentation should accompany all Permit applications.	there is no legal authority in Quebec to regulate companies. OIQ has power only over its members. There is expected to be new regulation in 2016 which would provide authority for members to work in companies as well as LLPs.		Professional Engineers Act.		association or body corporate who holds a certificate of registration or a licence to practise.  (3) A partnership, association of persons or body corporate that, in the opinion of the Council expressed by a resolution of the Council, has complied with subsection (2) shall, in the manner prescribed by this Act and the by-laws, be issued a certificate of authorization.	
Total Membership	24825 (29625 total Registered)	72,373 (total Registered)	5758, (6956 total Registered)	5442	10,442 (total registered, from 2013 Annual Report)	5556 (3234 full memberships – 2012 annual report)	(http://www.en gineerspei.com/ sites/www.engi neerspei.com/fil es/Website%20 Annual%20Repo rt%202013 1.pd f) 266 licensees, EIT 98, members 269	810 (http://www.a pey.yk.ca/mem bership- list.php)	2013 Annual Report 2,038 (http://www.nap eg.nt.ca/files/An nual%20Reports /2013%20Annual %20Report.pdf)	60826	2013 Annual Report - 4,458 http://www.pegnl. ca/events/PEGNL AnnualReport 201 4_WEB.pdf	Total P.Eng. licences 77,001	1100	~200	2777 of which 1947 are full members (2013 annual report)
No. of Organizations Registered	OQM Program : 334 registered and 110 certified	4506	660	531	1083	C of C Holders 453 + Sole Practitioners 257 = 710 in total (2012 annual report)	(http://www.en gineerspei.com/ sites/www.engi neerspei.com/fil es/COA%20List %20June%2018 %202014.pdf)	236 (http://www.a pey.yk.ca/per mit-to- practice- holders.php)	397	N/A	524	4860	N/A	~50	189
Application Fee	Covered by Annual Fee	Permit Holder- \$435.00 (The first year's annual dues are included in the initial application fee.)	A non-refundable administration fee in an amount to be set annually by council. Y/E 2014 AMOUNT WITH 5% GST= \$125	Resident - \$260 +HST Non- Resident - \$260 +HST Note: Fees are under review and will be voted on at our AGM in Fredericton February 20, 2015	Non-refundable application fee \$341.25	None	\$150/yr for 1 <sup>st</sup> year, but incl. annual fee for 1 <sup>st</sup> yr	Permit to Practice Application Fee: \$78.75	\$105.00	N/A	None	APPLICATION FEE-\$330.00 + \$42.90 (HST) = \$372.90 (not refundable)	N/A	\$250	Application fees are \$183.75 (plus applicable tax)

							<u> </u>	daiy, 201	<u>~</u>							
Annual Fee	OQM Annual Certification Fee □ 200 □ √N Where N □ number of APEGBC professionals in the organization applying for OQM certification, and the square root of N (√N ) is rounded to a whole number using standard rounding rules. ( currently varies from \$200/yr. for one man firm to over \$3000 yr. for large firms)	Permit Holder-\$435.00 + \$21.75 GST (GST # 106728603) A Permit Holder may apply for a 50% reduction in annual dues if: (a) The Permit Holder has only one Professional Engineer, Professional Geoscientist or Professional Licensee as a full time employee or member of the firm, and (b) The gross revenues of the firm did not exceed \$250,000.00 in the preceding 12 months.	Sole Practitioner Entity (Type SP) The fee for Certificate of Authorization for a type SP entity is \$250.00 (\$238.10 + \$11.90 GST) Practising Entity (Type PE) The fee for Certificate of Authorization for a type PE entity is \$500.00 (\$476.20 + \$23.80 GST)	Resident \$260 + HST Non- Resident - \$520 + HST	The annual fee is \$400 (plus GST) if the holder employs five or fewer professional engineers and/or professional geoscientists registered with APEGS or similar organizations, and \$800 (plus GST) if the holder employs six or more professional engineers and/or professional geoscientists registered with APEGS or similar organizations.	Certificate of Compliance Company - a company that employs a number of engineers and provides engineering services to the public of Nova Scotia. The 2013 fees and dues are \$320.00 plus HST \$48.00 for a total of \$368.00. Sole Practitioner Company - a company that is owned and operated by a registered member of Engineers Nova Scotia and provides engineering services to the public of Nova Scotia. The 2013 fees and dues are \$53.00 plus HST \$7.95 for a total of \$60.95.	\$150/yr	Permit to Practice Annual Fee: \$252.00	\$409.50	N/A	Dues Per mit to Practice (1 discipline )  Annual Dues Per mit to Practice (2 discipline s)	363.32 3.165.03	Annual fee— \$330.00 + \$42.90 (HST) = \$372.90	N/A	Sole Practitioners: \$200. Corporations: \$750	One Practitioner \$262.50 Two Practitioners \$420 Three or more Practitioners \$1050 (plus applicable tax)
Annual Certification Requirements	Submit:  1. Updated Company Info and name of the member responsible for ensuring QM practices are in place and followed 2. New Attestation confirming conformance to QM practices 3. Substantive Revisions to QM practices		The fees and dues applicable to the annual renewal of a certificate of authorization shall comprise a non-refundable administration fee in an amount to be set annually by council plus the annual dues for a certificate of authorization. Certificates of Authorization expire annually on April 30th. Renewal forms are sent to all Certificate of	Prior to undertaking the practice of engineering or geoscience in any calendar year any holder of a certificate of authorization shall submit to the Registrar, in the form prescribed by Council, current information updating that contained in the original application. Annual dues shall accompany the submission.	Each CofA holder is required to have at least one official representative (a licensed APEGS member) who is responsible for ensuring the CofA holder complies with the Act and Bylaws, and at least one Saskatchewan licensed engineer/geoscientist responsible for the engineering and geoscience undertaken (it	Organizations engaged in providing Professional Engineering services to the Public must file an Information Return on or before January 1 of each year. Engineers Nova Scotia will issue a Certificate of Compliance indicating adherence to the requirements of By-Law 13(B) upon filing of the necessary	Renewal notice needs to be updated with any changes by the company.	Renewal notice sent. It is checked to make sure that the members responsible are the same. If there are changes the company needs to update info. Until all the responsible members' dues are paid up, the permit isn't renewed.	They send a renewal form which has to be filled out by the company. Company lists the major projects they are working on and have to list the engineers working in their company in Nunavut/NWT.	N/A	Confirm the na of members in responsible ch for each discip Confirm that Professional Liability Insura is in place for permit Pay required f	n narge pline ance the	Original Renewal Application accompanied by the annual Certificate of Authorization Fee of \$330.00 + \$42.90 (HST) = \$372.90 in Canadian funds.	N/A	The association ensures that there is at least a single registered professional geoscientist on staff at the company prior to recertification.	Certificate of Authorization holder must demonstrate proof of Professional Liability Insurance; and hold a Professional Geoscientist designation in good standing.

								7, 2013							
			Authorization holders in February. Renewal payment or written resignations must be received by March 31st.	Upon approval of the submission by Council the Association shall issue evidence of validation which shall be attached to the certificate of authorization.	may be the same person).	information.									
Auditing	Initial Level 1 Audit 5 year cycle Level 2 Audits (site visits)	Permit holders must attend a seminar every 5 years	The certificate of authorization shall not be valid unless it bears a sticker issued by the association indicating that the certificate is valid for the period shown on the sticker.	No	There is no audit per se, but the official representative is sent an "annual return" along with the dues notice to verify and update the information for the CofA holder. If the CofA holder fails to maintain an official representative, the CofA will be revoked until an official representative is named. The holder of a CofA is required to advise the registrar of any changes to the particulars provided in its application for a CofA not later than 30 days after the effective date of the change.	No	No	No	No	No audit will be carried out.	No with the exception of the items noted in the following topic: See rows below on this column.	No (Note: they have an auditor who reviews PEO's work and the auditor has also looked at companies regulated by PEO)	N/A	No	No
Value	Company needs to develop, implement, and have their APEGBC professionals follow quality management procedures which are consistent with the 7 QM practices under the E&G Act.	Permit holders must follow a professional management plan Permit holders must attend a seminar every 5 years Permit number must be displayed on all stamped documents	Establish 'members in responsible charge' as they leave or start employment with Permit Holder (requirement of Act) Confirm professional Liability insurance is in place as it expires / within 30 days of expiry of professional liability insurance, permit to practice is	None	The value in requiring a certificate of authorization is that there is a responsible individual APEGS member (i.e. the official representative) that APEGS can deal with respect to the operations within that entity, be it a consulting firm, a mine, an oil company, etc.	None	No. Only engineer needs to have liability insurance.	APEY closely mirrors APEGA. The association is trying to set up once/5 yr permit holder seminar session.	None (being in compliance with the legislation)	There will be conditions to be respected regarding ownership of voting rights, ethics and professional liability insurance.	Establish 'members in responsible charge' as they leave or start employment with Permit Holder (requirement of Act) Confirm professional Liability insurance is in place as it expires / within 30 days of expiry of professional liability insurance, permit to practice is cancelled ( PLI is requirement of the	None. Even the requirement to have liability insurance in not mandatory.	N/A	None. There is a requirement to have liability insurance.	None. Certificat e of Authorization is required in Ontario by virtue of the Professional Geoscientists Act, 2000.

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			cancelled ( PLI is requirement of the Act)								Act) Permit Holders are subject to the discipline process (requirement of the Act)				
Mandatory?	OQM No C of A , permissive bot not mandatory Note: OQM becoming market driven as some consumers of engineering services like BC Hydro will only engage firms that have the 7 QM procedures in place to obtain OQM certification and APEGBC has the OQM trademark and can take it away from OQM certified organizations should they become non- compliant	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes	N/A	Yes	Yes	N/A	Yes	Yes
Benefits beyond Listing in the Association Directory	*NEW* 5%     discount on     Professional     Liability     Insurance from     Marsh Canada.     Employees     exempt from     random     APEGBC     Practice     Reviews.     Recognition on     the APEGBC     website and     OQM     certification     announced in     Innovation     magazine.     Build your     company brand     by being     licensed to use     the trade-     marked OQM     logo in     proposals, etc.     Meet market     demand by		A condition of the Certificate of Authorization is that the entity must have professional liability insurance coverage (benefit to public).	None	As a professional regulatory, APEGS duty is to the public. In spite of this, I think a CofA requirement does provide some benefit to a the holder as it does provide a method to ensure that all those people who are required to be licensed for a particular project (especially those outside of the jurisdiction) are, in fact, licensed. In the case of some small firms (say where there is one shareholder, director, officer and employee) there is likely no benefit to the holder. In the	Ability to provide engineering services in NS	None	None	None (being in compliance with the legislation)	There will be conditions to be respected regarding ownership of voting rights, ethics and professional liability insurance.	Primary benefits are to the public There are a small number of companies that do not require Permit Holder status but wish to have it. The requirements of the Professional Liability insurance by Permit Holders are noted in PEGNL's insurance bylaw as noted in the attached link http://www.pegnl.ca/documents/by-law%202.pdf	OSPE, the advocacy group for engineers in Ontario deals with the benefits	N/A	None	Public has a forum to lodge complaints against companies.

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	having a quality management system endorsed by APEGBC  Demonstrate that your organization is a leader in its commitment to quality management practices and standards.  Support your APEGBC professionals in meeting their professional obligations thus attracting and retaining talent.				case of the benefit to the public, in the case of a complaint, it does give APEGS the ability to investigate the holder of the CofA.										
Annual Revenue from Regulation of Companies	Mandated to be revenue neutral once mature. Year 2 OQM revenue projected at \$130,000.	\$ 1,485,000 (2013 Annual Report)	\$ 296,262 (2013 Annual Report)	\$ 234,000	\$ 609,758.36 (unaudited revenue from 2013 Annual Report)	\$172,000, Fiscal 2014	\$ 29,000	\$ 47,500 (Jan- Dec 2013)	For 2012: Annual dues= \$149,535, Registration= \$14,350	N/A	\$340,336 (from 2013 Annual report and is 20% of annual revenue)	At least \$1.16 M which is 20% of Application, reg. and exam fees=\$5,788,072 (2013 annual report)	N/A	Approx: (\$750*30 corporations) + (\$200*20 Sole practitioners)= \$26500	\$100,000
Scope of Practice/Types of Firms Regulated	Aerospace, Construction, Consulting, Government Agencies, Municipal Government, Provincial Government, Healthcare, High Technology, Heavy Industry, Light Industry, Manufacturing, Marine Engineering and Naval Architecture, Natural Resources, Operations, Research and Development, Utilities	Any company, partnership, or corporation practising professional engineering (regardless of whether offering to the public or not). Applies to companies even if one engineer only, sole proprietors, etc.	Manufacturing, Construction, Consulting (from CofA info sheet) Operating Entity (Type OE) An operating entity is a partnership, corporation, agency or other entity where:  • All professional services are consumed internally in the creation of the product that the operating entity sells; and  • No professional services are offered directly to anyone (person or company) outside the operating entity for a fee or other consideration.	All partnerships, associations of persons or corporations providing professional services to the public  • Does not apply to sole proprietorships (i.e. not an incorporated entity)  • Must list all engineers working at the company	All partnerships, associations of persons or corporations practising professional engineering (regardless of whether offering to the public or not)  • Applies to all companies, even if there is only one licence holder  • Does not apply to sole proprietorships (i.e. not an incorporated entity)  The base for the CofA requirement is not just consulting entities, but operating entities as well, such as oil companies, mining	Every organization that currently provides Professional Engineering services directly to the public is to submit an Information Return that is available through the Association's office. Those business entities that practice Professional Engineering for their own use, such as Nova Scotia Power Incorporated and Aliant, are not required to obtain a Certificate of Compliance.	Any partnership, association of persons or corporation practising professional Engineering (regardless of whether offering to the public or not). Does not apply to sole proprietorships (i.e. not an incorporated entity)	If you are practicing engineering you require a Permit to Practice. This includes partnerships, corporations and other such entities, which practice the profession of engineering. The Engineering Professions Act does not differentiate between size of an organization or whether the organization is practicing for internal or external reasons.	In NWT Act, a "firm" includes a partnership, corporation or association of Persons. A permit holder may practice professional Engineering or professional geosciences in the name of the firm. Sole practitioners are exempted from needing a permit.	Quebec law forbids members of professional orders (such as OIQ) to carry professional activities within a L.L.P. or a joint-stock company constituted for that purpose unless the relevant professional order authorizes it by regulation. There is a grandfather clause applicable for joint-stock companies that provided professional engineering services before June 21st 2001.  The regulation will allow	Restricted to those offering services to the public, which includes consulting companies and those for which customized engineering or geosciences services are a significant portion of the product they offer to their clients. They supply engineering and geoscience services to most sectors of the economy.  As you gather from the above, PEGNL licenses permit holders by discipline. It does this by requiring there be at least one member in responsible charge for each discipline under the permit license. PEGNL professional	Individuals and business entities that provide professional engineering services to the public	Quebec law forbids members of professional orders (such as OIQ) to carry professional activities within a L.L.P. or a joint-stock company constituted for that purpose unless the relevant professional order authorizes it by regulation. There is a grandfather clause applicable for joint-stock companies that provided professional engineering services before June 21st 2001.  The regulation will allow engineers to work within a LLP or a	A partnership, association of persons or body corporate may undertake and carry out the application of geoscience in its own name if one of its principal and customary functions is the application of geoscience and such application of geoscience is carried on under the supervision of a member or full-time permanent employee of the partnership, association or body corporate who holds a certificate of registration or a licence to practise.	Registered professional geoscientists who operate as one practitioner or partnerships, and who offer and provide services to the public in their own legal name (or names) are not required to hold a Certificate of Authorization (C of A). However, all practitioners who offer or provide services through the use of a differently named entity (either an incorporated entity), or who offer or provide services through an incorporated entity (whether in their own name or another

							Jai	iuary, 201	<u>.                                    </u>						
			Type OE entities		companies,					engineers to	members are not		company who		name) must hold
			which do not		manufacturers,					work within a	licensed by		provides		a C of A.
			provide		etc. Due to					LLP or a	discipline to get		professional		
			professional		section 14 of The					company who	their P. Eng or P.		engineering		
			engineering or		Interpretation					provides	Geo license.		services (i.e. a		
			professional		Act (the Crown is					professional	However when a		consulting firm).		
			geoscientific		not bound by a						member is put		The regulation		
										engineering			-		
			services in		statute unless					services (i.e. a	forward as in		will not apply to		
			addition to goods		the statute					consulting	responsible charge		engineers		
			or products are		specifically					firm). The	for a discipline, the		working for		
			not required to		mentions that it					regulation will	members resume is		other types of		
			hold a		is), The					not apply to	reviewed by the		businesses or		
			Certificate of		Engineering and					engineers	Registration		governmental		
			Authorization.		Geoscience					working for	Committee to		agencies.		
					Professions Act					other types of	ensure that the				
					does not apply to					businesses or	members'				
					the Government					governmental	education and				
					of Saskatchewan					agencies.	experience is				
					and its Crown					agencies.	aligned with the				
											-				
					corporations.						discipline				
					That being said,						requested. Special				
					several Crown						attention is given				
					corporations do						to the structural				
					hold a CofA and						category.				
					most of the										
					engineers and										
					geoscientists										
					employed in the										
					government are										
					APEGS members,										
					and in the case of										
					complaints, we										
					have had good										
					cooperation from										
					the government										
					ministry or										
					Crown										
					corporation										
					involved.										
Idoutification	Componies con	Doumit stamps	The form of	No seal for		No soal for	No soal for	Dormit To	All stamps	Not known at	Professional Seal	No other	NI/A	No stamp for	No stamp for
Identification	Companies can	Permit stamps	The form of	No seal for	There is a seal for	No seal for	No seal for	Permit To	All stamps	Not known at		No other	N/A	No stamp for	No stamp for
	include the fact	are optional	identification	companies	the holder of a	companies	companies.	Practice Stamp:	(Member,	this time.	(For Professional	identification		companies	companies
	that they are OQM	and may be	required under		CofA which must		Validation seal	\$45.00	Licensee and		Member or	other than the C			
	certified in their	obtained upon	sub-section 26(4)		appear on final		on the		Permit) are		Company Permit to	of A, which is a			
	email signatures	request.	of the Act shall		documents that		certificate -		invoiced at		Practice)	licence that			
	and promotional		include the		require the seal		sticker says		\$40.00 plus GST			permits			
	materials.		identity of the		of professional		which year it's		(\$42.00) per		\$62.15	companies to			
			holder and a		engineer or		valid.		stamp.		· ·	offer and			
			number on a		professional		vana.		Starrip.			provide			
			stamp issued by		geoscientist.							engineering			
			the									services			
			Association. The									to the public.			
			image of the												
			stamp may be												
			reproduced by												
			the holder of the												
			Certificate of												
			Authorization and												
			incorporated in												
			electronic												
			documents.												

Provincial Association	Info Obtained from	Date	Email	Phone
Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	Kelly Dayman, Organizational Quality Management Administrator	11 <sup>th</sup> Dec 2014	kdayman@apeg.bc.ca	604-639-8184
Association of Professional Engineers and Geoscientists of Alberta (APEGA)	2013 Annual Report: http://www.apega.ca/pdf/AR/AR2013.pdf  Ken McMartin, FEC, M.Eng., P.Eng. Engineers Canada	6 <sup>th</sup> Jan 2015	ken.mcmartin@engineerscanada.ca	613-230-2474, Ext. 264
Association of Professional Engineers and Geoscientists of the Province of Manitoba (APEGM)	2013 Annual Report: http://www.apegm.mb.ca/pdf/AnnualReports/2013AnnualReport.pdf	12 <sup>th</sup> Jan 2015		
Engineers and Geoscientists New Brunswick (APEGNB)	Andrew McLeod, FEC(Hon) Chief Executive Officer	6th Jan 2015	mcleod@apegnb.com	506-451-9627
Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)	Robert Mcdonald, P.Eng., FEC, FGC (Hon.)., LL.B. Deputy Registrar, APEGS	19 <sup>th</sup> Dec 2015	Robert Mcdonald <rhmcdonald@apegs.ca></rhmcdonald@apegs.ca>	1-800-500-9547
Engineers Nova Scotia	Kris Dove, P.Eng., MBA Director of Professional Practice & Development Engineers Nova Scotia	5 <sup>th</sup> Jan 2015	Kris Dove <kdove@engineersnovascotia.ca></kdove@engineersnovascotia.ca>	(902) 491-1202
Engineers PEI	Kim Levesque, Administrative Assistant, EPEI			902-566-1268
Association of Professional Engineers of Yukon (APEY)	Kimberly King, Office manager, Registration/Accounting, APEY	6 <sup>th</sup> Jan 2015	kking@apey.yk.ca	18676676727
Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG)	Mimi Kennedy, Office Manager and Registration Coordinator, NAPEG	9 <sup>th</sup> Jan 2015	napeg@napeg.nt.ca	(867) 920-4055

Ordre des ingénieurs du Québec (OIQ)	Gonzalez, Sonia , ing., MBA Conseillère en ingénierie Direction des affaires professionnelles OIQ	17 <sup>th</sup> December 2014	<sgonzalez@oiq.qc.ca></sgonzalez@oiq.qc.ca>	514 845-6141
Professional Engineers and Geoscientists of Newfoundland and Labrador (PEGNL)	Geoff Emberley, MBA, P. Eng., FEC CEO and Registrar Professional Engineers and Geoscientists Newfoundland & Labrador (PEGNL)	12 <sup>th</sup> December 2014	Geoff Emberley <gemberley@pegnl.ca></gemberley@pegnl.ca>	
Professional Engineers Ontario (PEO)	Sandra Bartholomeusz C of A Representative, PEO	9 <sup>th</sup> Jan 2015	cofa.renewal@peo.on.ca	416-840-1038
Ordre des géologues du Québec (OGQ)	Alain Liard, géo. Directeur général et Secrétaire Ordre des géologues du Québec	13 <sup>th</sup> Jan 2015	Alain Liard <dirgen@ogq.qc.ca></dirgen@ogq.qc.ca>	
The Association of Professional Geoscientists of Nova Scotia (APGNS)	David Carter, P.Geo., FGC Registrar	12 <sup>th</sup> Jan 2015	registrar@geoscientistsns.ca	1 (902) 420-9928
The Association of Professional Geoscientists of Ontario (APGO)	2013 Annual Report: https://www.apgo.net/files/2013 Annual Report.pdf Gord White, CEO Association of Professional Geoscientists of Ontario	19 <sup>th</sup> Jan 2015	Gord White < GWhite@apgo.net>	416 203-2746 x22 416 209-0628 cell

### Metcalfe, Megan MEM:EX

From: Peter Mitchell <MITCHELL@apeg.bc.ca>
Sent: Tuesday, June 16, 2015 3:56 PM

To: Hoffman, Al MEM:EX

Cc: Narynski, Heather M MEM:EX; Hynes, Michelle MEM:EX; Amann-Blake, Nathaniel

MEM:EX; Howe, Diane J MEM:EX; Pocklington, Cheryl M MEM:EX; Kuppers, Haley MEM:EX; Doug Kiloh <sup>s.22</sup> \_ \_ ; Morel, David P MEM:EX; Hemphill,

Naomi MEM:EX; Brody, Margo X MEM:EX; Bose, Sara MEM:EX

**Subject:** RE: Letters of Assurance

Αl,

The Association of Consulting Engineering Companies –BC (ACEC-BC) has informed APEGBC that they have decided against pursuing the development of a template LOA in response to your Memorandum of Feb. 3, 2015. Apparently many of their member firms that have been engaged to carry out the work have already completed the reports with assurance letters. The concerns raised with APEGBC by ACEC-BC and some of their member firms in mid-May resulting in my e-mail to you of May 21, 2015 is no longer a priority for ACEC-BC. However I appreciate very much the fact that despite a heavy workload the Ministry was willing to make the effort to review such a template LOA to confirm consistency with your Memorandum of Feb. 3, 2015.

Thanks, Peter

Peter R. Mitchell, P.Eng. | Director, Professional Practice, Standards & Development

Association of Professional Engineers & Geoscientists of BC

200-4010 Regent Street, Burnaby, BC V5C 6N2

Direct: 604-412-4853 / Toll Free: 1-888-430-8035 ext. 4853

**Fax:** 604-430-8085 www.apeg.bc.ca

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Quest for Quality in Professional Practice

T) Pi

Please consider the environment before printing this email

From: Peter Mitchell Sent: June-03-15 8:01 AM To: 'Hoffman, Al MEM:EX'

Cc: Narynski, Heather M MEM:EX; Hynes, Michelle MEM:EX; Amann-Blake, Nathaniel MEM:EX; Howe, Diane J MEM:EX; Pocklington, Cheryl M MEM:EX; Kuppers, Haley MEM:EX; Doug Kiloh Is.22 Morel, David P MEM:EX;

Hemphill, Naomi MEM:EX; Brody, Margo X MEM:EX; Bose, Sara MEM:EX

Subject: RE: Letters of Assurance

Thanks Al, I will forward your response to ACEC-BC.

1

#### Peter

Peter R. Mitchell, P.Eng. | Director, Professional Practice, Standards & Development

Association of Professional Engineers & Geoscientists of BC

200-4010 Regent Street, Burnaby, BC V5C 6N2

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Quest for Quality in Professional Practice



Please consider the environment before printing this email

From: Hoffman, Al MEM:EX [mailto:Al.Hoffman@gov.bc.ca]

Sent: June-02-15 5:21 PM

To: Peter Mitchell

Cc: Narynski, Heather M MEM:EX; Hynes, Michelle MEM:EX; Amann-Blake, Nathaniel MEM:EX; Howe, Diane J MEM:EX; Pocklington, Cheryl M MEM:EX; Kuppers, Haley MEM:EX; Doug Kiloh s.22 Morel, David P MEM:EX;

Hemphill, Naomi MEM:EX; Brody, Margo X MEM:EX; Bose, Sara MEM:EX

Subject: Letters of Assurance

Peter,

As a follow-up to our conversation, as per your email (below), MEM is not opposed to APEGBC and ACEC-BC developing a template to facilitate the submission of consistent Letters of Assurance (LOA) provided that this template does not remove or alter any of the requested information that was included in my original order dated February 3, 2015. It is expected that each of the submissions will still address each of the bullets as outlined, and as numbered, and that supporting rationale will be provided to support any statements/claims that are made. MEM will not be re-contacting mines to request that the proposed template be used, however those mines that choose to use this format (through ACEC-BC) will be acceptable provided the above conditions are met. MEM does request that this template is forwarded to us to confirm that it will not be in conflict with the original order.

Unfortunately I am not willing to extend the deadline to July 30, 2015 as I feel the mines (and their consultants) were given this direction on February 3, 2015 and therefore have had adequate time to collect the requested information and address this issue. The June 30° 2015 deadline has been well publicized; therefore, the public and First Nations will be expecting these letters to be submitted by this date.

Sincerely,

Al Hoffman, P.Eng.

**From:** Peter Mitchell [mailto:MITCHELL@apeg.bc.ca]

Sent: Thursday, May 21, 2015 12:54 PM

To: Al.Hoffmann@gov.bc.ca; Narynski, Heather M MEM:EX

Subject: MEM Feb. 3, 2015 Memorandum

Al, further to my phone call of yesterday I have the following two requests:

- 1) In response to the above referenced memo (http://mssi.nrs.gov.bc.ca/HiglandValley/HighlandValley 2015 LetterOfAssurance.pdf) and in order to facilitate the submission of consistent Letters of Assurance (LOA) which are uniform in format, language and content I would like to work with MEM to prepare a common LOA. Please confirm if this is acceptable. Background: Upon receipt of MEM's memo mining companies contacted the consulting engineering firms they have contracted with to provide such services in order to have them carry out the requested assessment and submit the LOA. The assessment is to determine if the subject dam may be at risk due to undrained shear failure of silt and clay foundations, water balance adequacy and/or filter adequacy. As mentioned in our phone call and my discussion with Heather this morning consulting engineering firms that are members of the Association of Consulting Engineering Companies –BC (ACEC-BC) expressed reservations regarding their engineers signing LOA in response to the Feb. 3, 2015 memo. ACEC-BC proposed issuing a letter to MEM and their member firms expressing their concerns. ACEC-BC contacted APEGBC regarding this matter last week. However since discussing this with APEGBC ACEC-BC is now supportive of APEGBC working with MEM and ACEC-BC to develop a common LOA. It is proposed that this LOA would follow the general approach used in developing the LOA in Appendix C of the APEGBC Professional Practice Guidelines-Legislated Dam Safety Reviews in BC. This LOA was approved by MEM and ACEC-BC member firms. The LOA would be accompanied by an assessment report/document providing the backup which supports the work that was done and the recommendations made. Importantly the proposed common LOA would track the language in MEMO's Feb. 3, 2015 memo (see the second paragraph under item 3 in the memo) by providing the proper context in that it would confirm that the assessments would be based on the following:
  - -a review of existing information
  - -where this information has not been compiled a review of historical information
  - -determine if gaps remain in the understanding of the relevant conditions for the tailings storage facility dam(s) being assessed
  - -identify follow up actions that will be taken to address any opportunities for improvement including a plan or schedule for addressing these
- 2) In order to provide for sufficient time to facilitate APEGBC developing a standard LOA with input from MEM and ACEC-BC member firms we ask that MEM consider a delay until July 30, 2015 for the submission of the LOA identified in MEM's memo of Feb. 3, 2015. Please confirm if this is acceptable.
  Background: The current deadline for submission of the requested LOA to the Chief Inspector of Mines as provided in MEM's memo is June 30, 2015.

Thanks , Peter

Peter R. Mitchell, P.Eng. | Director, Professional Practice, Standards & Development

Association of Professional Engineers & Geoscientists of BC

200-4010 Regent Street, Burnaby, BC V5C 6N2

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Quest for Quality in Professional Practice

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## Metcalfe, Megan MEM:EX

From: Harshan Radhakrishnan <hrad@apeg.bc.ca> Sent: Wednesday, June 17, 2015 1:09 PM To: Cox, Brad MEM:EX Subject: Re: regulation of engineering and geoscience firms Brad, Glad to be of help. Best regards, Harshan > On Jun 17, 2015, at 12:58 PM, "Cox, Brad MEM:EX" < Brad.Cox@gov.bc.ca> wrote: > Thanks for this info. I was able to connect with some of the folks on your contact list and they were all really helpful. > Thanks again! > Brad > -----Original Message-----> From: Harshan Radhakrishnan [mailto:hrad@apeg.bc.ca] > Sent: Tuesday, June 16, 2015 11:34 AM > To: Cox, Brad MEM:EX > Cc: Mitchell, Peter FLNR:IN; Tony Chong > Subject: RE: regulation of engineering and geoscience firms > > Hi Brad, > Please see the attached document prepared by APEGBC in the recent past for a Council discussion on regulation of companies. Starting from Page 7 of the doc, the references are available. These are the people I contacted to obtain info about CofA/Permit to Practice from the APEGBC's sister associations in the Country. > I have talked to PEO and APEGA recently regarding your request. > APEGA has mentioned the following: > "The Permit to Practice was introduced into the EGP Act in 1968, but was only required for consulting firms. In the 1981 EGP Act revision, it was expanded to include all operating companies." > The contact at PEO has mentioned that she is not sure about when they started requiring CofAs, but is sure that the requirement has been there for at least 30 years. > Hope this helps. Please let me know if there is any other way I can help. > Best Regards, > Harshan Radhakrishnan, M.A.Sc., P.Eng. | Practice Advisor, Professional Practice, Standards & Development Association of Professional Engineers & Geoscientists of BC

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> 200-4010 Regent Street, Burnaby, BC V5C 6N2
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recipient, please notify the sender and delete or destroy all copies immediately.
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>
>
>
> -----Original Message-----
> From: Tony Chong
> Sent: Tuesday, June 16, 2015 10:42 AM
> To: Harshan Radhakrishnan
> Cc: Peter Mitchell; Cox, Brad MEM:EX
> Subject: FW: regulation of engineering and geoscience firms
> Importance: High
> Hello Harshan,
> Can you please provide some contacts for Brad at our sister Associations for Brad's purpose? It looks like there is
some urgency for them to obtain more info directly.
> You may wish to connect with Peter to provide you with contacts that he knows will provide the info quickly.
> Many thanks!
> Tony
> Tony Chong, P.Eng. | Chief Regulatory Officer & Deputy Registrar Association of Professional Engineers &
Geoscientists of BC
> 200-4010 Regent Street, Burnaby, BC V5C 6N2
> Direct: 604-412-6058/Toll-Free: 1-888-430-8085 ext. 6058
> Email: tchong@apeg.bc.ca Fax: 604-430-8085 www.apeg.bc.ca
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recipient, please notify the sender and delete or destroy all copies immediately.
>
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>
> -----Original Message-----
> From: Cox, Brad MEM:EX [mailto:Brad.Cox@gov.bc.ca]
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```
> Sent: June-16-15 9:30 AM
> To: Tony Chong
> Subject: RE: regulation of engineering and geoscience firms
> Hi Tony,
> Is there any chance I could get some contact numbers for your sister orgs in other provinces? There is a desire here to
find out quickly when other provinces started regulating engineering firms. I know you folks have asked for some info
as well - but I'm hoping I might be able to get the "when" answered over the phone.
> Any contact lists would be greatly appreciated. Thinking for APEGBC sister orgs that regulate firms.
> Thanks
> Brad
> ----Original Message-----
> From: Tony Chong [mailto:tchong@apeg.bc.ca]
> Sent: Monday, June 15, 2015 4:59 PM
> To: Cox, Brad MEM:EX
> Subject: RE: regulation of engineering and geoscience firms
> Good afternoon Brad,
> We are still in the process of gathering more info but what I can tell you from info received from our sister
associations APEGA (Alberta) and PEO (Ontario) is the following:
> 1. The regulation of Companies via Certification of Authorization (or license) dates back a number of years. PEO
reported that it's about 30 years.
> 2. Certification of Authorization can be revoked if a company fails to pay the annual fees or appoint a "Designated
Responsible Individual". However, there would be warning notices before revocation takes place.
> 3. Companies that have their Certification of Authorization revoked can apply to have reinstatement by correcting the
infraction(s).
> 4. We try to find out examples where a Company had its Certification of Authorization revoked for reasons other than
the reasons stated in 2. above but our contacts indicated either that they are not aware of recent examples or that they
can not talk about it because the matter is confidential.
> Hope this helps. Will forward more info as we receive it.
> Cheers!
> Tony
> Tony Chong, P.Eng. | Chief Regulatory Officer & Deputy Registrar Association of Professional Engineers &
Geoscientists of BC
> 200-4010 Regent Street, Burnaby, BC V5C 6N2
> Direct: 604-412-6058/Toll-Free: 1-888-430-8085 ext. 6058
> Email: tchong@apeg.bc.ca Fax: 604-430-8085 www.apeg.bc.ca
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only. Any unauthorized use is strictly prohibited. If you have received this e-mail in error, or are not an intended
recipient, please notify the sender and delete or destroy all copies immediately.
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> ü Please consider the environment before printing this email.
> ----Original Message-----
> From: Cox, Brad MEM:EX [mailto:Brad.Cox@gov.bc.ca]
> Sent: June-15-15 4:29 PM
> To: Tony Chong
> Subject: FW: regulation of engineering and geoscience firms
> Hi Tony,
> I just wanted to touch base on these questions. No pressure - just trying to get a sense of when you think you might
have some of the info we discussed below? I know it can be hard to estimate things like this as you may be seeking info
from your sister organizations but any sense you have would be really appreciated.
> Thanks for all your help on this, Tony!
> Cheers,
> Brad
>
>
> -----Original Message-----
> From: Cox, Brad MEM:EX
> Sent: Wednesday, June 10, 2015 11:19 AM
> To: 'Tony Chong'
> Cc: Janet Sinclair; Amann-Blake, Nathaniel MEM:EX; McNevin, Bernadette MEM:EX
> Subject: RE: regulation of engineering and geoscience firms
> Hi Tony,
> Thanks for following up on this. What we are really trying to get a sense of is whether other provinces started
regulating engineering/geoscience firms after 2002. We know that the CEBC (now ACECBC) had some competitiveness
concerns in 2002 and if the regulatory landscape hasn't really changed since then, it's more likely that the ACECBC
would have similar concerns today. We definitely recognize that if there is a decision to move this forward, there would
need to be consultation with the ACECBC, but at this point we are just trying to get a sense of where they might be. As
far as I am aware, we don't have anything more recent than the September 2002 CEBC position paper that was included
in APEGBC's May 25, 2015 report.
>
> If you folks are talking to your sister associations, we are also interested in what the regulation of
engineering/geoscience firms generally looks like and how it plays out from an enforcement perspective. My sense
from looking at a few of the statutes on other jurisdictions is that typically there is a prohibition on practice for firms
unless authorized by the applicable professional association (e.g., through the issuance of a certificate of authorization
(COA) for a fee). Continuing to hold a COA is conditional on the firm following the association's rules/bylaws - with
suspension/revocation of the COA possible. Do we have examples of how model this typically plays out when a firm is
in contravention? I imagine Individual engineers have their licenses pulled occasionally (?) but wondering how or if that
works with a firm. Have we seen this happen anywhere in Canada?
> Thanks again Tony - and please feel free to contact me with any questions you might have.
> Cheers,
```

> Brad
>Original Message
> From: Tony Chong [mailto:tchong@apeg.bc.ca]
> Sent: Tuesday, June 9, 2015 11:12 PM
> To: Cox, Brad MEM:EX
> Cc: Janet Sinclair; Amann-Blake, Nathaniel MEM:EX; McNevin, Bernadette MEM:EX
> Subject: Re: regulation of engineering and geoscience firms
> Good evening Brad,
>
> Thank you for raising these questions. My answers/comments follow your questions below.
> Post Pogards
> Best Regards, > Tony
> >
> Sent from my iPad
> Sent from my ir au
> On Jun 9, 2015, at 2:06 PM, Cox, Brad MEM:EX <brad.cox@gov.bc.ca<mailto:brad.cox@gov.bc.ca>&gt; wrote:</brad.cox@gov.bc.ca<mailto:brad.cox@gov.bc.ca>
>
> Hi Janet and Tony,
>
> Hoping you can help me out on a couple of questions that have come up regarding the potential regulation of
engineering and geoscience firms in BC as I try to understand the issue better:
>
>
> · As you know, in 2002, the Consulting Engineers of BC (now the Association of Consulting Engineering Companies
of BC or ACECBC) opposed mandatory regulation of engineering firms in part because of impacts on interprovincial
competitiveness (e.g., regulated BC engineering firms would face more claims and have higher costs than their
interprovincial counterparts. Do you think this is still as big of concern for ACECBC with the current regulatory
landscape across Canada?
>
>
> T/C -While I can not speak on behalf of ACECBC, my sense is that this has become lesser of a concern over the
years. They may have other concerns, however. It is for this reason that we strongly suggest that Government should
consult ACECBC and other stakeholders before making a decision on this.
>
>
> · A related question – Do you have a sense of whether the regulation of firms in other Canadian jurisdictions is a
longstanding practice or more of a recent trend?
>
> T//C - We need to check with our sister associations to provide you with an accurate
> Response. I have asked one of my staff to check into this. Will get back to you when
> we have this information.
>
>
> Any thoughts you have would be appreciated.
>
> Thanks.
>

- > Brad Cox
- > Senior Policy Analyst
- > Policy, Legislation and Issues Resolution Branch Mines and Mineral Resources Division BC Ministry of Energy and Mines
- > (250) 952-8007

## Metcalfe, Megan MEM:EX

From: Tony Chong <tchong@apeg.bc.ca>
Sent: Wednesday, June 17, 2015 6:26 PM
To: Amann-Blake, Nathaniel MEM:EX

Subject: RE: regulation of engineering and geoscience firms

Hello again Nathaniel,

Thank you for your understanding.

We would certainly appreciate receiving a copy of your draft briefing note. Regarding Quebec, it is very difficult to say what their latest thinking is on this issue. As you know, as a result of the Charbonneau Commission Inquiry on Corruption in Quebec, a number of the Ordre d'Ingenieurs de Quebec (our sister association in Quebec) members appear to have been implicated. The organization is having a lot of internal problems trying to convince its members the need to implement more controls/regulations to ensure that they conduct themselves ethically in their business practices. This has not gone well for them with many members in opposition. If the internal conflicts in that organization is not resolved quickly, I believe that there is a real possibility that the Quebec Government may step in and sort it out for them. I don't think I can offer any more comments about Quebec's current thinking on the regulation of companies.

If you are considering a comparable jurisdiction, I think APEGA (Alberta) is probably more relevant than Ontario. For one thing, they are just next door and many of our members are also registered in Alberta with APEGA. That said, one would have to look at the details of their Regulation of Companies a lot closer to ensure that it makes sense for BC. Some other things that you might want to consider are:

- 1. Capitalize on the positive results that we have experienced with our Voluntary Organization Quality Management (OQM) Program. Since its launch about 3 years ago, many BC engineering and geoscience companies/organizations (including the Provincial MOTI and BC Hydro) have participated in it. If the Regulation of Companies proposal calls for the adoption of many of the elements required for OQM certification, many companies/organizations will already be familiar with what is needed. It will make the proposal that much more palatable.
- 2. If the Province decides that the Regulation of Companies should be mandatory in BC, consideration should be given to phase this in beginning with the higher risk (to public safety/interests) ones first then building on the successes and lessons learned, proceed to the next group and so on. This may be a bit tricky in terms of drafting the necessary legislation to enable this but it is doable.
- 3. In your briefing note to the D/M and/or Minister please emphasize the need to consult those that will be impacted by the proposal. No one likes to be surprised.

Hope the foregoing is of some assistance. Please don't hesitate to let us know if we can be of further assistance.

Best Regards, Tony

Tony Chong, P.Eng. | Chief Regulatory Officer & Deputy Registrar Association of Professional Engineers & Geoscientists of BC

200-4010 Regent Street, Burnaby, BC V5C 6N2

Direct: 604-412-6058/Toll-Free: 1-888-430-8085 ext. 6058 Email: tchong@apeg.bc.ca Fax: 604-430-8085 www.apeg.bc.ca The information in this e-mail and any attachments are privileged and confidential and for the intended recipient(s) only. Any unauthorized use is strictly prohibited. If you have received this e-mail in error, or are not an intended recipient, please notify the sender and delete or destroy all copies immediately.

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----Original Message-----

From: Amann-Blake, Nathaniel MEM:EX [mailto:Nathaniel.Amann-Blake@gov.bc.ca]

Sent: June-17-15 2:06 PM

To: Tony Chong

Cc: McNevin, Bernadette MEM:EX; Cox, Brad MEM:EX Subject: RE: regulation of engineering and geoscience firms

Hi Tony, no worries. We do have a few more questions that we could use your help answering. Perhaps Bernadette/Brad can follow up. I'd also like to send you our draft briefing note on the subject once we have it in good shape. Any further info on Quebec would be helpful - if they are considering similar changes or perhaps why not and the history there.

Also, what the best example in terms of a comparable jurisdiction to use to explain how it would work in BC. We tried Ontario but I understand they aren't quite structured the way we are in BC - and require a COA whether you're an individual or a firm (so not the same potential criticism of duplication). Is Alberta a closer match?

Thanks.

----Original Message-----

From: Tony Chong [mailto:tchong@apeg.bc.ca]
Sent: Wednesday, June 17, 2015 1:52 PM
To: Amann-Blake, Nathaniel MEM:EX

Subject: RE: regulation of engineering and geoscience firms

I am so sorry Nathaniel. We've had phone problems this afternoon and that has fouled up my plans. Is it possible to reconnect at some time today or tomorrow?

Again, I am so sorry!!!!

Tony

Tony Chong, P.Eng. | Chief Regulatory Officer & Deputy Registrar Association of Professional Engineers & Geoscientists of BC

200-4010 Regent Street, Burnaby, BC V5C 6N2

Direct: 604-412-6058/Toll-Free: 1-888-430-8085 ext. 6058 Email: tchong@apeg.bc.ca Fax: 604-430-8085 www.apeg.bc.ca

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----Original Message----

From: Amann-Blake, Nathaniel MEM:EX [mailto:Nathaniel.Amann-Blake@gov.bc.ca]

Sent: June-17-15 1:10 PM

To: Tony Chong

Subject: RE: regulation of engineering and geoscience firms

Hi Tony. Are we on for a call?

----Original Message-----

From: Tony Chong [mailto:tchong@apeg.bc.ca] Sent: Wednesday, June 10, 2015 6:50 PM

To: Cox, Brad MEM:EX

Cc: Janet Sinclair; Amann-Blake, Nathaniel MEM:EX; McNevin, Bernadette MEM:EX

Subject: RE: regulation of engineering and geoscience firms

Great Questions Brad! Let's see what we can find out from our sister associations. Will get back to you when we have this info.

Cheers!

Tony

Tony Chong, P.Eng. | Chief Regulatory Officer & Deputy Registrar Association of Professional Engineers & Geoscientists of BC

200-4010 Regent Street, Burnaby, BC V5C 6N2

Direct: 604-412-6058/Toll-Free: 1-888-430-8085 ext. 6058 Email: tchong@apeg.bc.ca Fax: 604-430-8085 www.apeg.bc.ca

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----Original Message-----

From: Cox, Brad MEM:EX [mailto:Brad.Cox@gov.bc.ca]

Sent: June-10-15 11:19 AM

To: Tony Chong

Cc: Janet Sinclair; Amann-Blake, Nathaniel MEM:EX; McNevin, Bernadette MEM:EX

Subject: RE: regulation of engineering and geoscience firms

Hi Tony,

Thanks for following up on this. What we are really trying to get a sense of is whether other provinces started regulating engineering/geoscience firms after 2002. We know that the CEBC (now ACECBC) had some competitiveness concerns in 2002 and if the regulatory landscape hasn't really changed since then, it's more likely that the ACECBC would have similar concerns today. We definitely recognize that if there is a decision to move this forward, there would need to be consultation with the ACECBC, but at this point we are just trying to get a sense of where they might be. As far as I am aware, we don't have anything more recent than the September 2002 CEBC position paper that was included in APEGBC's May 25, 2015 report.

If you folks are talking to your sister associations, we are also interested in what the regulation of engineering/geoscience firms generally looks like and how it plays out from an enforcement perspective. My sense from looking at a few of the statutes on other jurisdictions is that typically there is a prohibition on practice for firms unless authorized by the applicable professional association (e.g., through the issuance of a certificate of authorization

(COA) for a fee). Continuing to hold a COA is conditional on the firm following the association's rules/bylaws - with suspension/revocation of the COA possible. Do we have examples of how model this typically plays out when a firm is in contravention? I imagine Individual engineers have their licenses pulled occasionally (?) but wondering how or if that works with a firm. Have we seen this happen anywhere in Canada?

Thanks again Tony - and please feel free to contact me with any questions you might have.

Cheers,

Brad

----Original Message-----

From: Tony Chong [mailto:tchong@apeg.bc.ca]

Sent: Tuesday, June 9, 2015 11:12 PM

To: Cox, Brad MEM:EX

Cc: Janet Sinclair; Amann-Blake, Nathaniel MEM:EX; McNevin, Bernadette MEM:EX

Subject: Re: regulation of engineering and geoscience firms

Good evening Brad,

Thank you for raising these questions. My answers/comments follow your questions below.

Best Regards, Tony

Sent from my iPad

On Jun 9, 2015, at 2:06 PM, Cox, Brad MEM:EX <Brad.Cox@gov.bc.ca<mailto:Brad.Cox@gov.bc.ca>> wrote:

Hi Janet and Tony,

Hoping you can help me out on a couple of questions that have come up regarding the potential regulation of engineering and geoscience firms in BC as I try to understand the issue better:

As you know, in 2002, the Consulting Engineers of BC (now the Association of Consulting Engineering Companies of BC or ACECBC) opposed mandatory regulation of engineering firms in part because of impacts on interprovincial competitiveness (e.g., regulated BC engineering firms would face more claims and have higher costs than their interprovincial counterparts. Do you think this is still as big of concern for ACECBC with the current regulatory landscape across Canada?

T/C -While I can not speak on behalf of ACECBC, my sense is that this has become lesser of a concern over the years. They may have other concerns, however. It is for this reason that we strongly suggest that Government should consult ACECBC and other stakeholders before making a decision on this.

· A related question – Do you have a sense of whether the regulation of firms in other Canadian jurisdictions is a longstanding practice or more of a recent trend?

T//C - We need to check with our sister associations to provide you with an accurate Response. I have asked one of my staff to check into this. Will get back to you when we have this information.

Any thoughts you have would be appreciated.

Thanks.

**Brad Cox** 

Senior Policy Analyst

Policy, Legislation and Issues Resolution Branch Mines and Mineral Resources Division BC Ministry of Energy and Mines (250) 952-8007

#### Metcalfe, Megan MEM:EX

From: Tony Chong <tchong@apeg.bc.ca>
Sent: Friday, June 19, 2015 10:11 AM

Cox Brad MEM:EX

To: Cox, Brad MEM:EX
Subject: Re: additional questions

Hello Brad,

I am engaged in APEGBC Council meetings yesterday and today including evenings. Would it be ok if I respond back to you over the weekend?

Sent from my iPad

On Jun 18, 2015, at 10:08 AM, Cox, Brad MEM:EX < Brad.Cox@gov.bc.ca < mailto:Brad.Cox@gov.bc.ca >> wrote:

Hi Tony,

Thanks for all of your help on this stuff. I'd be grateful for your help on a few more questions:

- Looking through the OQM manual, it looks like the OQM program is mainly about getting firms to develop quality management practices to ensure their APEGBC professionals are following the existing rules (seals, supervising delegated work etc.). Is that a fair assessment? Noting that if mandatory regulation of firms was implemented, there would be some new "operational" requirements for the firms themselves (see next bullet).
- Requiring firms to retain documents is something that has been identified as a potential benefit (e.g., to aid investigations). This would be a new requirement for firms I understand. Any other examples of new requirements that are similar to the document retention requirements? Trying to get a sense of how things would change for firms with mandatory regulation (in addition to having to implement policies to ensure their professionals are following existing rules see first bullet). Of course, the answer depends on how mandatory regulation is implemented but assuming it was based on OQM requirements. Any thoughts?
- · I know audits of OQM organizations are an important part of the OQM program are the audits something that you would see as being included in the mandatory regulation of engineering and geoscience firms? Or are the audits necessary because of the voluntary nature of the OQM program?
- Just to confirm no organizations have applied for a COA under the current act? I know you indicated that firms aren't beating down your door but can we say in the draft briefing note that no one has applied for a COA? Or should we avoid that statement?

	APEGBC's May 25, 2015 briefing note prepared in response to MEM's request listed some examples of self-				
regulating professions in BC that are regulated under their respective statutes (e.g., architectural firms and public					
acco	unting firms). Law firms were not listed. Any reason?				

•	You mentioned in your last email to Nathaniel that many APEGBC members are members of APEGA so they can
pr	ractice in Alberta. Do you have a general sense of whether BC firms practice in Alberta given that they are not
re	gulated in the same manner here?

Thanks again, Tony

Brad

#### Metcalfe, Megan MEM:EX

From: Tony Chong <tchong@apeg.bc.ca> Sunday, June 21, 2015 1:39 PM Sent:

To: Cox, Brad MEM:EX Subject: FW: additional questions

Hello Brad,

Sorry again about the delay in getting you responses to your questions/comments. Please see my responses in red after your questions.

Let me know if we can be of further assistance! Tony

Tony Chong, P.Eng. | Chief Regulatory Officer & Deputy Registrar Association of Professional Engineers & Geoscientists of BC 200-4010 Regent Street, Burnaby, BC V5C 6N2 Direct: 604-412-6058/Toll-Free: 1-888-430-8085 ext. 6058

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From: Tony Chong

Sent: June-19-15 10:11 AM To: Cox, Brad MEM:EX

Subject: Re: additional questions

Hello Brad,

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Sent from my iPad

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- Requiring firms to retain documents is something that has been identified as a potential benefit (e.g., to aid investigations). This would be a new requirement for firms I understand. Any other examples of new requirements that are similar to the document retention requirements? Trying to get a sense of how things would change for firms with mandatory regulation (in addition to having to implement policies to ensure their professionals are following existing rules see first bullet). Of course, the answer depends on how mandatory regulation is implemented but assuming it was based on OQM requirements. Any thoughts? The mandatory regulation of Companies/organizations will provide a significant assistance to investigations in that APEGBC will then be able to compel organizations not only to preserve but to produce information/files which are very important in conducting an investigation. Presently, we can compel a member to provide us with info/files that he/she has access to but we can not ask the same of organizations. Members can not produce info/files without the cooperation of their employers/clients etc... This is the problem we are currently facing.
- I know audits of OQM organizations are an important part of the OQM program are the audits something that you would see as being included in the mandatory regulation of engineering and geoscience firms? Yes, absolutely! We want to make sure that organizations are compliant and are living up to the requirements. Or are the audits necessary because of the voluntary nature of the OQM program? In our view, whether a program is voluntary or not, auditing is a great way to ensure that the requirements are met.
- Just to confirm no organizations have applied for a COA under the current act? We have no records that I am aware of from an organization that have applied for a COA. There would be no reason from any organizations to do so if we don't require it. Why would anyone pay us and go through the admin hassle for something that they don't need to do? I know you indicated that firms aren't beating down your door but can we say in the draft briefing note that no one has applied for a COA? I will double check, but I think we can. Or should we avoid that statement? You can state that "upon verification with APEGBC, they can find no records of any organization having applied for a COA."
- APEGBC's May 25, 2015 briefing note prepared in response to MEM's request listed some examples of self-regulating professions in BC that are regulated under their respective statutes (e.g., architectural firms and public accounting firms). Law firms were not listed. Any reason?
   We were just giving examples....It is not a complete list.
- You mentioned in your last email to Nathaniel that many APEGBC members are members of APEGA so they can practice in Alberta. Do you have a general sense of whether BC firms practice in Alberta given that they are not regulated in the same manner here? Given the fact that Alberta is just next door, there is a number of Consulting Firms practicing in both Provinces. For BC firms to provide services in Alberta, having to obtain a COA is just the price of doing business.

		Tony

Brad

#### Metcalfe, Megan MEM:EX

From: Tony Chong <tchong@apeg.bc.ca> Sent: Sunday, June 28, 2015 9:52 PM

To: Cox, Brad MEM:EX Cc: Janet Sinclair

Subject: RE: cross-jurisdictional questions

Hello Brad,

My responses/comments are in red below.

Hope they are helpful, Tony

Tony Chong, P.Eng. | Chief Regulatory Officer & Deputy Registrar Association of Professional Engineers & Geoscientists of BC 200-4010 Regent Street, Burnaby, BC V5C 6N2

Direct: 604-412-6058/Toll-Free: 1-888-430-8085 ext. 6058

Email: tchong@apeg.bc.ca Fax: 604-430-8085

www.apeg.bc.ca

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From: Cox, Brad MEM:EX [mailto:Brad.Cox@gov.bc.ca]

Sent: June-25-15 10:53 AM

To: Tony Chong

Subject: cross-jurisdictional questions

HI Tony,

Thanks again for working with us. You've been very helpful. A few more question for you regarding how things work between different jurisdictions. You mentioned that BC firms that wish to practice in Alberta think of the Alberta "permit to practice" as just the cost of doing business there. A couple follow up questions:

- Do we have any sense of how common it is that BC firms obtain a "permit to practice" in Alberta? Because it is a mandatory requirement, any BC firm wanting to do business in Alberta will want to obtain a "permit to practice" in advance I would think. For \$520, it should not be a big deal for any BC firms contemplating doing business in another province. Otherwise they will have to apply for one and the length of time it may take to get it could be too long for responding to the clients. Do we know how many? We do not have this information but APEGA should have it. I would think we likely don't know - but thought I'd ask just in case.
- This is maybe a better question for Alberta but if a BC firm wants to bid on an Alberta job, does it need an Alberta "permit to practice" before it bids or just before work starts? This is a very good question...looking at their Guidelines for permits to practice, it talks about the need to provide the permit to practice number on any final drawings, reports, documents, etc...so it may not be necessary technically. However, for the owner who issues the bid, the BC firm that does not already hold a permit to practice may be disqualified on the grounds that it can not do work until it has the permit to practice.

- Do you know if there is any transferability of COAs? For example, if a BC firm had a COA, would that satisfy the Alberta "permit to practice" requirements if the BC firm wished to practice in Alberta? This is a hypothetical question since we do not have COAs. That said, I guess it depends if the COA requirements in BC is similar to those in Alberta. From a practical point of view and to enhance mobility of members/firms working in both provinces, it would make sense to have similar requirements for a COA or a Permit to Practice. And if an Alberta firm with an Alberta "permit to practice" wished to practice in BC, would you envision the Alberta firm having to get a COA under our legislation (if that was required under our legislation)? Trying to get a sense of how things general work between provinces. I understand there is a fair bit of mobility at the individual professional level where an engineer licensed in BC can work in Alberta without going through the whole process again and wondering if the same is true for firms. The short answer is "yes". Since eac province has its own legislation governing professional members and firms, these entities must be registered in the province that they do work in even though they may be registered in another jurisdiction. While we want to support and enhance mobility of professionals and firms doing business across the country, the legal requirement of each jurisdiction with its own legislation will prevail.
- Do you know if large national firms like Hatch or SNC-lavalin need to have COAs (or similar) in every province that they operate in? Yes, to be compliant with legislation, they would have to. If so, do you know if there are issues with different requirements? I have not reviewed all of the QM requirements across the country but I would like to think that the requirements for each jurisdiction would be reasonably similar with some exceptions to accommodate local requirements which may well include length of time for document retention and other local/historical preferences. For example, different QM requirements and different document retention requirements.

Thanks again Tony!

Brad

From: Tony Chong [mailto:tchong@apeg.bc.ca]

Sent: Sunday, June 21, 2015 1:39 PM

To: Cox, Brad MEM:EX

Subject: FW: additional questions

Hello Brad,

Sorry again about the delay in getting you responses to your questions/comments. Please see my responses in red after your questions.

Let me know if we can be of further assistance! Tony

**Tony Chong, P.Eng.** | Chief Regulatory Officer & Deputy Registrar Association of Professional Engineers & Geoscientists of BC 200-4010 Regent Street, Burnaby, BC V5C 6N2

Direct: 604-412-6058/Toll-Free: 1-888-430-8085 ext. 6058

Email: tchong@apeg.bc.ca Fax: 604-430-8085

www.apeg.bc.ca

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From: Tony Chong

Sent: June-19-15 10:11 AM To: Cox, Brad MEM:EX

Subject: Re: additional questions

Hello Brad,

I am engaged in APEGBC Council meetings yesterday and today including evenings. Would it be ok if I respond back to you over the weekend?

Sent from my iPad

On Jun 18, 2015, at 10:08 AM, Cox, Brad MEM:EX < Brad.Cox@gov.bc.ca > wrote:

Hi Tony,

Thanks for all of your help on this stuff. I'd be grateful for your help on a few more questions:

- Looking through the OQM manual, it looks like the OQM program is mainly about getting firms
  to develop quality management practices to ensure their APEGBC professionals are following
  the existing rules (seals, supervising delegated work etc.). Is that a fair assessment? Yes. Noting
  that if mandatory regulation of firms was implemented, there would be some new
  "operational" requirements for the firms themselves (see next bullet).
- Requiring firms to retain documents is something that has been identified as a potential benefit (e.g., to aid investigations). This would be a new requirement for firms I understand. Any other examples of new requirements that are similar to the document retention requirements? Trying to get a sense of how things would change for firms with mandatory regulation (in addition to having to implement policies to ensure their professionals are following existing rules see first bullet). Of course, the answer depends on how mandatory regulation is implemented but assuming it was based on OQM requirements. Any thoughts? The mandatory regulation of Companies/organizations will provide a significant assistance to investigations in that APEGBC will then be able to compel organizations not only to preserve but to produce information/files which are very important in conducting an investigation. Presently, we can compel a member to provide us with info/files that he/she has access to but we can not ask the same of organizations. Members can not produce info/files without the cooperation of their employers/clients etc... This is the problem we are currently facing.
- I know audits of OQM organizations are an important part of the OQM program are the audits something that you would see as being included in the mandatory regulation of engineering and geoscience firms? Yes, absolutely! We want to make sure that organizations are compliant and are living up to the requirements. Or are the audits necessary because of the voluntary nature of the OQM program? In our view, whether a program is voluntary or not, auditing is a great way to ensure that the requirements are met.
- Just to confirm no organizations have applied for a COA under the current act? We have no records that I am aware of from an organization that have applied for a COA. There would be no reason from any organizations to do so if we don't require it. Why would anyone pay us and go through the admin hassle for something that they don't need to do? I know you indicated that firms aren't beating down your door but can we say in the draft briefing note that no one has applied for a COA? I will double check, but I think we can. Or should we avoid that statement?

You can state that "upon verification with APEGBC, they can find no records of any organization having applied for a COA."

- APEGBC's May 25, 2015 briefing note prepared in response to MEM's request listed some examples of self-regulating professions in BC that are regulated under their respective statutes (e.g., architectural firms and public accounting firms). Law firms were not listed. Any reason?
   We were just giving examples....It is not a complete list.
- You mentioned in your last email to Nathaniel that many APEGBC members are members of APEGA so they can practice in Alberta. Do you have a general sense of whether BC firms practice in Alberta given that they are not regulated in the same manner here? Given the fact that Alberta is just next door, there is a number of Consulting Firms practicing in both Provinces. For BC firms to provide services in Alberta, having to obtain a COA is just the price of doing business.

Thanks again, Tony

Brad

#### Metcalfe, Megan MEM:EX

From: Cox, Brad MEM:EX

**Sent:** Monday, June 29, 2015 11:27 AM

To: 'Janet Sinclair'

Cc: Amann-Blake, Nathaniel MEM:EX; McNevin, Bernadette MEM:EX; Tony Chong

Subject: RE: Regulation of firms DRAFT BN

Hi Janet,

Thanks for all of your help. Hoping you can have a look at the following statement and let us know if you think it's accurate. Trying to come up with a statement that gets at the idea that what is being contemplated in the briefing note isn't about reducing or shifting accountability away from individual professionals but rather supplementing what is already in place. Any thoughts you have would be appreciated. Thanks again!

s.13

Brad

From: Janet Sinclair [mailto:jsinclair@apeg.bc.ca]

Sent: Monday, June 29, 2015 8:27 AM To: Amann-Blake, Nathaniel MEM:EX

Cc: McNevin, Bernadette MEM:EX; Cox, Brad MEM:EX; Tony Chong

Subject: RE: Regulation of frims DRAFT BN

Hi Nathaniel,

Thanks very much for giving us the opportunity to review the draft. We believe that the information provided is thorough and correct.

s.13

We are of course very interested in the outcome of this discussion. Could you advise as to what the next steps are in this process?

If there is any additional assistance that we can provide, please just let us know.

Best regards, Janet Janet Sinclair | Chief Operating Officer Association of Professional Engineers & Geoscientists of BC 200-4010 Regent Street, Burnaby, BC V5C 6N2 Direct: 604-412-4874 / Toll Free: 1-888-430-8035 ext. 4874

Fax: 604-430-8085 www.apeg.bc.ca

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From: Amann-Blake, Nathaniel MEM:EX [mailto:Nathaniel.Amann-Blake@gov.bc.ca]

Sent: June-25-15 8:50 AM To: Janet Sinclair; Tony Chong

Cc: McNevin, Bernadette MEM:EX; Cox, Brad MEM:EX

Subject: Regulation of frims DRAFT BN

Hi Janet and Tony,

We've completed some initial internal work on the concept of APEGBC regulating firms. Your feedback, comments or corrections on the attached draft would be appreciated.

Let me know if you'd like to set up a call to discuss.

Thanks, Nathaniel

#### Frankl, Dave MEM:EX

From: Laurel Buss <lbuss@apeg.bc.ca>
Sent: Wednesday, January 14, 2015 1:44 PM

To: McCann, Meghan PREM:EX
Cc: Costa, Sarina MEM:EX

Subject:RE: APEGBC Meeting Request - Confirming Jan.28 + Briefing DeckAttachments:APEGBC\_-v1-Request\_to\_Amend\_the\_EG\_Act\_Bill\_Bennett\_Jan2015.pdf

Hi Meghan,

Thanks again for your call today. As promised, I'm passing along a briefing deck that APEGBC will bring to review at the meeting with Minister Bennett on Wednesday, January 28th at 4:30 p.m. in Vancouver at the PVO.

In attendance at the meeting from APEGBC will be:

Ann English, P.Eng., - Chief Executive Officer and Registrar. Bio: <a href="https://apeg.bc.ca/About-Us/Our-Team/Staff-Leadership-Team">https://apeg.bc.ca/About-Us/Our-Team/Staff-Leadership-Team</a>

Dr. John Clague, P.Geo. - President. Bio: <a href="https://apeg.bc.ca/About-Us/Our-Team/Council/Councillor-Profiles-%282014-2015%29">https://apeg.bc.ca/About-Us/Our-Team/Council/Councillor-Profiles-%282014-2015%29</a>

If I can provide any additional details or answer any questions regarding the materials provided, please don't hesitate to ask.

We greatly appreciate this opportunity to meet with the Minister.

Kind regards,

Laurel

Laurel Buss | Communications Officer
Association of Professional Engineers & Geoscientists of BC
200-4010 Regent Street, Burnaby, BC V5C 6N2

Direct: 604-412-6052 / Toll Free: 1-888-430-8035 ext. 6052 Email: <a href="mailto:lbuss@apeg.bc.ca">lbuss@apeg.bc.ca</a> Fax: 604-430-8085 <a href="mailto:www.apeg.bc.ca">www.apeg.bc.ca</a>

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----Original Message----

From: McCann, Meghan MEM:EX [mailto:Meghan.McCann@gov.bc.ca]

Sent: Tuesday, January 13, 2015 11:14 AM

To: Laurel Buss

Cc: Costa, Sarina MEM:EX

Subject: RE: APEGBC Meeting Request

Good morning Laurel,

Thank you for your email, Minister would be happy to meet in Vancouver on January 26th from 4:30-5pm at the Premier's Vancouver Office at Suite 740-999 Canada Place. Please let me know if this date and time works and who would be attending, thank you.

#### Meghan McCann

Administrative Assistant to the Hon. Bill Bennett | Ministry of Energy and Mines Room 301, Parliament Buildings | Victoria, BC | V8W 9E2 | 250-387-5896

----Original Message-----

From: Laurel Buss [mailto:lbuss@apeg.bc.ca]

Sent: Friday, January 2, 2015 2:13 PM

To: Minister, MEM MEM:EX Cc: Costa, Sarina MEM:EX

Subject: APEGBC Meeting Request

Dear Minister Bennett,

I'm writing on behalf of the Association of Professional Engineers and Geoscientists of BC (APEGBC) to request an opportunity for our President, John Clague, and our CEO, Ann English to meet with you in Victoria or Vancouver to discuss our proposed legislative amendments to the Engineers and Geoscientists Act.

As you know, APEGBC is one of the largest regulatory bodies in the province, representing over 29,000 engineers and geoscientists. APEGBC administers the Engineers and Geoscientists Act, and we contribute to the development of sound public policy in areas ranging from dam safety to improving recognition processes for foreign-trained professionals.

We would welcome the opportunity to meet in either Victoria or Vancouver at the Minister's convenience. If I can offer potential meeting dates that would work well for APEGBC, please let me know.

If you or your staff have any questions or if I can provide any additional information please don't hesitate to contact me at <a href="mailto:lbuss@apeg.bc.ca">lbuss@apeg.bc.ca</a> or 604.412.6052.

We appreciate your consideration of this meeting request and look forward to your response.

Kind regards, Laurel

Laurel Buss | Communications Officer
Association of Professional Engineers & Geoscientists of BC
200-4010 Regent Street, Burnaby, BC V5C 6N2
Direct: 604-412-6052 / Toll Free: 1-888-430-8035 ext. 6052

Direct: 604-412-6052 / Toll Free: 1-888-430-8035 ext. 6052 Email: lbuss@apeg.bc.ca Fax: 604-430-8085 www.apeg.bc.ca



## Request to Amend the Engineers and Geoscientists Act

Presentation to:

Hon. Bill Bennett, Minister of Energy and Mines

January 28, 2015

### Overview



- APEGBC Quick Facts
- Legislative Amendment Requests
- Next Steps

### **Quick Facts**



- Established in 1920 as the Association of Professional Engineers of BC (Geoscientists welcomed in 1990)
- 29,000 members, licensees, members in training, and student members
- Administers Engineers and Geoscientists Act that regulates professions
- Mandated to uphold the public interest in the practice of professions

## A Partnership that Works



In partnership with Government, APEGBC has worked to:

- Support natural disaster response planning with Emergency Management BC.
- Execute Seismic Retrofit Program at BC schools and postsecondary institutions.
- Participate in the BC Building Code review and implementation.
- Provide expertise to government on Mount Polley Mine Review.

## A Partnership that Works



#### Support Jobs and Economic Development through:

- Improved recognition processes for foreign-trained professionals.
- Enhanced labour mobility within Canada and globally.
- Development of guidelines that clearly establish the roles and responsibilities of professional engineers and geoscientists in a number of practice areas.

## Request for Amendments to the Engineers and Geoscientists Act



- Most of Engineers and Geoscientists Act almost 100 years old.
- Act needs to be updated to reflect today's realities.
- APEGBC has prioritized 8 key legislative amendments.
- Why needed? Gives regulator (APEGBC) the tools required to protect public interest by:
  - Ensuring highest standards are met.
  - Guaranteeing robust disciplinary procedures are in place.

# 1. Compliance Provisions for Mandatory CPD



#### **Challenge:**

- Engineers and geoscientists in BC do not currently have a requirement to participate in or report on their Continuing Professional Development (CPD). This increases the risk that current best practices and safety standards will not be incorporated in their practice.
- APEGBC's Council recently passed a bylaw to make these activities mandatory and is starting member consultation. Members will be asked to ratify this bylaw in the Fall of 2015.
- The current provision in the E&G Act requires that non-compliance with mandatory CPD be dealt with through the investigation and discipline process. It is expected that this will impact APEGBC's ability to efficiently manage investigation of complaints and discipline hearings overall and that there will be an impact on public safety and timeliness for justice.

# 1. Compliance Provisions for Mandatory CPD



#### **Solution:**

 Enable progressive, prescriptive compliance provisions in the E&G Act similar to that used for non-payment of fees.

#### **Benefits:**

- Facilitates effective and efficient compliance processes so that public safety is not compromised.
- Prescribes that non-compliance with CPD be dealt with in a common manner which enhances fairness of process.

# CPD Practices BC Self Regulatory Professions



Profession	Base Activity Level	Reporting
Doctors	Mandatory	Mandatory
Dentists	Mandatory	Mandatory
Lawyers	Mandatory	Mandatory
Accountants	Mandatory	Mandatory
Architects	Mandatory	Mandatory
Pharmacists	Mandatory	Mandatory
Optometrists	Mandatory	Mandatory
Agrologists	Mandatory	Mandatory
Biologists	Mandatory	Mandatory

# CPD Practices Other Jurisdictions in Canada



Province	Base Activity Level	Reporting
Alberta	Mandatory	Mandatory
Saskatchewan	Mandatory	Mandatory
Manitoba	Mandatory	Mandatory
Ontario	Voluntary for P.Eng. Mandatory for P.Geo.	Voluntary for P.Eng. Mandatory for P.Geo.
Quebec	Mandatory for P.Eng. Voluntary for P.Geo.	Mandatory for P.Eng. Voluntary for P.Geo.
New Brunswick	Mandatory	Mandatory
Nova Scotia	Mandatory for P.Eng.	Mandatory for P.Eng.
Prince Edward Island	Mandatory for P.Eng.	Mandatory for P.Eng.
Newfoundland	Mandatory	Mandatory
Northwest Territories, Nunavut & Yukon	Voluntary	Voluntary

### 2. Fitness to Practice



### **Challenge:**

- APEGBC does not have the ability to determine an individual's fitness to practice at registration or during the investigation and discipline process.
- "Fitness" for this purpose refers to matters such as substance abuse, depression, and mental health issues which may affect professional judgment.
- APEGBC can only start to deal with individuals suffering from addictions or disorders when their struggles translate into disciplinary issues with the work they produce; and when the issue is brought to the attention of APEGBC.

### 2. Fitness to Practice



#### **Solution:**

 Create a fitness to practice requirement, along with the power to require evidence of fitness at registration or during the investigation and discipline process.

#### **Benefit:**

- Individuals who have addictions or disorders that impact their ability to practice could be identified during the registration process and appropriate mechanisms could be put in place to assist the member and protect public safety.
- APEGBC could assist members with fitness to practice matters outside of the discipline process.

# 3. Recognition of Licensees in Third Party Legislation



### **Challenge:**

- APEGBC provides "licensee" status to individuals who do not meet the educational or experience requirements for full professional licensure.
- These licensees (EngL) are licensed to perform and take responsibility for similar professional activities as full professional members, but within a limited scope of practice.
- Some third party legislation (e.g. the Local Government Act),
  does not recognize the EngL designation, which limits the
  ability of these individuals to perform work for which they are
  qualified.

# 3. Recognition of Licensees in Third Party Legislation



#### **Solution:**

 Amend the E&G Act to ensure that licensees are considered as the equivalent of registered professional engineers within their limited scope of practice under third party legislation.

#### **Benefit:**

- Recognizes the role of licensees within their area of expertise as equivalent to full professionals with practice rights so that they can fully contribute to the economy.
- Provides greater access to skilled workers in small communities.

## 4. Early Alternative Dispute Resolution



#### **Challenge:**

 Currently Alternative Dispute Resolution (ADR) can only be utilized late in the discipline process, after a Notice of Inquiry is issued by the Discipline Committee. In some cases this has resulted in unnecessary delay as both parties are amenable to ADR.

#### **Solution:**

- Allow early ADR by the Investigation Committee.
- Consider whether specific provisions for publication are also required to ensure transparency and public protection.

## 4. Early Alternative Dispute Resolution



#### **Benefits:**

- Enhances public safety in that resolutions with problematic practitioners are expedited so that they are required to stop practicing or to implement remedial measures as soon as possible.
- Earlier notice to the public enhances public protection.
- An additional benefit is that early ADR is cost-effective.

### 5. Council Member Conduct



#### **Challenge:**

- Currently there is no provision to remove members of Council for inappropriate conduct.
- The term of a Council member can only be abbreviated through resignation, incapacity to act, or death.

### 5. Council Member Conduct



#### **Solution:**

Require each Council member by statute to take an Oath of
Office as a precondition to membership on Council and if a
Council member is found to have breached the Oath, he or
she can be removed by a 2/3rds majority of the other Council
members.

## 6. Interim Suspension or Conditions Professional Engineers by the Investigation Committee



#### **Challenge:**

- In very serious cases where it is believed that a member's conduct poses an immediate danger to the public, we must currently wait for the Discipline Committee to issue an interim suspension to the member to protect the public interest.
- This could potentially result in a dangerous delay in preventing the member from practicing, even in high public risk situations as there is a requirement that the Investigation Committee process the complaint before it can be referred to the Discipline Committee.

## 6. Interim Suspension or Conditions Professional Engineers by the Investigation Committee



#### **Solution:**

Enable the Investigation Committee, instead of the Discipline Committee, to impose conditions on a member or make an interim suspension order.

#### **Benefit:**

In cases where a member's conduct poses an immediate danger, the public would be protected more expeditiously.

## 7. Remove the Reference to the Board of Examiners in the Act



### **Challenge:**

- In the Act, there is a legacy reference to the Board of Examiners whose function was to examine all candidates for admission to membership when an examination is required under the Act.
- There have been significant changes to the ways that applicants are assessed for suitability for registration, and granting of registration now sits with the Registration Committee.
- The Board of Examiners now essentially functions as a subcommittee of the Registration Committee.

## 7. Remove the Reference to the Board of Examiners in the Act



#### **Solution:**

 Delete or rewrite sections in the Act that refer to the Board of Examiners so that they are aligned with current practice.

#### **Benefit:**

 Minimizes the risk that the Registration process will be challenged due to a technicality.

# 8. Remove Requirement for Meeting Notice by Prepaid Post



#### **Challenge:**

- Currently there is a requirement for notice of meeting to be sent by prepaid post to all members and license holders.
- Many members now interact with APEGBC only through electronic means.

#### **Solution:**

 Remove the requirement for prepaid post if the member is able to be directly reached through other methods of communication (e.g. email, digital journal).

# 8. Remove Requirement for Meeting Notice by Prepaid Post



#### **Benefit:**

 Recognizes modern communication methods and enables members to receive information in the manner they prefer.

### **Next Steps**



- APEGBC is beginning consultation with members and other stakeholders regarding the proposed amendments.
- We hope that amendments to the Engineers and Geoscientists
   Act could be considered by the Legislature in the Spring of
   2016.

### **Further Information**



Ann English, P.Eng.

Chief Executive Officer

Phone: 604-412-4850

Email: aenglish@apeg.bc.ca

#### Frankl, Dave MEM:EX

From: Costa, Sarina MEM:EX

**Sent:** Wednesday, July 29, 2015 12:39 PM

To: 'lbuss@apeg.bc.ca'

Subject: FW: APEGBC - An Invitation - President's Awards Gala - October 16 - Kelowna, BC

Attachments: APEGBC\_Presidents\_Awards\_Gala\_Invitation\_BillBennett\_2015.pdf

From: Costa, Sarina MEM:EX

Sent: Wednesday, July 29, 2015 12:38 PM

To: 'ceo@apeg.bc.ca'
Cc: 'lbuss@ageg.bc.ca'

Subject: FW: APEGBC - An Invitation - President's Awards Gala - October 16 - Kelowna, BC

On behalf of the Honourable Bill Bennett, I would like to acknowledge receipt and thank you for your email below, inviting the Minister to attend the President's Awards Gala on Friday, October 16 at 6:15pm in

Kelowna.

Unfortunately, the Minister's schedule does not allow him to attend, and he has asked that we extend regrets on his behalf at this time.

Again, thank you for the invitation, and all the best for a successful and enjoyable event.

Sarina Costa

Administrative Co-ordinator to the

Honourable Bill Bennett

Minister of Energy and Mines and Minister Responsible for Core Review

250-387-5226

From: Ann English CEO and Registrar [mailto:ceo@apeg.bc.ca]

Sent: Thursday, June 11, 2015 6:43 PM

To: Minister, MEM MEM:EX

Subject: APEGBC - An Invitation - President's Awards Gala - October 16 - Kelowna, BC

Dear Minister Bennett:

On behalf of the Association of Professional Engineers and Geoscientists of BC (APEGBC), I'm pleased to invite you and a guest to attend our President's Awards Gala on Friday, October 16 at 6:15 pm at the Delta Grand Okanagan Resort in Kelowna, as part of our Annual Conference and Annual General Meeting.

This prestigious event recognizes outstanding APEGBC members for their contributions to the community and to the professions of engineering and geoscience. The gala is a sit down dinner with award presentations, followed by dancing and live music. The dress code for the event is black-tie optional. We would be delighted to host yourself and a guest as we honour the best of our profession at this very special evening.

The Annual Conference is the highlight of the association's year and typically involves 800 of BC's leading engineering and geoscience professionals who come together for three days of professional development, networking and association business.

I hope you will be available to attend our President's Awards Gala and look forward to a favourable reply. Please contact Laurel Buss at the association office for further information and to RSVP at 604.412.6052 or <a href="mailto:lbuss@apeg.bc.ca">lbuss@apeg.bc.ca</a>.

I look forward to seeing you in October.

Sincerely,

Ann

Ann English P.Eng. | CEO & Registrar

Association of Professional Engineers & Geoscientists of BC

200-4010 Regent Street, Burnaby, BC V5C 6N2

Direct: 604-412-4850 / Toll Free: 1-888-430-8035 ext. 4850 Fax: 604-430-8085 / Email: ceo&registrar@apeg.bc.ca

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June 11, 2015

via email: MEM.Minister@gov.bc.ca

Honourable Bill Bennett Minister of Energy and Mines PO Box 9060 Stn Prov Govt Victoria, BC V8W 9E2

Dear Minister Bennett:

### AN INVITATION – APEGBC PRESIDENT'S AWARDS GALA October 16, 2015, Kelowna, British Columbia

On behalf of the Association of Professional Engineers and Geoscientists of BC (APEGBC), I'm pleased to invite you and a guest to attend our **President's Awards Gala on Friday, October 16 at 6:15 pm** at the Delta Grand Okanagan Resort in Kelowna, as part of our Annual Conference and Annual General Meeting.

This prestigious event recognizes outstanding APEGBC members for their contributions to the community and to the professions of engineering and geoscience. The gala is a sit down dinner with award presentations, followed by dancing and live music. The dress code for the event is black-tie optional. We would be delighted to host yourself and a guest as we honour the best of our profession at this very special evening.

The Annual Conference is the highlight of the association's year and typically involves 800 of BC's leading engineering and geoscience professionals who come together for three days of professional development, networking and association business.

I hope you will be available to attend our President's Awards Gala and look forward to a favourable reply. Please contact Laurel Buss at the association office for further information and to RSVP at 604.412.6052 or <a href="mailto:lbuss@apeg.bc.ca">lbuss@apeg.bc.ca</a>.

I look forward to seeing you in October.

Sincerely,

Ann English, P.Eng.

Chief Executive Officer & Registrar