

Regulator welcomes commission ruling on release of information

By Michael Mastromatteo

PEO NOW HAS CLARITY that the regulator's obligations for handling information it collects under the *Professional Engineers Act* (PEA) do not apply to the Elliot Lake Commission of Inquiry's handling of the same information under the *Public Inquiries Act*.

In a January 8 ruling, Commissioner Paul R. Bélanger found that confidentiality and consent requirements under section 38(1)(c) of the PEA have no bearing on the commission's release of information.

Under section 38(1)(c), PEO must obtain consent from an affected party prior to releasing information that is not otherwise public obtained in the course of administering the act. In requesting an order under section 10(4) of the *Public Inquiries Act*, PEO highlighted this obligation and requested that the commission similarly give notice and an opportunity to consent or make submissions to those named in PEO's documents, prior to any pre-hearing release of documents.

In his ruling denying PEO's request, the commissioner also noted that PEO "has produced all relevant documents in its possession to the Commission as it was required to do pursuant to the Commission's summons."

"PEO will continue to fully support and co-operate with Commissioner Bélanger and the important work of the commission," said Michael Price, P.Eng., MBA, FEC, PEO's acting CEO/registrar, in response to the ruling.

PEO requested and was granted standing in Part I of the inquiry, which is looking into events prior to the collapse of part of the Algo Centre Mall on June 23, 2012. PEO has also opened its own investigations into what part, if any, the conduct of its licence and certificate holders might have played in the tragedy.

The collapse resulted in the deaths of two Elliot Lake residents and injuries to more than 20 others. Closure of the mall has also led to significant economic disruption in the northern Ontario community.

The Elliot Lake Commission of Inquiry is scheduled to start its formal hearings in Elliot Lake on March 4 and is publishing information on the inquiry's progress at www.elliottlakeinquiry.ca. Information on PEO's participation in the inquiry is available at www.peo.on.ca.



Repeal marks new era of stepped-up worker safety

By Michael Mastromatteo

THE LONG-AWAITED REPEAL of the industrial exception is scheduled to become a reality on September 1, 2013.

As of that date, those responsible for professional engineering work in relation to production machinery or equipment must be licensed by PEO.

With the Ontario government's repeal of section 12(3)(a) of the *Professional Engineers Act* (PEA), indi-

viduals will have to be licensed by PEO if they do any act within the practice of professional engineering on machinery or equipment used to produce products for their employer in their employer's facility.

"Engineering is regulated to serve and protect the public interest. Bringing this mindset into the design of the production process should be

cost-effective for industry by lessening workplace illness or injury and associated workplace insurance claims, and minimizing retrofitting, downtime and equipment replacement," Michael Price, P.Eng., MBA, FEC, PEO's acting CEO/registrar said in a March 1 statement.

PEO's Repeal of the Industrial Exception Task Force has been working