



# Minutes

## NATIONAL FRAMEWORK TASK FORCE MEETING

Tuesday, July 9, 2013 - 11:30 a.m.  
PEO Offices - Suite 104

### Members:

Diane Freeman, P. Eng. (Chair)  
Christian Bellini, P. Eng. (Vice-Chair)  
Roydon Fraser, P. Eng. *[via teleconference]*  
Ross Judd, P. Eng.  
Kathryn Sutherland, P. Eng. *[via teleconference]*

### Regrets:

Tony Cecutti, P. Eng.  
Santosh Gupta, P. Eng.

### Guest:

Stephanie Price, Engineers Canada *[via teleconference]*

### Staff:

Josie D'Aluisio  
Bernie Ennis, P. Eng.  
Johnny Zuccon, P. Eng.

## 1. Opening Remarks

The Chair opened the meeting at 11:45 a.m. As quorum was not attained at the commencement of the meeting, the Chair suggested that the Task Force begin with Item 5.1 on the agenda.

## 5. Review of CFL Elements and Consultation Responses

### 5.1 Enforcement Practices

Task Force members were referred to the documents included in the agenda package for this element, which included the consultation responses received by PEO and Engineers Canada.

General discussion of the element provided the following:

- It was pointed out that this element was not in the same format as other elements received in the past. S. Price advised that this element was almost one year old (dated August 2012) and was in the old format previously used for elements.
- R. Fraser would like included in the Task Force's comments to Engineers Canada support for APEGA's comments that the use of a diagram in terms of enforcement is useful, and clarifying the acceptable non P. Eng. uses of the term engineering.
- R. Fraser would like guarantee that any concurrence document from Engineers Canada, which is the document Engineers Canada creates receiving the consultation input from the various associations including PEO, is sent back to the Task Force, identifying which inputs were accepted/used and those that were not, with an explanation, for the Task Force's review before the element is brought to PEO Council.
- Task Force would like all PEO consultation responses posted (for this element and all future elements).

After review and discussion, the Task Force members made the following proposed revisions to the Enforcement Practices element document.

#### Purpose Statement

Proposed new wording: ***"Purpose - enhance the safety of the public by establishing common enforcement principles across the country."***

#### Key Considerations

Task Force would like it noted that the element related to protected titles and terms should seek to be consistent across Canada.

Key Consideration 1: Sub-sections a. and b. should be reversed. Proposed new wording:

***“1. Engineering regulatory bodies shall enforce against persons who:***

***a. Practise, or hold themselves out as able to practice, professional engineering without a licence; or***

***b. Use a protected title or term without licence; or***

***c. Use a stamp or seal (or a forgery thereof) without a licence.”***

Key Consideration 2: Proposed new wording: ***“Engineering regulatory bodies shall be proactive in identifying and addressing non-licensed practice in the field of engineering.”***

Key Consideration 3: Proposed new wording: ***“As designated Investigative Bodies under the Personal Information Protection and Electronic Documents Act (PIPEDA), engineering regulatory bodies shall share information on enforcement where permitted under provincial statute.”***

Key Consideration 4: No change.

#### Additional Proposed Changes

Definitions should be provided for:

- Enforcement
- Illegal Practices
- Persons

Task Force requested that Engineers Canada catch the word “member” and change to “registrant” throughout the document.

**2. Approval of Agenda**

The Chair asked if there were any changes to the agenda. No changes were provided.

A motion was made to approve the agenda as written.

**Moved by: C. Bellini**

**Seconded by: R. Judd**

**CARRIED**

**3. Approval of Minutes of April 15, 2013 Meeting**

The Chair asked if there were any changes to the Minutes. No changes were provided.

A motion was made to approve the Minutes of the April 15, 2013 meeting as written.

**Moved by: K. Sutherland**

**Seconded by: R. Judd**

**CARRIED**

**4. Action Items Update from April 15, 2013 Meeting**

The Chair referred to the Actions Items Update document included in the agenda package and advised that all items had been carried out.

**5. Review of CFL Elements and Consultation Responses (cont'd.)**

**5.2 Definition of the Practice of Professional Engineering**

Task Force members were referred to the documents included in the agenda package for this element, which included the consultation responses received by PEO and Engineers Canada.

After review and discussion, the Task Force members made the following proposed revisions to the Definition of the Practice of Professional Engineering element document.

Purpose Statement

Proposed new wording: ***“Purpose - for all constituent associations to adopt one definition of what constitutes the practice of professional engineering promotes a common standard, provides clarity for the public, applicants, registrants, engineering organizations, and the engineering regulatory bodies.”***

## Key Considerations

Task Force members altered the order and some of the wording in the Key Considerations as follows.

New Key Consideration 1: *(previously Key Consideration 6)*

Proposed new wording:

***“1. The definition has four elements:***

***i. Any of various particular intellectual activities or combinations of them,***

***ii. The application of engineering principles,***

***iii. Safeguarding the public interest, and***

***iv. Responsibility.”***

Key Consideration 2: Deleted.

New Key Consideration 2: *(previously Key Consideration 1)*

Proposed new wording: ***“The definition must be dynamic to accommodate all areas of engineering.”***

Key Consideration 3: No change.

Key Consideration 4: No change.

New Key Consideration 5: Proposed new wording: ***“Consideration should be given to the current (as of July 2013) National Definition of the Practice of Professional Engineering.”***

Key Consideration 7: Deleted.

Task Force Comments: This work should be done, but this not a Key Consideration.

Task Force Comments: PEO recommends that the National Definition of the Practice of Professional Engineering be revised as follows:

***The “practice of professional engineering” means providing or accepting responsibility for any act of planning, designing, composing, evaluating, advising, reporting, directing or supervising that requires the application of engineering principles and that concerns the safeguarding of life, health, property, economic interests, the public welfare or the environment, or the managing of any such act.***

### Definitions

***Engineering Principles*** Task Force Comments: Work around the definition of engineering principles is critically important to this element in order to achieve the clarity required by the purpose.

***Responsibility*** Task Force would like the definition of Responsibility added under this section.

## **5.3 Objects of the Engineering Acts**

Task Force members were referred to the documents included in the agenda package for this element, which included the consultation responses received by PEO and Engineers Canada.

After review and discussion, the Task Force members made the following proposed revisions to the Objects of the Engineering Acts element document.

### Purpose Statement

Proposed new wording: ***“Purpose - to establish one legislative mandate for all engineering regulators.”***

### Key Considerations

Task Force members altered the order and some of the wording in the Key Considerations as follows.

Key Consideration 1:	Proposed new wording:  <b><i>“1. Objects are broad, framework-oriented and empowering of the regulator to regulate and govern the registrants in the public interest. They must:  [no change to sub-sections i., ii. and iii]”</i></b>
Key Consideration 2:	Deleted.
New Key Consideration 2:	<i>(previously Key Consideration 3)</i>  No change.
Key Consideration 4:	Deleted.

### Definitions

<b><i>Registrants</i></b>	Task Force Comments: Ensure that this term encapsulates all existing terms such as holders, persons, licence holders, individuals, etc. A comment was made that the use of the term registrants may de-emphasize the self-regulating nature of the profession.
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**Action:** Staff to submit the Task Force’s commentary on the following elements back to Engineers Canada:

- Enforcement Practices
- Definition of the Practice of Professional Engineering
- Objects of the Engineering Acts

**Action:** Engineers Canada to send back to the Task Force all concurrence documents, identifying which inputs were accepted/used and those that were not, with an explanation.

## 6. Engineers Canada Response to Task Force Comments

The Chair referred to the document included in the agenda package, which was provided by Engineers Canada as their feedback to the Chair’s comments to their Board. The following commentary was provided:

- Comment from PEO to Engineers Canada related to the fact that elements are now moving away from simply being elements of licensure to being elements of self-regulation and encompassing all aspects of the Act.
- S. Price replied that original documentation that was crafted for building the Canadian Framework for Licensure (CFL) states that it would deal with all aspects of regulation, not just licensing.
- Essentially, the name CFL had some traction and it was decided to keep calling it the CFL, but the intent was to look at all aspects of regulation, including complaints and discipline, enforcement, etc.
- When Task Force goes back to Council with next element(s), this should be brought to Council's attention and ask for an additional Task Force member from the Professional Standards, Legislation or Discipline Committee.

**Action:** At the next Council meeting, scheduled for September 27, 2013, Chair to provide Council with an update, as well as ask Council to consider broadening the membership of the Task Force, to include a member from the Professional Standards, Legislation or Discipline Committee.

## **7. Other**

No discussion.

## **8. Next Meeting**

In order to meet the deadline for submission of materials for the September 27, 2013 Council meeting agenda package, it was agreed to hold the next meeting on September 10 or 11, 2013.

**Action:** Staff to canvass Task Force members for their availability on September 10 and 11, 2013 for the next meeting.

The meeting adjourned at 3:05 p.m.