



Frequently Asked Questions on PEO Regulation Amendments of April 2, 2015

1. The amendments to Regulation 941 were filed on April 2, 2015. When are they effective?

The amendments are coming into effect in two stages. Many of the amendments became effective on their filing. These include amendments:

- requiring the Academic Requirements and Experience Requirements committees to specify the academic or experience requirements to be met when either committee determines an applicant does not meet the requirements for licensure;
- changing the requirements to obtain a temporary licence;
- requiring a P.Eng. PEO staff member to take a leave of absence if seeking election to PEO council, and to resign from staff if elected;
- prohibiting a retiring past president from running for the position of president-elect for one year after leaving the past president position;
- updating regional boundaries to reflect road name changes;
- authorizing PEO's registrar to send notices electronically to practitioners, and applicants to submit applications and supporting documents electronically; and
- making minor housekeeping changes to correct or clarify some previous wording.

Some amendments will be effective on July 1, 2015. These are amendments:

- changing the requirements to obtain a limited licence;
- creating the licensed engineering technologist (LET) class of limited licence;
- permitting limited licence holders to be responsible for the engineering services provided to the public under a PEO Certificate of Authorization (C of A), either as an employee of a C of A firm or after obtaining their own C of A; and
- setting out the academic requirements to be an engineering intern, as well as engineering interns' rights and privileges.

2. Some of the 2010 *Open for Business Act* changes to the *Professional Engineers Act* (PEA) have to do with limited licences, licensed engineering technologists and engineering interns, but have never been proclaimed into effect. Are the regulation changes coming into effect on July 1, 2015 connected to these sections of the PEA?

Yes. The regulation changes coming into effect on July 1 provide detail to enable the pending PEA amendments connected to them to become effective. Accordingly, the corresponding sections of the PEA will be proclaimed into effect on July 1. To see which pending amendments to the PEA will be proclaimed on July 1, 2015, visit <http://www.ontario.ca/laws/statute/90p28>.

3. Why are some of the regulation changes coming into effect later than the others?

The regulation amendments relating to new requirements for limited licences, the creation of the licensed engineering technologist class of limited licence, ability of limited licence holders to accept responsibility for engineering work provided under a Certificate of Authorization; and academic requirements for, and rights and privileges of, engineering interns are coming into effect on July 1 to ensure PEO has put in place the required operational procedures, processes and notifications.

4. Why have the requirements for obtaining a limited licence changed?

The amended requirements for obtaining a limited licence protect the public interest now that limited licence holders are able to assume responsibility for engineering services offered or provided directly to the public, within the limitations of their licences, under a Certificate of Authorization.

In addition, the academic requirement for a limited licence has been generalized to accommodate applicants with technical degrees/diplomas in a broader range of disciplines than the traditional fields of engineering technology to which the licence historically applied. Applicants for a limited licence will be expected to demonstrate an equivalent depth of knowledge within the proposed limitation of their licences to that expected of applicants for a professional engineer licence.

5. Why has PEO changed its Certificate of Authorization (C of A) to permit limited licence holders to be responsible for engineering services offered or provided to the public under a C of A?

In 2002, PEO's Technologist Licensure Task Group (TLTG) recommended, and PEO Council approved, permitting limited licence holders to be responsible for engineering services offered or provided to the public within the limitation of their licences. To protect public safety in light of this recommendation, the TLTG recommended, and Council approved, changes to strengthen the requirements to obtain a limited licence, which are among the regulation amendments becoming effective on July 1. Enabling limited licence holders to be responsible for engineering services offered or provided under a C of A, within the limitations of their licences, meets marketplace and practitioner needs, without compromising public safety and welfare.

6. Will the holder of a limited licence automatically be able to assume responsibility for engineering services offered or provided under a Certificate of Authorization after July 1, 2015? If not, what must they do to be able to assume this responsibility?

Only limited licence holders who have obtained a limited licence under the requirements that come into effect on July 1 can assume responsibility for engineering services under a Certificate of Authorization (C of A). If a current limited licence holder wishes to be responsible under a C of A, the holder must apply for a new limited licence after July 1 and meet the new requirements. If they are granted a new limited licence, they will surrender their current limited licence and seal to PEO and be issued a new limited licence and new seal, and may then take responsibility for engineering services under a Certificate of Authorization. They may do so as an employee of a C of A holder, or may apply for a C of A in their own name.

7. What if the employer of a limited licence holder who works at a C of A firm doesn't require the limited licence holder to be responsible for the engineering services provided under the employer's C of A. What changes for these limited licence and C of A holders after July 1?

Nothing. Current limited licence holders can continue to practise professional engineering within the limitations of their limited licences, and stamp their work with their limited licence seal as they have done previously. If that work is done within a C of A firm, the limited licence holder will be responsible for their own professional engineering work within the limitations of their limited licences, as they are at present, while a professional engineer or temporary licence holder will be responsible on behalf of the C of A holder for the engineering services the business entity offers or provides to the public, as they are at present.

8. What are the differences between the current requirements for a limited licence and the requirements that become effective on July 1?

The academic requirement for a limited licence has been generalized to accommodate applicants with technical degrees/diplomas in a broader range of disciplines than the traditional fields of engineering technology to which the licence historically applied.

Applicants for a limited licence will be expected to demonstrate an equivalent depth of knowledge within the proposed limitation of their licences to that expected of applicants for a professional engineer licence. All applications for a limited licence will now be referred to the Academic Requirements Committee for this assessment.

The experience requirement is quantitatively less than previously (eight years versus 13), but is more clearly defined as having to meet the published criteria in the *Guide to the Required Experience for a Limited Licence in Ontario*, which was approved by PEO Council in March 2014. In addition, at least six years' of the experience must correspond to the scope of professional engineering services to be provided under the limited licence, with at least four of those six years of experience acquired in a Canadian jurisdiction under the supervision of a professional engineer. Previously, one year of the required years of experience had to be acquired under the supervision and direction of a professional engineer, with at least the last two years of experience being in the services within the practice of professional engineering to which the limited licence would apply.

9. What about applications for a limited licence already in progress? Will these applicants have to meet the new requirements to obtain their limited licence?

Applications for a limited licence received before July 1, 2015 will be evaluated against the requirements for a limited licence that were in effect before July 1, 2015. Applications received on or after July 1, 2015 will be evaluated against the amended requirements for a limited licence that become effective on that date.

10. There is currently a limited licence available exclusively for qualified faculty of accredited engineering programs. Is this special limited licence for faculty going to continue to be available after July 1, 2015?

Current holders of the limited licence for faculty will be permitted to retain and renew their limited licence after July 1, 2015. However, PEO will accept no new applications for this limited licence after July 1, 2015. To obtain a limited licence after July 1, faculty will have to meet the requirements for a limited licence under section 46 of Regulation 941.

11. If the holder of a current limited licence is a certified engineering technologist member of the Ontario Association of Certified Engineering Technicians and Technologists, is that person automatically a licensed engineering technologist after July 1, 2015?

No. They will have to have their academics, experience and knowledge base assessed according to the new requirements for a limited licence, because the regulation changes creating the licensed engineering technologist class of limited licence come into effect the same time as the new requirements to obtain a limited licence. If they are assessed as meeting the new requirements, they may be granted the licensed engineering technologist class of limited licence. They will be required to surrender their current limited licence and seal and be issued the new licensed engineering technologist class of limited licence and licensed engineering technologist seal.

12. Why is PEO creating a licensed engineering technologist designation?

The new licensed engineering technologist (LET) designation is the outcome of a recommendation of PEO's Technologist Licensure Task Group, which PEO Council approved in 2002. The LET designation for a certified engineering technologist (C.E.T.) who holds a limited licence reflects this practitioner having met additional qualifications to obtain and maintain his or her certification by the Ontario Association of Certified Engineering Technicians and Technologists (OACETT), and his or her willingness to be held professionally accountable by both the licensing and certification bodies.

13. When can I apply for an LET designation?

Limited licence holders can apply for an LET designation beginning July 1, 2015.

14. What happens if a licensed engineering technologist drops their C.E.T. certification and membership in OACETT?

If the holder of the licensed engineering technologist class of limited licence ceases to be a certified engineering technologist in good standing with OACETT, he or she must surrender his or her licensed engineering technologist class of limited licence and seal. PEO will replace them with a limited licence and limited licence seal at no charge.

15. Why has PEO changed the requirements to obtain a temporary licence?

The temporary licence permits limited-time practice in Ontario by engineers who are non-PEO members to accommodate a need for specialized expertise for a specific engineering project. It generally requires that the holder collaborate with a Canadian P.Eng. to ensure the work complies with Canadian and Ontario laws, codes and standards.

In 2007, PEO's Licensing Process Task Force recommended, and Council approved, changes to the requirements to obtain a temporary licence, which harmonize these requirements with those for obtaining a licence as a professional engineer.

The regulation change to implement this recommendation has enabled PEO to streamline the list of exemptions to the requirement for a Canadian P.Eng. collaborator by enabling a temporary licence holder who has 12 months of Canadian experience to be exempted from the requirement for a collaborator. This is the same Canadian experience required for a full P.Eng. licence. The holder of a full P.Eng. licence requires no collaborator.

These changes ensure the temporary licence remains a useful option for engineers who are not licensed in another province and who require timely licensure to meet a specific need. Having such practitioners apply for a P.Eng. licence, which they can do because licensure does not require Canadian citizenship or permanent resident status, would potentially delay their licensure.

Engineers licensed in another province who require a licence to work in Ontario temporarily can obtain a full P.Eng. licence quickly under interprovincial mobility agreements.

16. Who can I contact if I have additional questions about the new requirements for the limited licence, licensed engineering technologist, or ability for limited licence holders to be responsible for engineering services provided under a Certificate of Authorization?

Questions about these changes should be directed to Lawrence Fogwill, P.Eng., PEO's Manager of Registration, at lfogwill@peo.on.ca.

17. Why was Regulation 941 amended to change the information the Academic Requirements Committee and the Experience Requirements Committee are required to provide the Registrar when they determine a licence applicant does not meet the requirements for licensure

In 2007, the Licensing Process Task Force recommended, and Council approved, that the regulation be amended to require the Academic Requirements (ARC) and Experience Requirements (ERC) committees to specify the academic or experience requirements to be met by applicants the committees determine do not meet the requirements for licensure.

Before the regulation change, ARC was required only to make recommendations to the Registrar on what examinations or other academic requirements an applicant must complete, while the ERC was required only to determine whether an applicant meets the experience requirements and so inform the Registrar. The *Professional Engineers Act* (PEA), however, requires the Registrar to give notice to an applicant of a determination by one or both of the committees, which notice is required to detail the specific requirements the applicant must meet to qualify for a licence.

The amendments to sections 40(2) and 41(2) align the regulation with the notice provisions of section 14(6) of the PEA, and provide greater clarity to licence applicants about how they might meet the licence requirements. They increase PEO's accountability and transparency to licence applicants.

18. What is the effect of the regulation change having to do with engineering interns? Hasn't PEO always had engineers-in-training (EITs)?

In 2010, the *Open for Business Act* amended the *Professional Engineers Act* (PEA) to establish an engineering intern class of person whose interests are related to PEO's, with a protected title and EIT designation. These PEA changes were not proclaimed, pending regulations setting out the necessary academic requirements to be an engineering intern and engineering interns' rights and privileges.

The Regulation 941 amendment prescribing the rights and privileges of engineering interns (EITs) enables the 2010 PEA amendment creating the engineering intern class of person to be proclaimed into effect on July 1. With the PEA proclamation, engineering interns will now be recognized officially as being on the path to becoming professional engineers, with a protected title they can use to demonstrate their commitment to professionalism.

19. Why must a P.Eng. PEO staff member take a leave of absence to run for PEO Council? Why must they resign from staff if elected?

PEO's Council election process must be, and must be perceived to be, fair and democratic. A P.Eng. PEO staff member running for Council might be perceived as having an unfair advantage over other candidates because of his or her up-to-the-minute knowledge of PEO issues and operations, were they to continue on staff during the election campaign. A staff member serving as a councillor could be perceived as having a clear conflict of interest, as Council approves budgets that include line items for staff salaries and benefits, and human resources policies for the organization. Requiring a P.Eng., staff member to resign from Council if elected maintains the integrity of the election process by avoiding perceived conflicts of interest.

20. Why has the regulation been amended to prevent a retiring past president from running immediately for president-elect?

Ensuring a short period away from the highest Council offices for a retiring past president helps to ensure new ideas and perspectives are brought to the highest levels of PEO governance.

21. With the regulation amendment authorizing the Registrar to send notices electronically, and applicants to submit applications and supporting documents electronically, when will PEO have an online licence application process?

PEO is currently upgrading its membership database software to a new application called Aptify. When the first phase of the upgrade, which replicates the functions currently available, is completed, the second phase project to upgrade functionality should be initiated in 2016. This phase should include an online licence application process.