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# Minutes

## **LEGISLATION COMMITTEE MEETING**

Friday, October 2, 2015 - 1:00 p.m.

PEO Offices - Room 1C

### **Members:**

Roydon Fraser, P. Eng. (Chair)

Bob Dony, P. Eng. (Vice-Chair)

George Comrie, P. Eng. (President-Elect; Ex-Officio Member)

Bill Kossta

Sharon Reid, C. Tech.

### **Regrets:**

Ewald Kuczera, P. Eng.

Thomas Chong, P. Eng. (President; Ex-Officio Member)

### **Staff:**

Josie D'Aluisio, Administrative Assistant

Jordan Max, Manager, Policy

Andrew Tapp, Policy Analyst

Johnny Zuccon, P. Eng., Deputy Registrar, Tribunals and Regulatory Affairs

## 1. PROCEDURAL

### 1.1 Opening Remarks

The Chair called the meeting to order at 1:30 p.m., and welcomed and thanked everyone for attending.

### 1.2 Approval of Agenda

The members were asked if there were any additions or changes to the agenda. No additions or changes were provided.

A motion was made to approve the agenda as written.

**Moved by: B. Kossta                      Seconded by: B. Dony                      CARRIED**

### 1.3 Approval of Minutes of September 11, 2015 Meeting

The members were asked if there were any additions or changes to the Minutes. No additions or changes were provided.

A motion was made to approve the Minutes of the September 11, 2015 meeting as written.

**Moved by: B. Kossta                      Seconded by: S. Reid                      CARRIED**

### 1.4 Action Items Update from September 11, 2015 Meeting

The members were referred to the Actions Items Update document included in the agenda package. J. Max updated the Committee as follows:

The Legislation Committee 2015-16 draft Work Plan was revised as per the Legislation Committee comments and submitted to the Secretariat for Council consideration at the November 2015 meeting. S. Reid offered to provide a presentation on the Equity and Diversity Training Module at the next Legislation Committee meeting, which was agreed to.

The Legislation Committee Briefing Note for Rescinding Council Motions was submitted to the Secretariat, and the motions to rescind were approved by the required thresholds at the September 2015 Council meeting.

A follow-up memo to the Chair of the Discipline Committee was drafted by staff and signed off by the Chair of the Legislation Committee, and subsequently sent to the Chair of the Discipline Committee.

## 2. FOR DECISION

### 2.1 Act Changes

The members were referred to the documents included in the agenda package.

Since the last Legislation Committee discussion in August 2015, staff have completed the jurisdictional scans (which are marked in yellow highlighting) and added more detail on the intended definition of “findings” in Item 9. As per the memo to the Chair of the Discipline Committee, we are awaiting the Discipline Committee’s consolidated comments, likely in November or December 2015. The Attorney General has also requested that PEO provide a list of specific sections of the Act to be amended, and this work is also underway by staff. There is a need for the Legislation Committee to finalize its recommendations so that they can be forwarded to Council for consideration; hopefully, at its February 2016 meeting.

The Committee subsequently reviewed the slides presented to the Council Plenary Session, and modified the rationales to represent the Legislation Committee’s position, as opposed to the implied or stated Belanger Commission’s rationales. The following rationales and comments are to be applied to the Legislation Committee recommendations document and the Ministry of the Attorney General supporting document.

#### 1. LEC Rationale

To enable exclusive scope of practice.

To give PEO the ability/authority to limit who can practice in specific high-risk, high- frequency, high-impact areas of professional engineering to protect the public.

#### 2. LEC Rationale

Act currently provides only for provision of continuing education and only for members.

Policy intent is to provide Council with maximum flexibility to implement the CPE program to all types of licence instruments.

#### 3. LEC Rationale

Currently no regulation power for such disclosure obligations.

To increase communication to the public of potential threats to the public from professional engineering work from professional engineering work performed by suspended or revoked licence holders.

4. LEC Question

LEC asks whether there are any restrictions in our current Act that prevents us from implementing a searchable web recommendation.

9. LEC to Do

Confirm with Leah Price (PEO's Counsel) the intent of having transcripts, evidence and exhibits publicly available, or just transcripts.

Staff to Do

Scan other Associations for how they handle this.

Identify problems with providing evidence and exhibits.

10. LEC Caution

How to ensure frivolous or unsubstantiated information is not used inappropriately.

**Action:** Staff to import the above content into the Legislation Committee recommendations document and the Ministry of the Attorney General supporting document.

### 3. WORK IN PROGRESS

#### 3.1 Update of Council Rescinding Motions

The Chair provided an update as follows.

He recalled that, at the Council meeting, some concern was expressed that some of the Certificate of Authorization policy motions were being discarded. The Legislation Committee is not a policy committee, nor is the Licensing Policy Committee looking into Certificate of Authorization at this time. G. Comrie noted that the forthcoming Professional Practice Standard on Supervision and Delegation may address some of the issues raised. After some discussion, it was concluded that the rescinded Certificate of Authorization changes should,

nevertheless, be kept by the Legislation Committee for corporate memory for future work.

**4. FOR INFORMATION**

4.1 Evidence-Based Regulatory Policy Development Training

The members were referred to the presentation included in the agenda package.

J. Max gave a presentation on Evidence-Based Regulatory Policy Development. It is also being made available to all PEO Committees and Task Forces, upon request.

**5. NEW BUSINESS**

No new business was discussed.

**6. NEXT MEETING AND ADJOURNMENT**

The meeting was adjourned at 4:00 p.m.

The next meeting is scheduled for Friday, November 6, 2015 at 11:00 a.m.