

CONFIDENTIAL
Until filed with the
Registrar of Regulations

REGISTRAR OF REGULATIONS	
Filed as O. Reg.	<i>71/15</i>
On	APR 02 2015
Proposed source law publication dates:	
e-Laws	<i>by April 8, 2015</i>
Ontario Gazette	<i>April 18, 2015</i>

REG2013.0088.e
14-TK

ONTARIO REGULATION
made under the
PROFESSIONAL ENGINEERS ACT
Amending Reg. 941 of R.R.O. 1990
(GENERAL)

1. Section 1 of Regulation 941 of the Revised Regulations of Ontario, 1990 is amended by adding the following definition:

“register” means a register maintained by the Registrar under section 21 of the Act.

2. Subsection 3 (2) of the Regulation is amended by striking out “president elect” and substituting “president-elect”.

3. Section 5 of the Regulation is amended by striking out “Table 1” at the end and substituting “Schedule 1”.

4. The Regulation is amended by adding the following section:

7. A Member who is employed by the Association is not eligible for election to the Council unless the Member,

- (a) takes an unpaid leave of absence that takes effect no later than the day after he or she is nominated for election; and
- (b) submits to the Registrar his or her resignation in writing, to take effect at the time he or she would take office.

5. Subsection 10 (2) of the Regulation is amended by striking out “his nomination for election” at the end and substituting “nomination for election”.

6. Clause 12 (1) (d) of the Regulation is amended by adding “or more” after “two”.

7. (1) Subsection 13 (2) of the Regulation is amended by striking out “shall not be entitled to vote” at the end and substituting “shall be entitled to vote only to break a tie”.

(2) Subsection 13 (3) of the Regulation is amended by striking out “shall only be entitled to vote” and substituting “shall be entitled to vote only”.

8. Section 14 of the Regulation is amended by adding the following subsection:

(4) A Member is not eligible to be nominated for election to the Council as president-elect if the Member held the office of president within the last two years.

9. Section 15.1 of the Regulation is amended by adding the following subsection:

(2.1) A Member is not eligible to be appointed under subsection (1) to the office of president-elect if the Member held the office of president within the last two years.

10. Section 32.1 of the Regulation is revoked and the following substituted:

32.1 (1) For the purposes of clause 20.1 (1) (c) of the Act, in order to be accepted as an engineering intern, an applicant for a licence must meet the academic requirements for a licence prescribed by this Regulation or be in the process of completing the examinations required by the Academic Requirements Committee in order to meet those requirements.

(2) Engineering interns have the following privileges:

1. An engineering intern is a member of the Chapter in the Region in which he or she resides and,
 - i. may vote in the Chapter’s elections, and
 - ii. subject to the Chapter’s by-laws, may serve as a member of the Chapter executive.
2. An engineering intern may attend annual meetings of Members and meetings of the Council, but is not entitled to vote at an annual meeting.
3. An engineering intern may be appointed to a committee established by the Council, except as otherwise provided in the Act, the regulations or the by-laws.
4. An engineering intern is entitled to receive from the Association,

- i. notice of annual meetings of Members,
- ii. notice of the results of elections held under the Act,
- iii. issues of the Association's official publication, and
- iv. any other notice, document or information provided by the Association and intended for members of the class.

5. An engineering intern is entitled to receive from the executive of the Chapter in which he or she is a member any notice, document or information provided by the executive and intended for engineering interns.

11. Clause 32.2 (2) (a) of the Regulation is amended by striking out "student's" and substituting "student".

12. (1) Clause 40 (2) (c) of the Regulation is revoked and the following substituted:

- (c) if the Committee determines that the applicant does not meet the academic requirements, specify the academic requirements that the applicant must meet, for the purposes of the notice referred to in subsection 14 (6) of the Act.

(2) Section 40 of the Regulation is amended by adding the following subsection:

(4) For the purposes of clause 14 (4) (b) of the Act, the Registrar shall refer to the Academic Requirements Committee every application for a limited licence made on or after the day section 16 of Ontario Regulation ~~***~~ [number of this amending regulation is to be inserted on filing] comes into force. ~~7/15~~

13. Subsection 41 (2) of the Regulation is amended by striking out "and" at the end of clause (a), by adding "and" at the end of clause (b) and by adding the following clause:

- (c) if the Committee determines that the applicant does not meet the experience requirements, specify the experience requirements that the applicant must meet, for the purposes of the notice referred to in subsection 14 (6) of the Act.

14. (1) Section 43 of the Regulation is amended by adding "prescribed by this Regulation" after "fee" in the portion before paragraph 1.

(2) Paragraph 3 of section 43 of the Regulation is revoked and the following substituted:

3. Not less than 10 years of experience in the practice of professional engineering that is relevant to the work to be undertaken under the temporary licence, and wide recognition in relation to that practice.

15. Subsection 44 (1) of the Regulation is revoked and the following substituted:

(1) It is a term and condition of every temporary licence that the holder of the temporary licence must collaborate with a Member in the practice of professional engineering in respect of the work undertaken under the temporary licence, unless the holder provides evidence of one of the following:

1. At least 12 months of experience in the practice of professional engineering that is relevant to the work to be undertaken under the temporary licence and that was acquired in a Canadian jurisdiction under the supervision of one or more persons who are legally authorized to engage in the practice of professional engineering in a Canadian jurisdiction.
2. Wide recognition in the practice of professional engineering that is relevant to the work to be undertaken under the temporary licence and that the holder is knowledgeable about all codes, standards and laws relevant to that work.

(1.1) Experience acquired outside Canada satisfies the requirements of paragraph 1 of subsection (1) if it meets the criteria set out under subsection 33 (2).

16. Section 46 of the Regulation is revoked and the following substituted:

46. (1) The following are prescribed as requirements and qualifications for the issuance of a limited licence:

1. The applicant shall demonstrate that he or she holds a three-year degree or diploma in an engineering, technology or science program or has equivalent educational qualifications, and possesses the knowledge base corresponding to the scope of services within the practice of professional engineering to be provided under the limited licence.
2. The applicant shall demonstrate at least eight years of experience in the practice of professional engineering that meets the criteria set out in the document titled "Guide to the Required Experience for a Limited Licence in Ontario" and dated March 2014, published by and available from the Association, with at least six years of the experience corresponding to the scope of services within the practice of professional engineering to be provided under the limited licence and at least four of those six years' experience being acquired in a Canadian jurisdiction under the supervision of one or more persons who are legally authorized to engage in the practice of professional engineering in a Canadian jurisdiction.

3. The applicant shall pass the Professional Practice Examination.
4. The applicant shall demonstrate that he or she is of good character.
5. The applicant shall submit to the Registrar a completed application in the form titled "Limited Licence Application", dated November 2013 and available from the Association.
6. The applicant shall pay the applicable fees prescribed by this Regulation.

7/1/15 **/** (2) This section, as it read immediately before the day section 16 of Ontario Regulation [number of this amending regulation is to be inserted on filing] comes into force, continues to apply in respect of every application for a limited licence that is made but not finally dealt with before that day.

17. The Regulation is amended by adding the following section:

46.0.1 (1) The engineering technologist class of limited licence is established.

(2) The Registrar shall issue an engineering technologist class of limited licence to any person who, in addition to meeting the requirements for a limited licence set out in section 46, demonstrates that he or she is a certified member in good standing with the Ontario Association of Certified Engineering Technicians and Technologists and holds a Certified Engineering Technologist title with that body.

(3) A reference in this Regulation to the holder of a limited licence includes reference to the holder of an engineering technologist class of limited licence, unless the context requires otherwise.

(4) If the holder of an engineering technologist class of limited licence indicates in an annual renewal form under section 50 or a notice of a change under section 50.1 that he or she is no longer a certified member in good standing with the Ontario Association of Certified Engineering Technicians and Technologists and no longer holds a Certified Engineering Technologist title with that body, the Registrar shall reissue the holder's engineering technologist class of limited licence as a limited licence.

(5) If the Registrar otherwise discovers that the holder of an engineering technologist class of limited licence is no longer a certified member in good standing with the Ontario Association of Certified Engineering Technicians and Technologists and no longer holds a Certified Engineering Technologist title with that body, the Registrar shall, after giving 60 days notice to the holder, reissue the holder's engineering technologist class of limited licence as a limited licence.

(6) No fee is payable by the holder for the reissuance of a limited licence under this section.

(7) The holder of a limited licence issued under this section shall forthwith deliver to the Registrar his or her engineering technologist class of limited licence, together with the related seal.

(8) The Registrar shall reissue a limited licence issued under this section as an engineering technologist class of limited licence, if the holder,

- (a) demonstrates that he or she has been reinstated as a certified member in good standing with the Ontario Association of Certified Engineering Technicians and Technologists and holds a Certified Engineering Technologist title with that body; and
- (b) pays the fee prescribed by this Regulation for the issuance of the seal described in subsection 52 (5).

(9) Subsections (4), (5) and (8) apply only if the holder continues to meet the requirements for a limited licence.

18. Sections 47, 48, 49 and 50 of the Regulation are revoked and the following substituted:

47. The following are prescribed as requirements and qualifications for the issuance of a certificate of authorization:

1. The applicant shall designate as the person or persons who will assume responsibility for and supervise the services within the practice of professional engineering to be provided under the certificate of authorization one or more holders of,
 - i. a licence,
 - ii. a temporary licence, or
 - iii. a limited licence, if the application for the limited licence was made on or after the day section 16 of Ontario Regulation ****/** (the number of this 71/15 amending regulation is to be inserted on filing)** came into force.
2. The applicant shall submit to the Registrar a completed application in the form titled "Application for Certificate of Authorization", dated November 2013 and available from the Association.
3. The applicant shall pay the application fee and the annual fee prescribed by this Regulation.

48. Every certificate of authorization that is issued by the Registrar shall contain a description of any terms and conditions to which it is subject under the Act.

49. (1) If a holder of a temporary licence is the only person assuming responsibility for and supervising the services within the practice of professional engineering to be provided under a certificate of authorization, the certificate of authorization expires on the date on which the holder's temporary licence expires.

(2) If two or more holders of a temporary licence are the only persons assuming responsibility for and supervising the services within the practice of professional engineering to be provided under a certificate of authorization, the certificate of authorization expires on the date on which the last of the temporary licences expires.

50. Every year, every holder of a certificate of authorization shall, on or before the anniversary of the date on which the certificate was issued,

(a) submit to the Registrar a completed annual renewal form, provided by the Association for the purpose, indicating whether the information contained in the registers in respect of the certificate is current and correct and providing information respecting any necessary changes or corrections; and

(b) pay the annual fee prescribed by this Regulation.

50.1 (1) Every holder of a licence, temporary licence, provisional licence, limited licence or certificate of authorization shall give to the Registrar notice, in the form provided by the Association for the purpose, of any change in the information contained in the registers relating to the holder.

(2) The notice of a change shall indicate the date on which the change occurred and be submitted no later than 30 days after that date.

19. (1) Subsection 52 (4) of the Regulation is amended by adding "Subject to subsection (5)" at the beginning of the portion before clause (a).

(2) Clause 52 (4) (b) of the Regulation is revoked and the following substituted:

(b) the words "Association of Professional Engineers of Ontario" and one or more of the following:

(i) "Limited Engineering Licensee",

(ii) "titulaire de permis restreint d'ingénieur",

(iii) "LEL",

(iv) “PRI”;

(3) Clause 52 (4) (d) of the Regulation is amended by striking out “the licence” and substituting “the limited licence”.

(4) Section 52 of the Regulation is amended by adding the following subsection:

(5) In the case of a holder of an engineering technologist class of limited licence, clause (4) (b) does not apply, and the holder’s seal shall instead include the words “Association of Professional Engineers of Ontario” and one or more of the following:

1. “Licensed Engineering Technologist”.
2. “technologue en ingénierie titulaire de permis”.
3. “LET”.
4. “TITP”.

20. Section 55.1 of the Regulation is amended by adding the following subsection:

(3) The following are the titles and abbreviations that may be used in the practice of professional engineering by the holder of an engineering technologist class of limited licence:

1. “Licensed Engineering Technologist” or “technologue en ingénierie titulaire de permis”.
2. “LET” or “TITP”.

21. Section 58 of the Regulation is amended by adding “or send electronically” after “mail” in the portion before clause (a).

22. Section 65 of the Regulation is amended by adding “or send electronically” after “mail” in the portion before clause (a).

23. Subsection 74 (3) of the Regulation is revoked and the following substituted:

(3) The notice under clause (2) (d) shall be in the form provided by the Association for the purpose, and shall be signed by,

- (a) in the case of a holder who is a natural person, the person;
- (b) in the case of a holder that is a corporation, an officer or director of the corporation;

- (c) in the case of a holder that is a partnership, a partner in the partnership; or
- (d) in the case of a holder that is a partnership of corporations, an officer or director of a partner in the partnership.

24. (1) Subparagraph 1 i of section 77 of the Regulation is amended by striking out “employers” and substituting “employer”.

(2) Paragraph 3 of section 77 of the Regulation is amended by striking out “each employer” and substituting “the practitioner’s employer”.

25. The Regulation is amended by adding the following section:

78.2 If a document is submitted under this Regulation to the Registrar on-line through the Association’s website, a statement or information contained in the document that is required to be certified as true and correct by a person is deemed to have been so certified once the application is submitted.

26. Table 1 of the Regulation is revoked.

27. The Regulation is amended by adding the following Schedule:

SCHEDULE 1

1. The Western Region includes that part of Ontario lying south and west of a line drawn as follows:

Beginning at the Canada-United States border at the Town of Fort Erie on the Niagara River, north along the Niagara River to the Town of Niagara-on-the-Lake on the shoreline of Lake Ontario; then west along the shoreline of Lake Ontario to the boundary between the City of Burlington and the Town of Oakville; then north along that boundary to its northern end; continuing north along the same line to Highway 407; then west on Highway 407 to Halton Regional Road 5; continuing west along Halton Regional Road 5 to the western boundary of The Regional Municipality of Halton; then north along that boundary to Highway 401; then east on Highway 401 to Halton Regional Road 25; then north on Halton Regional Road 25, which becomes Wellington County Road 125, to Wellington County Road 124; then west on Wellington County Road 124 to Wellington County Road 26; then north on Wellington County Road 26 to Wellington County Road 18; then east on Wellington County Road 18, which becomes Dufferin County Road 3, to Dufferin County Road 24; then north on Dufferin County Road 24 to Dufferin County Road 109; then west on Dufferin County Road 109 to Dufferin County Road 25; then north on Dufferin County Road 25 to Highway 89; then east on Highway 89 to Dufferin County Road

124; then north on Dufferin County Road 124 to the northern boundary of the County of Dufferin; then north along the eastern boundary of the County of Grey to Grey County Road 19; then northwest on Grey County Road 19 to Nottawasaga Bay.

2. The West Central Region includes that part of Ontario lying within a line drawn as follows:

Beginning at Lake Ontario at the boundary between the City of Burlington and the Town of Oakville, north along that boundary to its northern end; continuing north along the same line to Highway 407; then west on Highway 407 to Halton Regional Road 5; continuing west along Halton Regional Road 5 to the western boundary of The Regional Municipality of Halton; then north along that boundary to Highway 401; then east on Highway 401 to Halton Regional Road 25; then north on Halton Regional Road 25, which becomes Wellington County Road 125, to Wellington County Road 124; then west on Wellington County Road 124 to Wellington County Road 26; then north on Wellington County Road 26 to Wellington County Road 18; then east on Wellington County Road 18, which becomes Dufferin County Road 3, to Dufferin County Road 24; then north on Dufferin County Road 24 to Dufferin County Road 109; then west on Dufferin County Road 109 to Dufferin County Road 25; then north on Dufferin County Road 25 to Highway 89; then east on Highway 89 to Dufferin County Road 124; then north on Dufferin County Road 124 to the northern boundary of the County of Dufferin; then east along the northern boundary of the County of Dufferin to its eastern boundary; then south along the eastern boundary of the County of Dufferin to the northern boundary of The Regional Municipality of Peel; then east on the northern boundary of The Regional Municipality of Peel to the eastern boundary of The Regional Municipality of Peel; then south along the eastern boundary of The Regional Municipality of Peel to the southern boundary of The Regional Municipality of York; then east along the southern boundary of The Regional Municipality of York to the West Don River; then south and southeast along the West Don River to Yonge Street; then south on Yonge Street to Yorkville Avenue; then west on Yorkville Avenue to Bay Street; then south on Bay Street to College Street; then east on College Street to Yonge Street; then south on Yonge Street to Lake Ontario; then west along the shoreline of Lake Ontario, but including the Toronto Islands, to the boundary between the City of Burlington and the Town of Oakville.

3. The East Central Region includes that part of Ontario lying within a line drawn as follows:

Beginning at Georgian Bay at the eastern end of the northern boundary of The District Municipality of Muskoka, east along that boundary to the western boundary of Algonquin Provincial Park; then south along the western boundary of Algonquin Provincial Park to the northern boundary of the County of Haliburton; then west and then south and then west and then south along the northern boundary of the County of

Haliburton to the central portion of the northern boundary of the City of Kawartha Lakes; then west and then south and then west and then south along the northern boundary of the City of Kawartha Lakes to the northern boundary of The Regional Municipality of Durham; then west along the northern boundary of The Regional Municipality of Durham to its western boundary; then south along the western boundary of The Regional Municipality of Durham to York Regional Road 32; then northeast following a line to the junction where Highway 7 and Highway 12 meet; then east on Highway 7 to the western boundary of the City of Kawartha Lakes; then south and then east and then south along the western boundary of the City of Kawartha Lakes to the northern boundary of The Regional Municipality of Durham; then east along the northern boundary of The Regional Municipality of Durham to its eastern boundary; then south along the eastern boundary of The Regional Municipality of Durham to Lake Ontario; then west along the shoreline of Lake Ontario to Yonge Street; then north on Yonge Street to College Street; then west on College Street to Bay Street; then north on Bay Street to Yorkville Avenue; then east on Yorkville Avenue to Yonge Street; then north on Yonge Street to the West Don River; then north and northwest along the West Don River to the southern boundary of The Regional Municipality of York; then west along the southern boundary of The Regional Municipality of York to its western boundary; then north along the western boundary of The Regional Municipality of York to the southern boundary of the County of Simcoe; then west and then north and then west and then north along the western boundary of the County of Simcoe to Grey County Road 19; then northwest on Grey County Road 19 to Nottawasaga Bay.

4. The Eastern Region includes that part of Ontario lying within a line drawn as follows:

Beginning at Lake Ontario at the western boundary of the County of Northumberland, north along that boundary to the southern boundary of the City of Kawartha Lakes; then west along the southern boundary of the City of Kawartha Lakes to its western boundary; then north and then west and then north along the western boundary of the City of Kawartha Lakes to Highway 7; then west on Highway 7 to the junction where Highway 7 and Highway 12 meet; then southwest following a line to the eastern end of York Regional Road 32; then north along the western boundary of The Regional Municipality of Durham to its northern boundary; then east along the northern boundary of The Regional Municipality of Durham to the western boundary of the City of Kawartha Lakes; then north and then east and then north and then east along the western boundary of the City of Kawartha Lakes to the western boundary of the County of Haliburton; then north and then east and then north and then east along the northern boundary of the County of Haliburton to the western boundary of Algonquin Provincial Park; then north along the western boundary of Algonquin Provincial Park to its northern boundary; then east along the northern boundary of Algonquin Provincial Park to the western boundary of the County of Renfrew; then north along the western boundary of the County of Renfrew to the Ottawa River.

5. The Northern Region includes that part of Ontario lying north of a line drawn as follows:

Beginning at the Ottawa River at the western boundary of the County of Renfrew, south along that boundary to the northern boundary of Algonquin Provincial Park; then west along the northern boundary of Algonquin Provincial Park to its western boundary; then south along the western boundary of Algonquin Provincial Park to the southern boundary of the Territorial District of Parry Sound; then west along the southern boundary of the Territorial District of Parry Sound to Georgian Bay; then northwest following a line through Georgian Bay to the mid-point in the main channel between the Bruce Peninsula and Manitoulin Island; then west following a line to the Canada-United States border.

Commencement

28. (1) Subject to subsections (2), (3) and (4), this Regulation comes into force on the day it is filed.

(2) Section 10 comes into force on the later of the day subsection 5 (9) of Schedule 2 to the *Open for Business Act, 2010* comes into force and the day this Regulation is filed.

(3) Subsection 12 (2), sections 15, 16, 18 and subsection 19 (2) come into force on the later of the day subsection 5 (30) of Schedule 2 to the *Open for Business Act, 2010* comes into force and the day this Regulation is filed.

(4) Section 17, subsections 19 (1) and (4) and section 20 come into force on the later of the day subsection 5 (64) of Schedule 2 to the *Open for Business Act, 2010* comes into force and the day this Regulation is filed.

Made by:

COUNCIL OF THE ASSOCIATION OF PROFESSIONAL ENGINEERS OF ONTARIO:

J. David Adams
.....
Signature (in blue ink)
J. David Adams
.....
Name (in print)
President
.....
Title (in print)

Gerard M. Donald
.....
Signature (in blue ink)
Gerard M. Donald
.....
Name (in print)
Registrar
.....
Title (in print)

Date made: *6 February 2015*

