

# APPENDICES

Fall 2016 Consultations

*The Engineering and Geoscience Professions Act*



The Association of Professional  
Engineers and Geoscientists of Alberta

## **Appendix 1 – Improving the Practice – Primary Professional Liability Insurance Existing Legislation**

There are no provisions regarding insurance in the *Engineering and Geoscience Professions Act, General Regulation*, or bylaws. However, the APEGA website provides the following information on the subject:

### **Professional Liability**

Professional liability insurance (also called errors and omissions insurance) covers losses to a third party if you make a mistake while performing your professional duties.

Your need for professional liability insurance depends on your occupation and work situation. Business owners, practitioners, and consultants who provide advice or service and who could possibly incur legal action due to an error should carry professional liability insurance. Coverage typically ranges from \$250,000 to \$2 million.

### **Secondary Professional Liability Insurance**

Your annual APEGA membership dues include you in a national secondary professional liability insurance program. Secondary professional liability insurance protects individuals, who are not consultants, if the individual is not an employer, principal, or another decision maker in a firm. Secondary professional liability insurance does not cover firms, corporations, public entities, or employers.

Secondary professional liability insurance protects you if you are:

- an employee for a non-consulting firm and perform professional services in the course of that employment
- between jobs, if your past employer does not continue professional liability insurance
- incurring legal expenses while reporting professional misconduct of another Member.

This program includes coverage for prior acts, pollution, copyright or patent infringement, personal injury, estate, retirement, incidental consulting, whistle blower, libel, and slander.

Pro-Form Sinclair Professional provides this service for APEGA and other engineering and geoscience associations.

(<http://www.proformsinclair.ca/engineers-and-geoscientists>)

## Appendix 2 – Improving the Practice – Primary Professional Liability Insurance Canadian Engineering and Geoscience Associations Summary and Analysis

This table contains a summary of the research pertaining to professional liability insurance in constituent associations in Canada. The relevant legislative provisions that form the basis of this summary are contained in Appendix 2A.

### Notes:

Mandatory = insurance coverage is required for licensing/membership; the member (or the member’s firm) is responsible for securing coverage and providing proof of insurance when requested

Compulsory = insurance coverage is required for licensing/membership; the member (or the member’s firm) must purchase basic coverage from an insurer or program designated by the regulatory authority/association

The national secondary professional liability insurance program (SPLIP) is negotiated by Engineers Canada. All members in good standing of the provincial and territorial professional associations participating in this program are insured under SPLIP. Participating associations are APEGBC, APEGA, Engineers and Geoscientists Manitoba, APEGS, APGO, OGQ, APEGNB, Engineers Nova Scotia, Geoscientists Nova Scotia, Engineers PEI, PEGNL, Engineers Yukon, and NAPEG.

Professional Association	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)	Engineers and Geoscientists Manitoba (formerly APEGM)	Professional Engineers Ontario (PEO)
Is primary insurance required?  If so, is it referenced in the act, regulations, or bylaws?	No  Act says Council may make bylaws; bylaws require secondary insurance.	No	No  Act allows it if authorized by bylaws  Council may make bylaws, but not mandated in the bylaws.	Yes, mandatory (see definition above table)  In the act; requirements established by council; some details in bylaws	Yes, mandatory (but see “Notes” on page 2)  Acts says Council may make regulations; details in regulations
Who is required to have the insurance?	N/A  All categories of members, licensees, Engineers-in-Training,	N/A	N/A	Holder of a certificate of authorization (partnership, corporation, or other legal entity, other than	Holder of certificate of authorization (person, corporation, partnership, partnership of

Professional Association	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)	Engineers and Geoscientists Manitoba (formerly APEGM)	Professional Engineers Ontario (PEO)
	Geoscientists-in-Training, and provisional members must have secondary professional liability insurance.			a natural person)  Each professional member, unless covered by employer	corporations
Amount required	N/A	N/A	N/A	Legislation is silent	\$250,000+ for single claims  \$500,000+ for aggregate claims
Proof required by regulator?	N/A	N/A	N/A	Yes  Must notify the registrar and clients of amendment to or cancellation of the policy of insurance on which the certificate of insurance, provided with the application for the certificate of authorization, was issued	Legislation is now silent (i.e. no longer stated in the legislation as of July 1, 2015)
Notes	APEGBC strongly recommends that professionals who provide consulting engineering or geoscience services have primary professional liability insurance.	Annual dues include Members in the SPLIP.  No obligation on Members or Permit Holders to make mandatory declaration that they do not have primary professional liability insurance, but	Members must notify the clients, in writing, whether they have professional liability insurance that applies to professional engineering or geoscience services.	Professional members must have professional liability insurance coverage, or they must notify clients that they do not have professional liability coverage. If they are not insured, they must receive written	It is a condition of every certificate of authorization that holders do not offer or provide to the public services that are within the practice of professional engineering unless they are insured in

Professional Association	The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)	Engineers and Geoscientists Manitoba (formerly APEGM)	Professional Engineers Ontario (PEO)
	<p>Members, licensees, or certificate holders must notify the client, in writing, whether primary professional liability insurance is held. The note must include provision for acknowledgement of the advice to be signed by the client.</p>	<p>Members and Permit Holders have obligation to discuss with their clients the risks inherent in their projects (per Council policy)</p>		<p>authority to provide those services without insurance from each client.</p> <p>Council may waive insurance requirements where practice of partnership, corporation, or other legal entity is restricted to providing services to the mining exploration industry.</p> <p>APEGA September 16, 2004 Insurance Review Task Force Report to Council indicates that sole proprietorships within Engineers and Geoscientists Manitoba do not require a certificate of authorization but must divulge if they do not hold insurance.</p>	<p>respect of professional liability prescribed in the regulations.</p> <p>Insurance is not required if holders notify clients that they are not insured in accordance with minimum requirements.</p> <p>Holders must also provide written notice that the services are provided without insurance before they enter into an agreement to provide professional engineering services.</p>

Professional Association	Association of Professional Geoscientists of Ontario (APGO)	Ordre des Ingénieurs du Québec	Ordre des Géologues du Québec	The Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)	Engineers Nova Scotia
Is primary insurance required?  If so, is it referenced in the act, regulations, or bylaws?	Yes, mandatory  In Regulations and Bylaws	Yes, compulsory (see definition above table)  In Act ( <i>Professional Code</i> ) and Regulations	Yes, compulsory  In Act ( <i>Professional Code</i> ) and Regulations	Yes, mandatory  In Act (association may make by-laws).	No
Who is required to have the insurance?	Holder of certificate of authorization (corporation, partnership, or other entity)	Members of the Order ( <i>Professional Code (PC)</i> , Regulations under <i>PC</i> and <i>Engineers Act</i> )  Additional insurance required for members in private practice (Regulations)	Members of the Order ( <i>Professional Code (PC)</i> , Regulations under <i>PC</i> and <i>Geologists Act</i> )  Additional insurance required for members in private practice (Regulations)	Every person or holder of a certificate of authorization entered in the register who provides service to the public.  Services requiring insurance are listed within the practice of the professions.	N/A
Amount required	\$250,000+ for single claims  \$500,000+ for aggregate claims	\$100,000+ per claim, \$250,000 for claims arising from professional services rendered, and \$10,000,000 for claims arising during warranty period	\$100,000+ per claim, \$200,000 for claims arising from professional services rendered, and \$10,000,000 for claims arising during warranty period	\$250,000+ for single claims  \$500,000+ for aggregate claims	N/A
Proof required by regulator?	Yes, in bylaws  An applicant for a certificate must submit to the Registrar a statement of professional liability insurance and notify the	Yes, in regulations but appears to be related only to transitional provisions that applied prior to April 2, 2015.  Members must	Yes, in regulations, with respect to the additional insurance required for members in private practice	Legislation is silent	N/A

Professional Association	Association of Professional Geoscientists of Ontario (APGO)	Ordre des Ingénieurs du Québec	Ordre des Géologues du Québec	The Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)	Engineers Nova Scotia
	Registrar and each client of an amendment or cancellation.	present their insurance contract at the request of Secretary of the College or any other staff member that the Council shall appoint and provide, with respect to the contract, any information deemed useful for the application of the Regulation.			
Notes	<p>It is a condition of every certificate of authorization that the certificate holder be insured against professional liability under a policy of professional liability insurance that meets or exceeds the prescribed requirements.</p> <p>If not insured, the holder must provide notice to the person who is receiving professional geoscientific services and that person must sign a statement that he or she has read the notice and acknowledges that the certificate holder is not insured.</p>	Private practice refers to members who provide professional services to their account or for the account of other members or of a company, to customers who are not their employer.	Additional insurance requirements apply to a member who practices in private practice, on his or her own or on behalf of another member, corporation, or other group of persons, full time or part time.	<p>The failure to comply with provisions related to insurance constitutes professional misconduct and is subject to enforcement through the disciplinary procedures of the Act.</p> <p>Council may grant exemptions in prescribed circumstances.</p>	Guideline states that members and member firms should either carry sufficient professional liability insurance or disclose to the client the absence of such.

<b>Professional Association</b>	<b>Geoscientists Nova Scotia</b>	<b>Engineers PEI</b>	<b>Professional Engineers and Geoscientists Newfoundland and Labrador (PEGNL)</b>	<b>Engineers Yukon</b>	<b>Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG)</b>
Is primary insurance required?  If so, is it referenced in the act, regulations, or bylaws?	No	No	Yes, mandatory  Act, regulations and bylaws	No	No
Who is required to have the insurance?	N/A	N/A	Professional members, partnerships, corporations, or associations of persons as a condition of receiving a permit (Act); sole proprietors, partnerships, limited partnerships, or other associations of persons or corporations to be eligible for registration as permit holders (Regulation)  Every permit holder (Bylaws)	N/A	N/A
Amount required	N/A	N/A	\$250,000+ for single claims \$500,000+ for aggregate claims	N/A	N/A



Proof required by regulator?	N/A	N/A	Yes	N/A	N/A
Notes		<p>Engineers PEI voted to make SPLIP available to all Members.</p> <p>Engineers PEI collects the required fee from its members as part of the annual membership registration.</p>	<p>As a condition of receiving a permit, a professional member, partnership, corporation or association of persons shall provide proof that it has professional liability insurance coverage in a form and amount satisfactory to the board.</p> <p>A permit holder must maintain insurance for itself and the professional members providing the professional services to the public as an employee (or in association) with the permit holder.</p>	<p>At a Special General Meeting held for members on December 10, 2003, the membership voted to join the national SPLIP.</p> <p>This program is mandatory for all members. All members in good standing will be automatically enrolled.</p>	<p>NAPEG members have extra protection for personal liability arising from practice in non-consulting occupations.</p> <p>Member in good standing will automatically be enrolled in the program.</p>

**Appendix 2A – Improving the Practice – Primary Professional Liability Insurance  
Canadian Engineering and Geoscience Associations**

The tables below reference legislation of engineering and geoscience constituent associations in Canada regarding professional liability insurance. The following text is quoted from the legislation and has not been modified to match APEGA’s style.

	<b>The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)</b>	<b>The Association of Professional Engineers and Geoscientists of Alberta (APEGA)</b>
Excerpts related to professional liability insurance	<p><b>ACT</b></p> <p><b>Bylaws</b></p> <p><b>10 (1)</b> The council may pass, alter and amend bylaws, consistent with this Act, for the following:</p> <p>(e) the circumstances in which members, licensees or certificate holders, or a class of members, licensees or certificate holders, must hold professional liability insurance and the amount and category of professional liability insurance that must be held;</p> <p>(e.1) the establishment and administration of a professional liability insurance program in any category including, without limitation, for providing the council with the power to establish terms, conditions, policies and procedures for categories of professional liability insurance;</p> <p>(e.2) the circumstances and manner in which members, licensees or certificate holders, or a class of members, licensees or certificate holders, must disclose</p> <p>(i) whether professional liability insurance is held, and</p> <p>(ii) whether the insurance is applicable to the services in question;</p> <p>(f) the management and maintenance of the association and its property, both real and personal, the investment of its funds, banking, the borrowing of money, the appointment of staff and their remuneration and generally for the carrying on of the general business of the association;</p> <p>(g) the establishment, levying, payment and remission of</p> <p>(ii) admission fees,</p> <p>(iii) application fees,</p> <p>(iv) licence fees,</p> <p>(v) professional liability insurance fees, and</p> <p>(vi) any other fees except, with respect to members, licensees and certificate holders, late fees, annual fees and reinstatement</p>	Legislation is silent.

	<b>The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)</b>	<b>The Association of Professional Engineers and Geoscientists of Alberta (APEGA)</b>
	<p>fees, including, without limitation, for providing the council with the power to establish, levy, require payment of, and authorize remission of, those fees;</p> <p>(1.1) For the purposes of bylaws under subsection (1) (e), (e.1) or (e.2), the council, by bylaw, may</p> <p>(a) establish classes of members, licensees or certificate holders,</p> <p>(b) specify different categories of professional liability insurance, and</p> <p>(c) require that different classes of members, licensees or certificate holders hold different categories of professional liability insurance.</p> <p><b>BYLAWS</b></p> <p>17 (a) Before entering into an agreement to provide professional engineering or professional geoscience services to the public, a member, licensee or certificate holder must notify the client, in writing, whether or not professional liability insurance is held and whether that insurance is applicable to the services in question. The note shall include a provision for an acknowledgement of the advice to be signed by the client.</p> <p>(b) There is established a category of professional liability insurance, separate from the professional liability insurance mentioned in subsection (a), referred to as secondary professional liability insurance, that all categories of members, licensees, engineers-in-training, geoscientists-in-training and provisional members must carry and maintain.</p> <p>(c) The council may:</p> <p>(i) establish the terms, conditions, policies and procedures applicable to the secondary professional liability insurance program;</p> <p>(ii) require that the secondary professional liability insurance program, subject to the terms and conditions of the policy, provide coverage to members, licensees, engineers-in-training, geoscientists-in-training, and provisional members who would otherwise have no professional liability insurance coverage for claims against them;</p> <p>(iii) establish, from time to time, the fees to be paid by members,</p>	

	<b>The Association of Professional Engineers and Geoscientists of British Columbia (APEGBC)</b>	<b>The Association of Professional Engineers and Geoscientists of Alberta (APEGA)</b>
	licensees, engineers-in-training, geoscientists-in-training and provisional members for the secondary professional liability insurance program.	

	<b>The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGGS)</b>	<b>Engineers and Geoscientists Manitoba (formerly APEGM)</b>
Excerpts related to professional liability insurance	<p><b>ACT</b></p> <p>7(1) If authorized by the bylaws to do so, the association may enter into a contract or contracts, in accordance with the bylaws, to provide all or any of its members with insurance with respect to professional liability claims.</p> <p>(2) If authorized by the bylaws to do so, the council may establish, administer, maintain and operate a professional liability insurance scheme in accordance with the bylaws.</p> <p>(3) For the purposes of a scheme established in accordance with subsection (2), the association may do all or any of the following:</p> <p>(a) establish a subsidiary corporation;</p> <p>(b) enter into any agreements it considers necessary;</p> <p>(c) levy assessments against members.</p> <p>(4) The association is deemed to be an agent for its members for the purposes of subsections (1), (2) and (3).</p> <p>16(2) Subject to this Act, regulatory bylaws may be made [by Council] pursuant to section 15 for the following purposes:</p> <p>(t) authorizing the council:</p> <p>(i) to enter into contracts of insurance on behalf of licensees, on any terms and conditions that are considered appropriate; or</p> <p>(ii) to establish, administer, maintain and operate a professional liability insurance scheme on any terms and conditions that are considered appropriate.</p> <p><b>REGULATORY BYLAWS</b></p> <p>28 Prior to providing professional engineering or professional geoscience services, a member or holder of a certificate of authorization shall notify the client, in writing, whether or not the member or holder has professional liability insurance that applies to those services.</p> <p>29(1) The Council may enter into a contract or contracts to</p>	<p><b>ACT</b></p> <p>16(2) No person is entitled to hold a certificate of authorization, unless such person</p> <p>(e) complies with such requirements as the council, taking into account the public interest, may establish from time to time respecting</p> <p>(i) the amounts, terms and conditions of professional liability insurance coverage to be maintained by a partnership, corporation or other legal entity,</p> <p>(ii) alternatives to professional liability insurance coverage for a partnership, corporation or other legal entity that provide coverage which is substantially the same or greater than that which would be provided by professional liability insurance for the legal entity, and</p> <p>(iii) disclosure of the nature and extent of professional liability insurance coverage or any alternative to such coverage maintained by a partnership, corporation or other legal entity, or one or more of its partners, employees or members, and provides evidence of compliance as required by the council;</p> <p>16(2.1) Notwithstanding clause (2)(e), after taking into account the public interest, the council may waive the requirement to maintain professional liability insurance coverage for a partnership, corporation or other legal entity that undertakes to restrict its practice to providing professional geoscience services to the mining exploration industry.</p> <p><b>BYLAWS</b></p> <p><b>14.1 Certificate of Authorization</b></p> <p><b>14.1.1 Terms and Conditions</b></p> <p>In establishing the amounts, terms and conditions of the professional liability insurance, or alternatives thereto, required of the holder of a Certificate of Authorization under section 16</p>

	<b>The Association of Professional Engineers and Geoscientists of Saskatchewan (APEGS)</b>	<b>Engineers and Geoscientists Manitoba (formerly APEGM)</b>
	<p>provide all or any of its members with insurance with respect to professional liability claims.</p> <p>(2) The premiums charges under any contract of insurance referred to in subsection (1) may be included with the fees of the members or may be by way of an additional annual fee.</p> <p>(3) Any member who is already covered by the same contract of insurance for professional liability claims because of registration in another province or territory may provide proof of prior coverage and opt out of any subsection (1) contract and such member is not required to contribute to the association insurance assessment.</p>	<p>(2) of the Act, the Council shall provide for terms, exclusions and conditions consistent with normal insurance industry practice.</p> <p><b>14.1.2 Changes to the Policy of Insurance</b> The holder of the certificate of authorization shall notify the registrar in writing, and shall inform each current client within 10 days of the receipt of any notice of amendment to, or cancellation of, the policy of insurance upon which the certificate of insurance provided with the application for the certificate of authorization was issued.</p> <p><b>14.2 Professional Member</b> Each professional member before undertaking to provide professional services to a client shall either: a) have professional liability insurance coverage through a policy held by the member, or his or her employer; or b) shall notify the client that he or she does not have professional liability coverage. If not so insured, he or she shall receive from each client written authority to provide those services without insurance. If so insured, the professional member shall within ten days inform each current client of any change in insured status or coverage, or of written notice of change by the insurer.</p> <p><b>14.3 Temporary Licensee</b> The liability insurance requirements for a temporary licensee shall be the same as those set out in 14.2.</p>

	Professional Engineers Ontario (PEO)	Association of Professional Geoscientists of Ontario (APGO)
Excerpts related to professional liability insurance	<p><b>ACT</b></p> <p><b>7. (1)</b> Subject to the approval of the Lieutenant Governor in Council and with prior review by the Minister, the Council may make regulations,</p> <p>13. requiring the making of returns of information by members of the Association and holders of certificates of authorization, temporary licences, provisional licences and limited licences in respect of names, addresses, telephone numbers, professional associates, partners, employees and professional liability insurance, and prescribing and requiring the use of forms of such returns;</p> <p>24. prescribing the minimum requirements for professional liability insurance, requiring the delivery to the Registrar of proof of such insurance and prescribing the form of such proof and the manner and time of the delivery.</p> <p><b>34.</b> It is a condition of every certificate of authorization that the holder of the certificate shall not offer or provide to the public services that are within the practice of professional engineering unless the holder is insured in respect of professional liability in accordance with the regulations</p> <p><b>35.(1)</b> In this section, “insurer” means a person offering insurance in respect of liability incurred in the practice of professional engineering.</p> <p><b>(2)</b> Upon the request of the Registrar, an insurer shall furnish to the Registrar all documents that relate to a claim for indemnity in respect of the practice of professional engineering and that are in the possession or under the control of the insurer and have been prepared by a professional engineer and relate to engineering matters.</p> <p><b>General Regulations</b></p> <p><b>74. (1)</b> Subject to subsection (2), a holder of a certificate of authorization must be insured against professional liability under a policy of professional liability insurance which complies with the following minimum requirements:</p> <p>1. A policy limit for each single claim of not less than \$250,000 and either an aggregate policy limit for all claims of not less than \$500,000 per year or an automatic policy limit reinstatement</p>	<p><b>Registration Regulation</b></p> <p><b>Professional liability insurance</b></p> <p><b>25. (1)</b> It is a condition of every certificate of authorization that,</p> <p>(a) before December 20, 2006, the certificate holder be insured against professional liability under a policy of professional liability insurance that meets or exceeds the requirements set out in subsection (2); and</p> <p>(b) on and after December 20, 2006,</p> <p>(i) the certificate holder be insured against professional liability under a policy of professional liability insurance that meets or exceeds the requirements set out in subsection (2),</p> <p>(ii) the certificate holder be insured against professional liability under a policy of professional liability insurance that substantially complies with the requirements set out in subsection (2) and, before the certificate holder enters into any agreement to provide professional geoscientific services to any person, the certificate holder provide documentation of the insurance to the person and to the Registrar, or</p> <p>(iii) if the certificate holder is not insured against professional liability, the requirements listed in subsection (3) be met before the certificate holder enters into an agreement to provide professional geoscientific services to any person.</p> <p>(2) The requirements referred to in clause (1) (a) and in subclause (1) (b) (i) are as follows:</p> <p>1. A policy limit for each single claim of not less than \$250,000 and either an aggregate policy limit for all claims of not less than \$500,000 per year or an automatic policy reinstatement feature.</p> <p>2. Coverage for liability for errors, omissions and negligent acts arising out of the performance of all services within the practice of professional geoscience offered or provided to the public by the insured subject to such exclusions and conditions and otherwise on such terms as are consistent with normal insurance industry practice from time to time.</p> <p>(3) For the purposes of subclause (1) (b) (iii), the following requirements must be met before a certificate holder who is not insured against professional liability enters into an agreement to provide professional geoscientific services to</p>

	Professional Engineers Ontario (PEO)	Association of Professional Geoscientists of Ontario (APGO)
	<p>feature.</p> <p>2. A maximum deductible amount under the policy of the greater of \$5,000 or 5 per cent of the annual fees the holder billed in the twelve months immediately before the issuance of the policy.</p> <p>3. Coverage for liability for errors, omissions and negligent acts arising out of the performance of all services within the practice of professional engineering offered or provided to the public by the insured subject to such exclusions and conditions and otherwise on such terms as are consistent with normal insurance industry practice from time to time.</p> <p>4. A provision that neither party may cancel or amend the policy of insurance in a way that results in non-compliance with this Regulation without first giving the other party at least forty-five days written notice or, in the event of non-payment of premiums, fifteen days written notice.</p> <p>5. The insurance must be placed with an insurer with an aggregate capital and surplus of at least \$20,000,000 or an underwriter or syndicate of underwriters operating on the plan known as Lloyds.</p> <p>(2) A holder of a certificate of authorization is not required to be insured against professional liability under subsection (1) if,</p> <p>(a) the holder is participating in the Indemnity Plan of the Ontario Association of Architects and the holder's practice is limited to professional activities covered by that Plan;</p> <p>(b) substantially all claims arising out of the service performed within the practice of professional engineering would be covered by other insurance whose terms of coverage are not materially less than the minimum requirements under subsection (1);</p> <p>(c) the professional liability insurance would be in respect of pollution hazards, nuclear hazards, aviation hazards or shipping hazards; or</p> <p>(d) before entering into an agreement to provide professional engineering services, the holder notifies each person to whom the holder intends to provide professional engineering services that the holder is not insured in accordance with the minimum requirements of this section and receives from each such person written authority to provide these services without that insurance.</p> <p>(3) The notice under clause (2) (d) shall be in the form provided by the Association for the purpose, and shall be signed by,</p>	<p>any person:</p> <p>1. The certificate holder provides to the person a copy of the certificate holder's identification and a copy of his or her certificate of authorization.</p> <p>2. The certificate holder provides the following written statement to the person: The regulation respecting registration requirements under the <i>Professional Geoscientists Act, 2000</i> (Ontario Regulation 59/01(Registration) made under the Act), requires a holder of a certificate of registration who is not insured against professional liability to inform a person with whom he or she intends to enter into an agreement for professional geoscientific services, that he or she is not so insured. I, ..... (<i>name of certificate holder</i>), as the holder of a certificate of authorization issued by the Association of Professional Geoscientists of Ontario, inform you with this statement that I am not insured against professional liability.</p> <p>3. The person provides to the certificate holder a signed statement that the person has read the statement set out in paragraph 2 and acknowledges that the certificate holder is not insured against professional liability.</p> <p>4. The certificate holder provides the following to the Registrar:</p> <p>i. The documents described in paragraph 1.</p> <p>ii. A copy of the statements described in paragraphs 2 and 3</p> <p><b>Bylaw – Certificate of Authorization LIABILITY INSURANCE</b></p> <p>18. An applicant for a Certificate shall submit to the Registrar a statement of professional liability insurance including the amounts, terms and conditions and policy number.</p> <p>19. A holder of a Certificate shall notify the Registrar in writing, and shall inform each current client within ten (10) days of the receipt of the policy of insurance, or any notice of amendment to or cancellation of the policy of insurance, under which the Certificate was issued.</p>

	<b>Professional Engineers Ontario (PEO)</b>	<b>Association of Professional Geoscientists of Ontario (APGO)</b>
	<p>(a) in the case of a holder who is a natural person, the person;</p> <p>(b) in the case of a holder that is a corporation, an officer or director of the corporation;</p> <p>(c) in the case of a holder that is a partnership, a partner in the partnership; or</p> <p>(d) in the case of a holder that is a partnership of corporations, an officer or director of a partner in the partnership.</p>	<p><b>TERMS OF REFERENCE for Insurance Advisory Committee</b></p> <p>The Insurance Advisory Committee is a Standing Committee of Council of the APGO and is mandated to oversee professional liability insurance, other insurance plans and other insurance-related services, either as required under legislation, or as offered in the form of member services</p> <p><i>This committee is not mentioned in the Bylaws or in the Act</i></p>

	<b>Ordre des Ingénieurs du Québec</b>	<b>Ordre des Géologues du Québec</b>
Excerpts related to professional liability insurance	<p><b>Professional Code</b></p> <p>85.2. The board of directors shall compute, in accordance with the regulations made under paragraphs d and g of section 93, the amount required to defray the operating cost of the group plan or the professional liability insurance fund, apportion that amount among all the members of the order or certain classes of them or, if so provided by the regulation under paragraph g of section 93, solely among the members who carry on their professional activities within a partnership or a company in accordance with section 187.11, and determine when and where that amount must be paid, the whole in accordance with the conditions and procedures it determines; for that purpose, the board of directors may determine the amount payable by a member on the basis of the risk represented by the class to which he belongs and in view of the claims filed under the group plan or the professional liability insurance fund for any fault committed by that member in the practice of his profession.</p> <p>The amount required to defray the operating cost of the group plan or the professional liability insurance fund includes premiums, administration costs, contributions to the group plan or professional liability insurance fund and any other expenses inherent in the operation of such a plan or fund.</p> <p>86.0.1. The board of directors may, in particular,</p> <p>(4) establish and administer a retirement fund for the members of the order and organize group insurance plans on their behalf.</p> <p>86.1. The board of directors may set up a professional liability insurance fund and administer it in accordance with the Act respecting insurance (chapter A-32).</p> <p>The resolution creating the fund is effective only if the Minister of Finance authorizes the professional order to act as insurer in accordance with section 174.5 of the Act respecting insurance.</p> <p>Professional liability claims for any professional fault committed, by persons who have ceased being members of the order for five years or less, while they were still members and were contributing to the fund must be paid out of the equity of the fund and according to the limits and the conditions and procedures determined by the board of directors.</p> <p>Nothing in this Code shall prevent a professional order from setting up, acquiring or managing an insurance company to insure its members in respect of professional liability and, where applicable, other risks referred to in the second paragraph of section 220 of the Act respecting insurance, or the liability of a partnership or company which may arise from fault on the part of members authorized to carry on their professional activities within the partnership or company in accordance with section 187.11.</p>	



<b>Ordre des Ingénieurs du Québec</b>	<b>Ordre des Géologues du Québec</b>
<p>93. The board of directors must, by regulation;            (d) impose on the members of the order the obligation to furnish and maintain security, by means of an insurance contract or a surety bond or by any other means determined by the regulation, to cover liability for any fault committed in the practice of their profession, or the obligation to join a group plan contract entered into by the order or to contribute to a professional liability insurance fund established for such purposes in accordance with section 86.1. The coverage must extend to any claim filed against a member during the five years following the year he no longer is required to maintain security to cover his liability or following the year he ceases to be a member of the order or during a longer period determined by the order in the regulation. The regulation must prescribe the minimum amount of coverage and may prescribe special rules or exemptions based, in particular, on the professional activities engaged in by the members and the risk they represent.            (g) pursuant to paragraph 2 of section 187.11, impose on the members referred to therein, on the basis of the risk they represent, the obligation to furnish and maintain coverage, on behalf of the partnership or company, by means of an insurance or suretyship contract or by any other means determined by the regulation, against liabilities of the partnership or company arising from fault in the practice of their profession, or the obligation to join a group plan contract entered into by the order or to contribute to a professional liability insurance fund established for such purposes in accordance with section 86.1; the regulation shall also determine the minimum amount of coverage and prescribe specific rules according to such factors as the nature of the professional activities carried on and the number of members of the order in the partnership or company; the coverage must extend to any claim filed against the partnership or company during the five years following the year the members cease to maintain the coverage, or during a longer period determined by the board of directors in the regulation.</p>	
<p><b><i>Note: An official version of these regulations is not available in English. They were translated from the French version.</i></b></p> <p><b>Insurance regulations of the professional liability of members of the Ordre des ingénieurs du Québec</b>  <b>SECTION I</b>  <b>CONTRACT GROUP PLAN OF PROFESSIONAL LIABILITY INSURANCE</b></p> <p>1. Any member of the Ordre des ingénieurs du Québec must adhere to the contract the group insurance plan of Professional Responsibility concluded by the Order, establishing a guarantee against liability that he may incur as a result of negligence in the exercise of his profession.            2. The contract of group insurance plan concluded by the Order must provide the following conditions:</p> <p>1 a guarantee amounting to at least \$ 100,000 per claim, at least \$ 250,000 for all claims arising out of professional services rendered in respect of a project and that, regardless of the number of claims presented for this project, and at least \$ 10</p>	<p><b><i>Note: An official version of these regulations is not available in English. They were translated from the French version.</i></b></p> <p><b>Insurance regulations of the professional liability of members of the Ordre des géologues du Québec</b>  <b>SECTION I</b>  <b>GROUP PLAN OF PROFESSIONAL LIABILITY INSURANCE</b></p> <p>1. Any member of the Order of Geologists of Québec must adhere to contract a collective insurance plan of Professional Responsibility concluded by the Order.            2. The contract of a group insurance plan of Professional Responsibility concluded by the Order must provide the following minimum requirements:            1 the commitment of the insurer to pay in lieu of the insured, up to the amount of the guarantee, any amount that the insured may be legally required to pay to a third party as damages relatively a disaster occurred during the warranty period or occurred before this period but for which a claim is made during the warranty period, and resulting from fault or negligence</p>

	<b>Ordre des Ingénieurs du Québec</b>	<b>Ordre des Géologues du Québec</b>
	<p>million for all claims arising during the warranty period, or occurred before this period but for which a claim is made during the warranty period ;</p> <p>2 the commitment of the insurer to pay in lieu of the insured, up to the amount of the guarantee, any amount that the insured may be legally required to pay to a third party as damages relatively a disaster occurred during the warranty period or occurred before this period but for which a claim is made during the warranty period as a result of negligence in the exercise of his profession;</p> <p>3 the commitment of the insurer to take up the cause of the insured and assume his defense in any action against it and to pay, in addition to the amounts covered by the warranty, all costs and expenses of the actions against the insured, including those of the defense and interest on the amount of any conviction;</p> <p>4 the commitment of the insurer to extend the warranty of any claim made against the insured for at least five years following that in which it no longer has an obligation to maintain security against liability;</p> <p>5 the insurer's commitment to deny coverage after giving written notice to the insured and the secretary of the Order.</p> <p>6 the commitment of the insurer to provide the secretary of the Order, prior to terminate or not renew the insurance contract, notice of at least 90 days.</p> <p>7 the commitment of the insurer to issue a certificate of insurance to any member.</p> <p>The contract of group insurance plan concluded by the Association must cover any member who, during a year, provides professional services and one to their account equal to or lower fees to \$ 10,000 for all projects.</p>	<p>committed in the exercise of its profession;</p> <p>2 the commitment of the insurer to take up the cause of the insured and assume his defense in any action against it and to pay, in addition to the amounts covered by the warranty, all costs and expenses of the actions against the insured, including those of the defense and interest on the amount of any conviction;</p> <p>3 a guarantee amounting to at least \$ 100,000 per claim, at least \$ 200,000 for all claims arising out of professional services in respect of a project and that, regardless of the number of claims submitted for this project, and at least \$ 10 million for all claims arising during the warranty period or occurred before this period but for which a claim is made during the warranty period.</p> <p>3. In addition to coverage exclusions generally accepted in professional liability insurance of geologists, the contract of a group insurance plan of Professional Responsibility may provide other applicable coverage exclusions:</p> <p>1 the member who is a business decision maker in which he practices his profession in private practice;</p> <p>2 the member employed by the company within which he practices his profession in private practice or a municipality or a supramunicipal body within the meaning of the Act respecting the Pension Plan of Elected Municipal Officers (chapter R-9.3 );</p> <p>3 the member who provides professional services and one to their account; such exclusions can not, however, be applicable to the member who, apart from his main job, renders professional services fees below \$ 2,000 per project and \$ 10,000 for all projects over a year.</p> <p>For the purposes of paragraph 1, is deemed to be a decision maker of a company member who is the sole owner, one who is a partner with more than 10% of the shares or who is a director, officer or shareholder and holds more than 10% of the issued shares having full voting rights.</p> <p><b>SECTION II</b>  <b>PROFESSIONAL LIABILITY INSURANCE OF ACTING IN PRIVATE PRACTICE MEMBERS</b></p> <p>4. In addition to the obligation imposed on it pursuant</p>

	<b>Ordre des Ingénieurs du Québec</b>	<b>Ordre des Géologues du Québec</b>
	<p>SECTION II CONTRACT GROUP PLAN SUPPLEMENTARY INSURANCE PROFESSIONAL LIABILITY OF ACTING IN PRIVATE PRACTICE MEMBERS</p> <p>3. Any member of the Order who is in private practice, except under the second paragraph of Article 2, must adhere to contract supplementary insurance group plan concluded by the Ordre des ingénieurs du Québec, providing coverage against liability that he may incur as a result of negligence in the exercise of his profession.</p> <p>Private Practice is a member who provides professional services to their account or for the account of another member or of a company, to customers who are not his employer.</p> <p>4. The contract supplementary insurance group plan must provide for the conditions listed in paragraphs 2-7 of the first paragraph of Article 2. It must also include the amounts of guaranteed at least \$ 500,000 per claim and at least \$ 1,000,000 for all claims arising during the warranty period, or that occurred before this period but for which a claim is made during the warranty period; These minimum amounts are respectively \$ 1,000,000 and \$ 2,000,000 in the case of insurance taken out by a Member or a company for other members to their jobs or who are directors, officers, shareholders or associates.</p> <p>5. Is exempt from the requirement in the first paragraph of Article 3 member who is employed by a company and provides the secretary of the Order a statement of an authorized officer of the company attesting that it vouches, took up the cause and financially liable for the consequences of any misconduct by the member in the exercise of his profession through an insurance guarantee providing the conditions listed in paragraphs 2-7 of the first paragraph of Article 2, of sums insured equal or exceed those specified in the second paragraph of Article 4 and an equal or higher deductible to \$ 1,000,000.</p>	<p>to Article 1, the member who practices in private practice, on his own or on behalf of another member, corporation or other group of persons, full time or part time, must also be the holder of an insurance contract establishing a guarantee against liability he may incur in the exercise of his profession as a result of fault or negligence committed by him , its employees or its agents and meets the conditions laid down in Articles 6 and 7. This member remains subject to this obligation for at least 5 years after having performed an act in the exercise of his profession.</p> <p>Are deemed to satisfy the requirement in the first paragraph:</p> <p>1 a member who is employed by another member holding a contract of insurance of professional responsibility that meets the conditions laid down in Articles 6 and 7, which covers the personal liability that he may incur in use the exercise of his profession;</p> <p>2 the member who is a partner or employee of a partnership, partnership limited liability, joint or partnership, or is a shareholder, director, officer or employee of a corporation or other group people, if such partnership or other body of persons holds a contract of insurance of professional liability meets the conditions laid down in Articles 6 and 7 and covering the personal liability he may incur in the performance of his profession;</p> <p>3 the member who, apart from his main job, renders professional services in private practice, alone and on his own, only for fees that are less than \$ 2,000 per project and \$ 10,000 for all projects during a year.</p> <p>5. A member who practices exclusively outside of Québec or all or part of his practice is exercised within the following industry and in the latter case, for this part of his practice alone is not bound by the obligations provided for in Article 4:</p> <p>The sector of the environmental restoration of mining sites, which includes the following activities: design, decommissioning, remediation, cleanup, removal, containment, detoxification or neutralization of any pollutant or contaminant on well a site that has been, is or will be used for purposes of mining.</p>

	<b>Ordre des Ingénieurs du Québec</b>	<b>Ordre des Géologues du Québec</b>
	<p>Where the insurance coverage under the first paragraph does not include the condition in subparagraph 4 of the first paragraph of Article 2, the member may, however, if the conditions mentioned in paragraphs 2, 3 and 5-7 of that paragraph are fulfilled, to be exempt from the requirement in the first paragraph of Article 3 if it adheres to the part of the contract the collective supplementary insurance plan that covers the member's responsibility for any claims that may be brought against him for at least five years following that in which it no longer has an obligation to maintain security against liability.</p> <p>6. A member who wishes to obtain a dispensation application of Article 5 shall apply to the Order on the form provided by the latter, attaching the required documents.</p> <p>7. Members who no longer fulfills the conditions for it to benefit from an exemption shall forthwith give written notice to the secretary of the Order and to meet the requirements of this Regulation.</p> <p><b>SECTION III TRANSITIONAL AND FINAL PROVISIONS</b></p> <p>8. This Regulation replaces the Regulation respecting professional liability insurance of members of the Ordre des ingénieurs du Québec (chapter I-9, r. 2).</p> <p>9. A member <sup>who</sup>, on 1 April 2013, is a party to a contract of insurance referred to in Article 7 of Regulation replaced by this Regulation whose due date is after <sup>April</sup> 1, 2013, is deemed to satisfy the provisions of this Regulation until the contract maturity date, and on or before the <sup>365th</sup> day after the date of entry into force of this Regulation (2 April 2014).</p> <p>Members must present their insurance policy upon request of the secretary of the Order or any other staff member that the Council shall appoint and provide, in terms of this contract, any information deemed useful for the application of this Regulation.</p>	<p>The member referred to in either of these situations must guarantee the personal liability he may incur owing to fault or negligence committed in the exercise of his profession, including a written commitment from the employer or his Customer cover this responsibility he sends a copy to the secretary of the order before 1<sup>st</sup> April each year.</p> <p>The user must also meet the following conditions and obligations:</p> <p>1 it must, on the form provided by the Order for the purpose, submit to the secretary of the Order, before 1<sup>st</sup> April each year, by registered mail, a statement attesting:</p> <p>a) he practices his profession exclusively outside Quebec or in the industry expected the first paragraph, and in which it shall specify, as appropriate, the place where he practices his profession or the activity or activities that he practices in the area of environmental restoration of mining sites;</p> <p>b) he sent for coverage of his professional responsibility to ensure that all insurers, including professional liability geologists and that these insurers have refused to guarantee his professional liability;</p> <p>c) that the ground for refusal invoked by these insurers is unable to cover the risks generally associated with professional services rendered in the industry in the first paragraph or because he exercised exclusively to the outside Quebec;</p> <p>d) that the refusal is not based on the history of the member of the claim file.</p> <p>It must also certify the steps he has taken to obtain an insurance contract that meets the conditions set out in Articles 6 and 7;</p> <p>2 the declaration must be accompanied by a letter of each of the insurers to whom he addressed explaining the reasons for their rejection;</p> <p>3 it shall notify in writing any person to whom he renders professional services referred to in this article, including his employer, he did not hold an insurance contract that meets the conditions set out in Articles 6 and 7.</p> <p>6. The insurance contract must provide the following minimum requirements:</p>

	Ordre des Ingénieurs du Québec	Ordre des Géologues du Québec
		<p>1 a minimum coverage of \$ 250,000 per claim and \$ 500,000 for all claims relating to the guarantee period;</p> <p>2 the commitment of the insurer to extend the warranty of any claim made against the insured or his heirs during the five years following the guarantee period during which the holder of the insurance contract referred to in Article 4 stops an act in the exercise of his profession;</p> <p>3 the commitment of the insurer to pay in lieu of the insured, up to the amount of the guarantee, any amount that the insured may be legally required to pay to a third party as damages relatively a claim made during the warranty period, including claims made for a disaster occurred in the three years preceding the warranty period, and resulting from fault or negligence committed in the exercise of his profession ;</p> <p>4 the commitment of the insurer to take up the cause of the insured and assume his defense in any action against it and to pay, in addition to the amounts covered by the warranty, all costs and expenses of the actions against the insured, including those of the defense and interest on the amount of any conviction;</p> <p>5 the insurer's commitment to provide the secretary of the Order a 30-day notice if it intends to terminate, modify or not to renew the contract of insurance when the amendment is a requirement under this section;</p> <p>6 a commitment from the insurer to give notice to the secretary of the Order within 30 days of termination or non-renewal of the insurance contract or following an amendment to that contract when this amendment is a condition under this section.</p> <p>7. The maximum amount of the deductible that may provide the insurance contract is \$ 5,000 per claim.</p> <p>8. The insurance contract may provide for exclusions generally accepted in professional liability insurance. However, an exclusion regarding mistakes or negligence under the influence of narcotics, sleeping pills, drugs, alcohol or any other similar product is not enforceable against a third party referred to in paragraph 3 of Article 6, to whom the insured is legally obligated to pay damages.</p> <p>9. The insurance contract is a geologist who is acting in society, either within another group of people or another geologist, can</p>

	Ordre des Ingénieurs du Québec	Ordre des Géologues du Québec
		<p>be concluded on behalf of this company, this other group of persons or of the Another geologist, provided that the claim made by warranty for all claims made to be at least \$ 250,000 multiplied by the number of geologists acting in whole or in part as partners, directors or employees on behalf of the company, the other group of persons or of another geologist, up to \$ 1,000,000 for all claims relating to the guarantee period.</p> <p>10. The member which applies the Article 4 shall, on a form provided by the Order for the purpose, provide the secretary of the Order, before 1<sup>st</sup> April each year, a statement to the effect that he holds an insurance policy meets the requirements of this section.</p> <p>A member who becomes subject to the obligations under this Regulation during the year must provide a declaration to the secretary of the Order within 30 days of its liability.</p> <p>A declaration under this section shall, in particular, mention the name of the insurer.</p> <p>11. The member which applies the Article 4 shall, upon request of the secretary of the Order or any other member of the Order that the Board staff shall, submit his insurance policy and provide , under that policy, any information the secretary or a member of the College staff deemed appropriate for the purposes of this Regulation.</p>

	The Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)	Engineers Nova Scotia	Geoscientists Nova Scotia
Excerpts related to professional liability insurance	<p><b>ACT</b> (in force October 1, 2015)            7(1) The Association may make by-laws consistent with the provisions of this Act for:            (h) the requirements pertaining to professional liability insurance for members, licencees, and holders of certificates of authorization;</p>	Legislation is silent.	Legislation is silent.

	The Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)	Engineers Nova Scotia	Geoscientists Nova Scotia
	<p><b>BYLAWS (2015)</b>  <b>Secondary Liability Insurance</b>  11.5.0 Council may enter into agreement with an insurer to provide a mandatory program of secondary professional liability insurance for all persons entered in the Register with payment of premiums for such insurance to be made from Association funds.</p> <p><b>Mandatory Professional Liability Insurance</b>  11.6.0 Subject to 11.6.2, every person or holder of a Certificate of Authorization entered in the Register who offers or provides to the public, services that are within the practice of the Professions shall maintain in full force and effect at all times a policy of insurance issued by an insurer licensed to sell insurance in Canada to protect against claims resulting from errors or omissions of the practitioner. Such insurance shall be in an amount appropriate to the risk of the practice and not less than \$250,000 per claim and \$500,000 aggregate and shall be maintained for a period of at least three years following cessation of practice. Council may amend the minimum amounts above at a regular meeting of Council held prior to June 30 of any year to take effect on January 1 in the following year.</p> <p>11.6.1 The following are exempt from the application of section 11.6.0:  (a) a member or licensee who is an</p>		

	<b>The Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)</b>	<b>Engineers Nova Scotia</b>	<b>Geoscientists Nova Scotia</b>
	<p>employee of an employer who is fully responsible for the activities of the employee while acting for the employer; or</p> <p>(b) a member or licensee who provides services that constitute the practice of engineering or geosciences to a firm, partnership, corporation, or any other entity that carries professional liability insurance covering the practice of the member or licensee; or</p> <p>(c) a member or licensee who provides services to the public that are within the practice of engineering or geosciences where fees for such services amount to less than that required by the Canada Revenue Agency to be a Registrant for HST provided that the member or licensee has notified all clients or customers in writing that the member or licensee does not carry professional liability insurance and the clients or customers have acknowledged such in writing.</p> <p>11.6.2 A person eligible for entrance in the Register who is unable to obtain professional liability insurance because of the nature of the practice, may be exempted by Council from the requirement in 11.6.0 by submitting each year, with fees and renewal request, a sworn statement before a Notary Public or a Commissioner of Oaths stating reasons why insurance cannot be obtained. Council may grant an exemption in cases where insurance is not obtainable due to a past claim. A</p>		



	<b>The Association of Professional Engineers and Geoscientists of New Brunswick (APEGNB)</b>	<b>Engineers Nova Scotia</b>	<b>Geoscientists Nova Scotia</b>
	<p>person who is exempted by Council under this clause shall notify all clients or customers in writing that they do not carry professional liability insurance and shall maintain a record that the clients or customers have acknowledged such in writing.</p> <p>11.6.3 The failure of any person eligible for entrance in the Register to comply with this section constitutes professional misconduct and is subject to enforcement through the disciplinary procedures of the Act.</p> <p>11.6.4 The requirement of this by-law is separate and apart from and in addition to the requirements of section 11.3.0.</p>		
Note		<p>Based on a recommendation from the Task Group, Council approved the following guideline:</p> <ul style="list-style-type: none"> <li>that members and member firms should either carry sufficient professional liability insurance or disclose to the client or potential client the absence of such.</li> </ul>	

	<b>Engineers PEI</b>	<b>Professional Engineers and Geoscientists Newfoundland and Labrador (PEGNL)</b>
Excerpts related to professional liability insurance	Legislation is silent.	<p><b>ACT</b></p> <p><b>12.(3)</b> As a condition of receiving a permit, a professional member, partnership, corporation or association of persons shall provide proof that he or she has obtained professional liability insurance coverage in a form and amount satisfactory to the board.</p>

	Engineers PEI	Professional Engineers and Geoscientists Newfoundland and Labrador (PEGNL)
		<p><b>REGULATIONS</b></p> <p><b>9.</b> (1) To be eligible for registration as a permit holder, a sole proprietor shall, in addition to other applicable requirements of the Act, the regulations and the by-laws,  (d) provide proof to the registrar of professional liability insurance coverage in the form and amount prescribed and published by the board.</p> <p>(2) To be eligible for registration as a permit holder, a partnership, limited partnership or other association of persons or corporation shall, in addition to other applicable requirements of the Act, the regulations and the by-laws,  (c) provide proof to the registrar of professional liability insurance coverage in the form and amount prescribed and published by the board.</p> <p><b>BYLAW No.2</b></p> <p><b>2. Mandatory Professional Liability Insurance</b></p> <p><b>2.1</b> Every permit holder shall maintain in full force and effect at all times a policy of insurance to protect against claims resulting from errors or omissions of the permit holder and of professional members providing professional services to the public as an employee of or otherwise in association with the permit holder. Such insurance shall be in an amount appropriate to the risk of the practice, and not less than \$250,000 per claim and \$500,000 aggregate. The board may amend the minimum amounts above at a regular meeting of the board held prior to June 30 of any year, with the amendment to take effect on January 1 in the following year.</p> <p><b>2.2</b> A permit applicant must submit with its application, and a permit holder must submit upon expiration of its insurance policy, a certificate of insurance issued by the insurer stating the amount of coverage provided and the term of the policy. The Registrar may require that the insurance certificate state that the registrar shall be notified should the insurance policy be cancelled.</p> <p><b>2.3</b> Notwithstanding section 2.1, professional liability insurance coverage is not required to be maintained by a permit holder if all of the following circumstances exist:</p>

	Engineers PEI	Professional Engineers and Geoscientists Newfoundland and Labrador (PEGNL)
		<p>(a) the permit holder provides professional services exclusively to one or more firms, partnerships, corporations, or other entities which are identified by the permit holder to the registrar, hereinafter referred to as the “identified client or clients”;</p> <p>(b) the professional services provided to the identified client or clients are covered by a policy of insurance maintained by the identified client or clients; and</p> <p>(c) the permit holder provides evidence satisfactory to the registrar that the coverage provided pursuant to subsection 2.3 (b) is equivalent to the coverage contemplated by section 2.1.</p> <p><b>2.4</b> Notwithstanding section 2.1, professional liability insurance coverage is not required to be maintained by a permit holder if all of the following circumstances exist:</p> <p>(a) if an ancillary, but not primary, function of the permit holder is to provide professional services directly to the public;</p> <p>(b) the professional services provided to the public are covered by a policy of insurance maintained by the permit holder; and</p> <p>(c) the permit holder provides evidence satisfactory to the registrar that the coverage provided pursuant to subsection 2.4 (b) is equivalent to the coverage contemplated by section 2.1.</p> <p><b>2.5</b> A permit holder who is unable to obtain professional liability (errors or omissions) insurance <b>because of the nature of the professional services provided</b>, where the board is satisfied that such inability is of general application to those professional services and is not due to the past claims record or any other issue particular to the permit holder, may be exempted in whole or in part from the requirements of section 2.1. A permit holder who is exempted by the board under this section shall notify all clients or customers in writing of the particulars of the exemption and shall maintain a record that the clients or customers have acknowledged such notice in writing, which record is to be made available to the registrar upon request. The board may also, as a condition for such exemption, require that particulars of the exemption be published in such manner as the board deems fit, including by posting on the PEGNL website.</p> <p><b>2.6</b> A permit holder claiming to be covered under a policy of insurance as contemplated by section 2.3 or 2.4, or who has been partially or wholly exempted from the requirements of section 2.1 as contemplated by section 2.5, may be required to</p>

	<b>Engineers PEI</b>	<b>Professional Engineers and Geoscientists Newfoundland and Labrador (PEGNL)</b>
		<p>provide such evidence of such coverage or to support the exemption as may be required by the registrar or the board from time to time. Without limiting the foregoing, a permit holder who is granted an exemption under section 2.5 may be required to apply annually for renewal of that exemption, and provide on such application for renewal such further or updated evidence and declarations to support the exemption as may be required by the registrar or the board.</p> <p><b>2.7</b> The failure to comply with provisions of this by-law may be the subject of an allegation of professional misconduct and the subject of the disciplinary procedures of the Act.</p>

	<b>Engineers Yukon</b>	<b>Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG)</b>
Excerpts related to professional liability insurance	Legislation is silent.	Legislation is silent.
Note	<p>At a Special General Meeting held for APEY members in Whitehorse December 10, 2003 the membership voted to join the national SPLIP.</p> <p>Members now have the extra protection of the national SPLIP. This program is mandatory for all members. Members with memberships in another Canadian engineering association may elect to pay their insurance fees to the association of their home province. A disclaimer is included on their fees notice, which should be signed and returned to exempt them from paying the fees to Engineers Yukon. These members will pay only the yearly membership fees. All members in good standing will be automatically enrolled.</p>	<p><b>Affinity Programs</b> Members can access a range of group insurance plans and financial services that provide value-added benefits to engineering and geoscience professionals and their families at highly competitive rates given the group purchasing power and volume discounts. To be eligible, you must be a registered member.</p> <p><b>SPLIP</b> Members have extra protection for personal liability arising from practice in non-consulting occupations.</p> <p>Members in good standing in the association are automatically enrolled in the program.</p>

### Appendix 3 – Improving the Practice – Primary Professional Liability Insurance Alberta Associations Summary and Analysis

This table contains a summary of the research pertaining to professional liability insurance in other professional associations in Alberta. The relevant legislative provisions that form the basis of this summary are contained in Appendix 3A.

Professional Association	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Chartered Professional Accountants of Alberta (CPAA)	Law Society of Alberta	Alberta Association of Architects (AAA)
Is primary insurance required?	No	Yes, mandatory.  Provisions are in the Act, regulations, and bylaws.	Yes, compulsory.  Provisions are in the Act and Rules.	No
Who is required to have the insurance?	N/A	<ul style="list-style-type: none"> <li>• Limited liability partnerships</li> <li>• Professional (public) accounting firms</li> <li>• Professional service providers</li> </ul>	<ul style="list-style-type: none"> <li>• Members</li> <li>• Visiting lawyers</li> <li>• Foreign legal consultants</li> <li>• Responsible lawyers</li> </ul>	N/A
Amount required	N/A	<p>\$1,000,000 per incident when one accountant is practising</p> <p>\$1,500,000 per incident when two or three accountants are practising</p> <p>\$2,000,000 per incident when four or more accountants are practising</p>	Legislation is silent.	N/A
Proof required by regulator?	N/A	Yes	No Regulator has subsidiary that manages the insurance.	N/A
Notes		The Board <b>may</b> make bylaws respecting requirements for registrants to carry professional liability insurance.		The AAA is currently considering changes to its legislation that could include mandatory or compulsory insurance.

		The Board <b>must</b> make regulations respecting the type and amount of liability insurance that a partnership must have.		
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<b>Professional Association</b>	<b>Alberta Dental Association and College</b>	<b>College of Physicians and Surgeons of Alberta</b>	<b>Alberta Veterinary Medical Association</b>
Insurance required?	Yes Provisions are in the Act and Regulations.	Yes Provisions are in the Act and Regulations.	Yes. Provisions are in the Act and Bylaws.
Who is required to have the insurance?	Regulated members	Regulated members	Veterinary practice entities
Amount required	Legislation is silent.	Legislation is silent.	Legislation is silent.
Proof required by regulator?	Yes	Yes	Legislation is silent.
Notes	<p><i>Health Professions Act:</i> A council shall make regulations respecting the type and amount of liability insurance or other protection against professional liability that a partnership must have for the purposes of registration as a limited liability partnership under Part 3 of the <i>Partnership Act</i>.</p> <p>A council may make regulations respecting requirements for and applications for registration and practice permits, including but not restricted to carrying professional liability insurance and governing the minimum coverage and type of insurance required to be carried.</p>		<p>An individual who is registered under provisions for short-term registration must ensure that sufficient liability and malpractice insurance is in place.</p> <p>The Practice Inspection and Practice Standards Bylaws state that the veterinary practice entity must have in place business liability and professional liability and malpractice insurance.</p>

**Appendix 3A – Improving the Practice – Primary Professional Liability Insurance  
Alberta Professional Associations**

The tables below reference legislation of other self-regulating professional associations in Alberta regarding professional liability insurance. The following text is quoted from the legislation and has not been modified to match APEGA’s style.

	<b>The Association of Professional Engineers and Geoscientists of Alberta (APEGA)</b>	<b>Chartered Professional Accountants of Alberta (CPAA)</b>
Excerpts related to professional liability insurance	Legislation is silent.	<p><b>ACT</b></p> <p><b>17(1)</b> The board may make bylaws (n) respecting requirements for registrants to carry professional liability insurance and the minimum amount of that insurance</p> <p><b>18(1)</b> The board (a) must make regulations respecting the type and amount of liability insurance or other protection against professional liability that a partnership to which this Act applies must have for the purposes of registration as a limited liability partnership under Part 3 of the <i>Partnership Act</i>, and (b) may make bylaws governing eligibility requirements that a partnership to which this Act applies must meet in order to be registered as a limited liability partnership under Part 3 of the <i>Partnership Act</i>.</p> <p><b>(2)</b> Section 15(2), (3) and (4) apply in respect of a regulation made under subsection (1)(a).</p> <p><b>(3)</b> Section 21(5) and (6) apply in respect of a bylaw made under subsection (1)(b) or (7).</p> <p><b>(4)</b> Where the Minister considers that regulations made under subsection (1)(a) do not provide sufficient protection against professional liability, the Minister may, by notice in writing to the board, request the board to amend the regulations in the manner specified in the notice within the time set out in the notice.</p> <p><b>(5)</b> Where the board fails to amend the regulations in accordance with the notice, the Lieutenant Governor in Council may amend the regulations, and in that case the amendments</p>

	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Chartered Professional Accountants of Alberta (CPAA)
		<p>operate as if they had been made in accordance with section 15.</p> <p><b>(6)</b> Subsections (1) to (5) do not apply if a bylaw under subsection (7) is in effect.</p> <p><b>(7)</b> The board may make a bylaw providing that, notwithstanding Part 3 of the <i>Partnership Act</i>, no person may engage in a professional accounting practice or a public accounting practice in a limited liability partnership under that Act.</p> <p><b>50</b> An application for registration as a professional accounting firm is complete for the purpose of consideration under Division 1 if it is in the form provided for by resolution and provided to the CPAA by the applicant together with</p> <p>(c) evidence of having professional liability insurance as required by the bylaws</p> <p><b>52</b> An application for registration as a professional service provider is complete for the purpose of consideration under Division 1 if it is in the form provided for by resolution and provided to the CPAA by the applicant together with</p> <p>(d) evidence of having professional liability insurance as required by the bylaws.</p> <p><b>54(1)</b> A registrant's registration continues in effect if the registrant</p> <p>(b) provides satisfactory evidence to the registrar that the registrant is maintaining professional liability insurance as required by the bylaws or, in the case of limited liability partnerships, as required by the regulations.</p> <p><b>95(1)</b> If a discipline tribunal determines that the conduct of an investigated party constitutes unprofessional conduct, the discipline tribunal may make one or more of the following orders:</p> <p>(i) direct a professional accounting firm to develop and implement quality control procedures or professional development policies, to undergo a specific practice review or to increase the amount or change the type of professional liability insurance carried by the professional accounting firm.</p>



	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Chartered Professional Accountants of Alberta (CPAA)
		<p><b>REGULATIONS</b></p> <p><b>18(1)</b> For the purpose of registration as an Alberta limited liability partnership or an extra-provincial limited liability partnership under Part 3 of the <i>Partnership Act</i>, the applicant must provide satisfactory evidence to the registrar that the partnership carries professional liability insurance in an amount not less than</p> <p>(a) \$2 000 000 per incident for partnerships with fewer than 4 chartered professional accountants or professional corporations engaged in the partnership's practice, and</p> <p>(b) \$2 500 000 per incident for partnerships with 4 or more chartered professional accountants or professional corporations engaged in the partnership's practice.</p> <p>(2) Notwithstanding subsection (1), a letter of credit, bond or other protection against professional liability may be substituted for professional liability insurance if it is</p> <p>(a) in an amount not less than the professional liability insurance that would be required under subsection (1), and</p> <p>(b) in a form approved by, and otherwise acceptable to, the registration committee.</p> <p>(3) A partnership referred to in subsection (1) must provide annually to the registrar satisfactory evidence of continued compliance with subsection (1) or (2).</p> <p><b>BYLAWS</b></p> <p><b>PART 8: PROFESSIONAL LIABILITY INSURANCE</b></p> <p><b>801</b> For the purpose of registration as a professional accounting firm or professional service provider, with the exception of limited liability partnerships, an applicant must provide satisfactory evidence to the Registrar that the practice carries professional liability insurance for all services offered to the public by that professional accounting firm or professional service provider in an amount not less than:</p> <p>(a) \$1,000,000 per incident excluding defense costs where one registrant is engaged in the practice;</p>

	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Chartered Professional Accountants of Alberta (CPAA)
		<p>(b) \$1,500,000 per incident excluding defense costs where two or three registrants are engaged in the practice; and  (c) \$2,000,000 per incident excluding defense costs where four or more registrants are engaged in the practice.</p> <p><b>802</b> Where a professional accounting firm ceases a professional accounting practice or a public accounting practice, the designated member of that professional accounting firm under section 50(e) of the Act must ensure that that professional accounting firm or its successor carries for six (6) years following such cessation, professional liability insurance in an amount not less than \$1,000,000 per incident, covering professional services rendered prior to cessation of practice by that professional accounting firm and its employees.</p> <p><b>803</b> A professional service provider that ceases providing a public accounting practice or ceases providing professional services as specified in these Bylaws must carry, for not less than six (6) years following such cessation, professional liability insurance in an amount not less than \$1,000,000 per incident, covering the services rendered prior to cessation of the public accounting practice or professional services by that professional service provider and its employees.</p> <p><b>804</b> The designated member of a professional accounting firm under section 50(e) of the Act and each professional service provider must immediately advise the CPAA in writing of any changes to the professional liability insurance policy, including any changes to the type of coverage or named insureds.</p> <p><b>PART 13: SUSPENSION, CANCELLATION AND REINSTATEMENT OTHER THAN FOR DISCIPLINE</b>  <b>1300 Failure to meet the requirements of continuing registration</b>  <b>1301</b> If a registrant fails to maintain professional liability insurance as required by these Bylaws, or in the case of a</p>

	The Association of Professional Engineers and Geoscientists of Alberta (APEGA)	Chartered Professional Accountants of Alberta (CPAA)
		<p>limited liability partnership, the Regulations, the registrant's registration will be suspended without further notice. At the time of the suspension, the Registration Committee must prescribe conditions under which the suspension will be lifted. The Registrar must notify the registrant in writing of the suspension and the conditions under which the suspension will be lifted.</p> <p><b>1302</b> For the purposes of section 54(2)(b) of the Act, if a registrant fails, within the prescribed timelines, to:</p> <p>(b) provide satisfactory evidence to the Registrar that the registrant is maintaining professional liability insurance as required by these Bylaws, or in the case of a limited liability partnership, the Regulations;</p> <p>...</p> <p>the registrant is liable to pay as a penalty the fee prescribed in the Resolutions and in the case of Bylaw 1302(a), must submit a plan for the rectification of shortfalls relating to continuing competence and education requirements.</p>

	Law Society of Alberta	
Excerpts related to professional liability insurance	<p><b>ACT</b></p> <p><b>Powers of Benchers</b></p> <p><b>6</b> The Benchers may by resolution</p> <p>(k) authorize the Society to enter into group insurance contracts insuring the lives or incomes of members or any class of members or insuring against any risks incurred by members or any class of members that are related to practising as a barrister or solicitor.</p> <p><b>8(1)</b> The Benchers</p> <p>(a) shall make rules respecting the type and amount of liability insurance or other protection against professional liability that a partnership must have for the purposes of registration as a limited liability partnership under Part 3 of the <i>Partnership Act</i>, and</p> <p>(b) may make rules governing eligibility requirements that a partnership must meet in order to be registered as a limited liability partnership under Part 3 of the <i>Partnership Act</i>.</p>	

	<b>Law Society of Alberta</b>
	<p><b>Assurance Fund</b></p> <p><b>89(1)</b> The Society shall hold and maintain a fund called the “Assurance Fund”.</p> <p>(2) If a member misappropriates or wrongfully converts money or other property entrusted to or received by a member in the member’s capacity as a barrister and solicitor and in the course of the member’s practice as a barrister and solicitor, a person entitled to the money or other property may submit a claim to the Society for compensation from the Assurance Fund in respect of</p> <p>(a) the money, or</p> <p>(b) in the case of property other than money, the value of the property.</p> <p>(5) The Society may, in a manner and on terms and conditions the Benchers consider advisable, enter into contracts with insurers or other persons whereby the Assurance Fund may be protected in whole or in part against any claim or loss to the Fund.</p> <p>(6) The Society has, and is deemed to have had at all times, an insurable interest in the Assurance Fund and in the protection of it against loss notwithstanding that any loss is the result of the exercise of any powers of the Finance Committee, an appeal panel of Benchers or the Benchers under subsection (3).</p> <p><b>98</b> In this Part,</p> <p>(b) “indemnity program” means the program referred to in section 99(1).</p> <p><b>Payment of claims</b></p> <p><b>99(1)</b> The Society shall, subject to and in accordance with this Part and the rules, establish and maintain a program respecting the payment of claims arising out of the performance of services by</p> <p>(a) a member in the member’s capacity as a barrister and solicitor, or</p> <p>(b) any other person for whose actions a member or former member is legally liable in the member’s or former member’s capacity as a barrister and solicitor.</p> <p>(2) The Benchers may</p> <p>(a) authorize the Society to enter into any contract or arrangement or do anything else related to the establishment, maintenance or administration of the indemnity program;</p> <p>(b) authorize the incorporation or acquisition of a subsidiary corporation of the Society for any purpose related to the indemnity program.</p> <p>(3) Notwithstanding the Insurance Act, neither the Society nor a subsidiary corporation shall be held to be an insurer undertaking insurance or to be carrying on the business of an insurer by reason of doing anything related to the establishment, maintenance or administration of the indemnity program.</p> <p><b>RULES</b></p> <p><b>Part 1 Organization and Administration of the Society</b></p> <p><b>Interpretation</b></p> <p><b>1 (1)</b> In these rules,</p> <p>(b) “ALIA” means the Society’s subsidiary, the Alberta Lawyers’ Insurance Association;</p> <p>(b.1) “ALIEX” means the Alberta Lawyers Insurance Exchange;</p> <p>(h.1) “group policy” means the Alberta Lawyers Professional Liability and Trust Safety Insurance Group Policy;</p>

	<b>Law Society of Alberta</b>
	<p>(i.1) "indemnity program fund" means</p> <p>(i) the funds of the Alberta Lawyers Insurance Association and shall include the funds of the Society referred to in section 100 of the Act, which are hereby transferred from the Society to the Alberta Lawyers Insurance Association pursuant to section 101(1) of the Act, and</p> <p>(ii) the funds of ALIEX.</p> <p>(j) "In good standing" means;</p> <p>(i) in relation to a member of the Society, that the membership of the member is neither under suspension nor liable to be suspended by reason of a then current default of payment to the Society of a prescribed annual fee, Assurance Fund levy or trust safety insurance assessment or professional liability insurance assessment or...</p> <p>(n) "professional liability insurance assessment" means an assessment levied pursuant to Division 1 of Part 7.</p> <p>(q.2) "trust safety insurance assessment" means an assessment levied pursuant to Division 1.1 of Part 7.</p> <p><b>Roll of the Society</b></p> <p><b>39</b> (1) The Roll shall contain the following information with respect to each member or former member:</p> <p>(c) the person's current practising status and insurance status.</p> <p><b>Part 2 Membership and Qualifications to Provide Legal Services</b></p> <p><b>Interjurisdictional Practice</b></p> <p><b>Interpretation</b></p> <p><b>71</b> (1) In addition to the definitions set out in Rule 47, in this subdivision, unless the context indicates otherwise,</p> <p>(f) "liability insurance" means compulsory professional liability errors and omissions insurance required by a governing body;</p> <p><b>72 (1)</b> All visiting lawyers must:</p> <p>(b) subject to subrule (2), carry liability insurance that:</p> <p>(i) is reasonably comparable in coverage and limits to that required under Part 7 of the Rules, and</p> <p>(ii) extends to the lawyer's temporary practice in Alberta; and</p> <p>(c) have defalcation compensation coverage from a governing body that extends to the lawyer's practice in Alberta.</p> <p>(2) The requirement in subrule (1)(b) does not apply to a visiting lawyer who is exempt from compulsory liability insurance under Part 7 of the Rules with respect to legal services to be provided in Alberta.</p> <p><b>Visiting Without a Permit – Permission and Additional Requirements</b></p> <p><b>72.2</b> (1) In addition to the requirements of Rule 72, to qualify to provide legal services without a permit, a visiting lawyer:</p> <p>(c) A visiting lawyer practising under this subrule: (i) must comply with the liability insurance and defalcation coverage requirements of the home governing body.</p> <p><b>Permit Application</b></p> <p><b>72.5</b> (1) A visiting lawyer applying for a permit shall deliver to the Executive Director:</p> <p>(d) proof of professional liability insurance that:</p> <p>(i) is reasonably comparable in coverage and amount to that required of members of the Society, and</p>

	<b>Law Society of Alberta</b>
	<p>(ii) extends to the visiting lawyer's practice in Alberta, and  (e) proof that the visiting lawyer has defalcation coverage from a governing body that extends to the visiting lawyer's practice in Alberta.</p> <p><b>Application for licence</b> <i>[foreign legal consultant]</i>  <b>75</b> (3) An application for a licence shall contain or be accompanied by  (e) proof that the applicant will, while licensed, carry professional liability insurance or a bond, indemnity or other security  (i) in a form and amount which is reasonably comparable with that required for active members under the Society's indemnity program under Part 5 of the Act, and  (ii) which specifically extends to services rendered by the applicant while licensed and carrying on in Alberta the practice of a foreign legal consultant.</p> <p><b>Part 5 Duties of Law Firms</b>  <b>Responsible lawyer</b>  <b>119.4</b> To be or continue to be designated as a responsible lawyer a lawyer must  (b) if employed by or contracting with a law firm, be covered by the professional liability insurance program, and the trust safety insurance program administered by the Alberta Lawyers Insurance Association or equivalent insurance in another province,  (b.1) if employed by or contracting with a person other than a law firm and practices solely within the scope of that employment or contract, be covered by the trust safety insurance program.</p> <p><b>Part 7 Indemnity Program</b>  <b>145.1</b> The Advisory Board  (a) shall supervise the administration of all aspects of the professional liability and trust safety insurance programs; and  (b) may investigate and make recommendations to the Benchers about any form of insurance that may form part of the indemnity program.</p> <p><b>Division 1 Professional Liability Insurance Assessments</b>  <b>146 (1)</b> For the purposes of the professional liability insurance program, insurance assessments shall be determined by the Advisory Board and  (a) shall be levied prior to the commencement of a policy period and shall be applicable to that period, or for such other periods determined by the Advisory Board; and  (b) shall be levied on those members who are not exempt under this Division or suspended members on the first day of the policy period to which the assessment applies.  <b>(2)</b> The Advisory Board may levy insurance assessments at a uniform rate or at differing rates for different classes of members.  <b>(3)</b> The Advisory Board may levy special assessments against any one or more members, including retroactive assessments, based on claims history.  <b>(4)</b> Where during a policy period a person becomes an active member or is reinstated as an active member or a member ceases</p>

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	<p>to be an exempt member, the professional liability insurance assessment payable by the member shall be an amount determined by the Advisory Board.</p> <p><b>147</b> ALIA shall, prior to the commencement of each policy period, send to each member liable for the payment of a professional liability insurance assessment for that policy period a notice showing:</p> <p>(a) the amount of the professional liability insurance assessment payable by the member for the policy period and the date by which and the manner in which the assessment must be paid, or</p> <p>(b) where the professional liability insurance assessment is payable in instalments, the amount of the insurance assessment payable by the member for the policy period, the respective amounts of the instalments and the respective dates by which and the manner in which the instalments must be paid.</p> <p><b>148 (1)</b> A member is exempt from the requirement to pay a professional liability insurance assessment and is not covered under the professional liability insurance program for services rendered during any period in which:</p> <p>(a) the member's principal practice of law is carried on outside Alberta;</p> <p>(b) subject to subrules (2) and (2.1), the member does not practice with a law firm;</p> <p>(c) the member has been excluded from coverage under the professional liability insurance program, with the concurrence of the Advisory Board;</p> <p>(d) the member is not engaged in the practice of law in Alberta, where the member has filed with the Society a written undertaking that the member will not engage in the practice of law; or</p> <p>(e) the member is an inactive member.</p> <p><b>PART 8.1 LIMITED LIABILITY PARTNERSHIPS</b></p> <p><b>Insurance Requirements</b></p> <p><b>159.4</b> A member of the Society who is a partner in an LLP, or who holds shares in a professional corporation that is a partner in an LLP, must have and maintain professional liability insurance providing coverage of at least \$1,000,000 per occurrence and \$2,000,000 in the aggregate.</p>
Note	The Alberta Lawyers Insurance Association recommends that law firms consider purchasing excess coverage for additional protection from the Canadian Lawyers Insurance Association.

	<b>Alberta Association of Architects</b>	<b>Alberta Veterinary Medical Association</b>
Excerpts related to professional liability insurance	Nothing about insurance found in the Act, regulations, or bylaws except that the association must purchase and maintain directors' and officers' liability insurance.	<p><b>GENERAL REGULATION</b></p> <p><b>Short-term registration</b></p> <p><b>6.1(1)</b> The Registration Committee may approve the registration of an applicant for a short-term period if the applicant</p> <p>(a) is a veterinarian in good standing with a professional regulatory organization that is established under the legislation of another jurisdiction and that is recognized by the Council, and</p> <p>(b) is applying for the short-term registration at the request of an unrestricted veterinarian.</p> <p>(2) An individual who is registered pursuant to subsection (1) shall</p> <p>(d) ensure that sufficient liability and malpractice insurance is in place.</p> <p><b>Part 4</b></p> <p><b>56(1)</b> The Council, on the advice of the Practice Inspection and Practice Standards Committee, shall from time to time determine the standards of facility and service that are required of each category of veterinary practice.</p> <p>(2) The standards determined under subsection (1) shall not be enforced unless they are ratified at a general meeting of the Association.</p> <p><b>BYLAWS</b></p> <p>1.22 "Veterinary Practice Entity (VPE)" is the total of buildings, equipment and supplies, veterinarians, support personnel and necessary documents that exist for the purpose of supplying veterinary services, regardless of whether or not the operation has a fixed geographic address and location to which the public attends;</p> <p>4.7.5 The minimum practice standards to which a VPE will be held, are set out in the Practice Inspection and Practice Standards Bylaws.</p>



	Alberta Association of Architects	Alberta Veterinary Medical Association
		<p><b>Practice Inspection and Practice Standards Bylaws*</b></p> <p><b>US-3: Professional Image and Responsibility</b></p> <p><b>Facility and Equipment:</b></p> <p><b>6.</b> The VPE must have the following insurances in place:</p> <p>a. Business Liability</p> <p>b. Professional Liability and Malpractice</p>
Note		* This bylaw was developed to meet the requirements of the <i>Veterinary Profession General Regulation (Part 4)</i> and the <i>Alberta Veterinary Medical Association Bylaws (4.7.5)</i> .

	College of Physicians and Surgeons of Alberta	Alberta Dental Association and College
Excerpts related to professional liability insurance	<p><b>HEALTH PROFESSIONS ACT</b></p> <p><b>28(1)</b> An application for registration as a regulated member is complete for the purpose of consideration under section 29(3) if it is in the required form and given to the registrar by the applicant along with</p> <p>(c) evidence of having the amount and type of professional liability insurance, if required by the regulations.</p> <p><b>40(1)</b> An application for a practice permit is complete for consideration under subsection (2) if it is in the form required and given to the registrar by a regulated member</p> <p>(c) who provides evidence of having the amount and type of professional liability insurance required by the regulations, if the insurance is required by the regulations.</p> <p><b>102.1(1)</b> In this section, “council” means the council of</p> <p>(a) the Alberta Dental Association and College;</p> <p>(b) the Alberta College and Association of Chiropractors;</p> <p>(c) the Alberta College of Optometrists;</p> <p>(d) the College of Physicians and Surgeons of Alberta.</p> <p><b>(2)</b> Subject to subsection (3), a council</p> <p>(a) shall make regulations respecting the type and amount of liability insurance or other protection against professional liability that a partnership must have for the purposes of registration as a limited liability partnership under Part 3 of the <i>Partnership Act</i>, and</p> <p>(b) may make regulations governing eligibility requirements that a partnership must meet in order to be registered as a limited liability partnership under Part 3 of the <i>Partnership Act</i>.</p> <p><b>(3)</b> A regulated member of the College of Physicians and Surgeons of Alberta who is not a physician, surgeon or osteopath is not eligible to be a partner in a limited liability partnership under Part 3 of the <i>Partnership Act</i>.</p> <p><b>(4)</b> A regulation under subsection (2)(a) does not come into force unless it is approved by the Lieutenant Governor in Council.</p> <p><b>(5)</b> If the Minister considers that regulations made under subsection (2)(a) do not provide sufficient protection against professional liability, the Minister may, by notice in writing to the council, request the council to amend the regulations in the</p>	

	<p>manner specified in the notice within the time set out in the notice.</p> <p><b>Council regulations</b></p> <p><b>131(1)</b> A council may make regulations</p> <p>(a) respecting requirements for and applications for registration and practice permits, including but not restricted to;</p> <p>(iv) carrying professional liability insurance and governing the minimum coverage and type of insurance required to be carried.</p>	
	<p><b>PHYSICIANS, SURGEONS AND OSTEOPATHS PROFESSION REGULATION</b></p> <p><b>13(1)</b> An applicant for registration as a regulated member must provide evidence satisfactory to the Registrar of having the type and amount of professional liability insurance required by the Council.</p> <p>(2) Membership in the Canadian Medical Protective Association is considered to meet the requirements of subsection (1).</p>	<p><b>DENTISTS PROFESSION REGULATION</b></p> <p><b>9</b> All applicants for registration as regulated members must provide evidence of having the type and amount of professional liability insurance required by the Council.</p>