



Geoscience: Changes to Exemptions

Improved Public Interest

To better protect the public interest, amendments are needed to some of the geoscience exemptions in the *Engineering and Geoscience Professions Act*.

Background

- Currently, the Act includes exemptions to the practice of geoscience including:
 - prospectors engaged in any activities that are normally associated with the business of prospecting.
 - persons conducting routine geoscientific surveys or preparing routine geoscience reports where the specifications and standards for the survey or report have been prepared or approved by a professional geoscientist or licensee.
 - persons engaged in the routine reduction or plotting of geoscientific data under the supervision and control of a professional geoscientist or licensee.

Why this is important

- Prospecting has evolved far beyond traditional early methods. Some prospecting activities today fall within the definition of the practice of geoscience and some do not. Individuals and companies engaging in activities that fall within the definition of the practice of geoscience should be licensed by APEGA and subject to professional standards and discipline to protect the public interest.
- Eliminating the prospecting exemption will not inhibit people's rights or ability to earn a livelihood for activities that do not fall within the definition of the practice of geoscience. But if their activities do constitute the practice of geoscience they should be required to be licensed by APEGA to protect the public interest.
- The exemption relating to conducting routine geoscientific surveys or preparing routine geoscience reports applies if the specifications and standards for the survey or report have been prepared or approved by a Professional Geoscientist. However, the wording is vague enough to allow non-professionals to change field parameters while conducting surveys without the knowledge and approval of a Professional Geoscientist.

- These unapproved changes may adversely affect the geoscientific survey data obtained as well as any subsequent analysis or reports prepared based on the data obtained, which may negatively affect the public that may rely on that analysis or report. The legislation should be amended to also require any changes to field parameters to be approved by a Professional Geoscientist.
- The reduction and plotting of geoscientific data has evolved from the paper-based process in use when the existing Act was enacted. Modern plotting and reduction is now performed electronically using large databases of electronic information, and the management of this electronic data should be under the supervision and control of a Professional Geoscientist. The new legislation should reflect this.

Proposed
legislative
change

It is recommended that the legislation be amended to:

- remove the exemption relating to prospecting.
- amend the existing exemption related to geoscientific surveys and reports to read:

“a person conducting routine geoscientific surveys or preparing routine geoscience reports where the specifications and standards **and any subsequent changes to the field parameters** for the survey or report have been prepared or approved by a professional geoscientist or licensee.”
- amend the existing exemption related to data reduction and plotting to include routine data management to read:

“a person engaged in routine **data management**, reduction, or plotting of geoscientific data under the supervision and control of a professional geoscientist.”

Effect of proposed
change

- The updated exemption will more accurately reflect the modern practice of geoscience and will allow APEGA to better regulate that practice in the public interest.

This chart compares the current legislation with the proposed new description.

	Current legislation	Future legislation
Exemptions	<p>Act</p> <p>Exclusive scope of the practice of geoscience</p> <p>5 (2) Subsection (1) does not apply to the following:</p> <p>(c) a person who, as a prospector, is engaged in any activities that are normally associated with the business of prospecting;</p> <p>(e) a person engaged in conducting a routine geoscientific survey or preparing a routine geoscientific report where the specifications and standards for the survey or report have been prepared or approved by a professional geoscientist or licensee;</p> <p>(f) a person engaged in the routine reduction or plotting of geoscientific data under the supervision and control of a professional geoscientist or licensee;</p>	<p>Act</p> <p>Exclusive scope of the practice of geoscience</p> <p># (2) Subsection (1) does not apply to the following:</p> <p>(c) a person who, as a prospector, is engaged in any activities that are normally associated with the business of prospecting;</p> <p>(e) a person engaged in conducting a routine geoscientific survey or preparing a routine geoscientific report where the specifications and standards and any subsequent changes to the field parameters for the survey or report have been prepared or approved by a professional geoscientist or licensee;</p> <p>(f) a person engaged in the routine data management, reduction or plotting of geoscientific data under the supervision and control of a professional geoscientist or licensee;</p>