

# APPENDIX 2

## Comments & Questions from Fall 2016 In-Person and Webinar Consultations

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**APEGA** The Association of Professional  
Engineers and Geoscientists of Alberta

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## Appendix 2 – Notes from In-Person & Webinar Consultations

### Introduction

The following individual feedback is from in-person and webinar consultations held with Members and Permit Holders in the fall 2016 round of consultations. Individual comments and questions, as recorded by transcribers at the meetings, have not been edited, but they are not necessarily direct quotations.

### Updating Authentication Practices

- How does the requirement for licensed individual authentication impact members in other jurisdictions i.e. a US jurisdiction where APEGA has a mobility agreement/registration agreement in place
- Sounds reasonable, seems that the definitions are getting cleaned up and things are a lot more precise. APEGA is doing a good job.
- Why is there no requirement to identify the origin of a document or design?
- I work in the field, most of the stamping or authentication that we do is pertaining to single block risk assessments, is that affected by this?
- Oh, that could be interesting. Generally, when we are doing single blocks an engineer is required to be part of the operational risk assessment and that is basically because we run a 7 and 7 shift, we may have to increase the number of responsible members we have on staff to ensure we have coverage and someone at site on Sundays.
- Our company operates in a whole bunch of provinces and it is very difficult to keep track of the various authentication requirements (electronic stamps and digital authentications) for each different province. Wondering if APEGA has done anything with coordinating with other provinces to bring some consistency across the country.
- It is different software, its different requirements as to what is considered 'acceptable' tools for authentication. It's difficult and very expensive to have different software in each province.
- A suggestion is for APEGA to look at commonality and get some consistency with various provinces, it would be very helpful for the members to know what is ok in one province and in another, especially members that work in multiple provinces.
- How do the proposed amendments compare to what other provinces are doing? Is there alignment?
- We are importing some engineering equipment from outside of Canada, is there any authentication required for any & every associated drawings & documents. So far I've seen none.
- Referring to the slide showing the requirement of both the P.Eng. stamp and the Permit Holder's stamp, so doing a bid document for a company for a mine in Alberta. We would need the company apply and get a permit as well, as well as the Permit holder's stamp. (We are in BC).
- What do you mean by "professional document" in the "Proposed" column - every single drawing?
- I feel it is onerous to have Responsible members stamp every single professional document.
- Are both the professional stamp and RM stamp required on all drawings? Or is it either/or?

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- To clarify, the permit stamp would be a requirement? I currently apply the permit number, my signature, and date to all engineering work.
- I have no problem with removing embossed seal from practice.
- I am not happy with the expectation that the permit holder will also have to sign every document.
- I guess this is going to force large companies to have more than one Responsible Members in order to be able to keep up with the workload.
- This is going to be very onerous for many organizations.
- Even relatively small projects can have hundreds of drawings, so dual authentication will become a burden. RM will have to review the drawings to some degree.
- Emphasis is often on drawings when discussing authentication. The definition of a 'professional document' is fairly broad and open to varying interpretation. Will there be additional guidance on documents outside of drawings? E.g. reports, tests (procedures like FATs and SATs), etc.
- All the comments on drawings have not been directly addressed.
- From a standpoint of principle, the need for both a professional member stamp and Responsible Member stamp feels big brother-ish and seems like overkill. APEGA's ability to audit companies to ensure effective application of the PPMP should provide sufficient oversight and public protection.
- If the purpose of the RM stamp is ensuring the proper process is followed, and there are a few "technical documents" (reports, drawings, etc.), what is the value or why does the RM have to stamp each and every single one of them? There should be a better way to address and handle this.
- The digital signature is \$185 per year! This is a major cost to a business who wants to try and be less paper heavy.
- It would be easier for us to make every engineer a "responsible member".
- I am very concerned about this, in my organization we have a very extensive thoroughly reviewed and audited quality management system process that we use. We have a senior review process and everything goes through the process and so everything would be consistent with this. My concern is with having to have every document authenticated and it depends on, comes back to the process as to how we authenticate things, if we have, for example, 4 responsible members in Alberta and if the RM in my local office is on vacation for a month and so then the person that is going to be the RM for this project is in a different office location, is there an electronic process for this authentication? Or if we are currently using wet seals as our form of authentication for the professional member, do we then wet seal with the responsible member, in which case I have to ship all my documents to someone else to have them signed? Because this is going to be a major deadline problem for us. Potentially, we need to be extremely aware of that this is going to add a significant time burden to get projects out the door.
- Another thing is we are getting to be a very electronic based business where everything is getting to be reviewed electronically but the electronic seal is prohibitively expensive! Hence most people have maintained their rubber seals and then we print the documents, we seal wet seal them and then we scan them because our clients want electronic documents. There is a huge issue with the process this goes through and adding multiple layers of additional burden onto the review process, outside or on top of our already robust and in place quality management practices. If we produce, i.e. 50 drawings and the RM has to

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sign every one of them and we don't have an electronic seal process for doing that, this is going to be an enormously problematic situation for a lot of businesses. I just want to make sure that that has been thoroughly brought forward as something that could be a major problem.

- What is ratio you just said you recommend? (Regarding RM to practicing professionals).
- Can you be more specific about where to find the 3 questions you indicated should be used to see if a document should be stamped?
- The Professional Member stamp only has the name, the registration/license number should also be included in the stamp, as some people have the same name.
- I think it's long overdue of us getting back to permit holders signing off on authenticated documents as well. My previous firms we have always used that as our peer reviewed check as well and has the added assurance that the PPMP was adhered to as well. It's good to see that it is back.
- In reference to the tools available for authentication, to me it does not make a difference whether we can use an embossed seal or a stamp or digital signature or whatever, there seems to be very little consequence to that. What I do see interesting though, and it ties back to some of my previous comments about permit to practice changes and permit to practice licensure, is the levels of responsibility there. That will probably tie into the discussion about insurance, coming up next. Normally in a legal suit, you'll find that the person with the deepest pockets is the one that is most likely to be sued and that could be the permit to practice which is the stamp at the very top of the paper or it could be an individual member if they are a sole proprietorship and then you would need a limitation on what we have here whether is a certain dollar threshold, that would go along with required PLI and how APEGA manages the insurance requirements program. That's the only thing I see there is a tie to all these items. Overall though, this looks good.
- I prefer the 'proposed' authentication process in comparison to the current practice and find it much cleaner and clearer for both professional members and members of the public at large.
- May need some review of the text, a 'and/ or' professional member or permit holder, so that it is clear. Just to clarify based on the situation of a sole proprietorship situation.
- Whatever solutions are proposed they do need to be understandable by the public.
- I think having a permit stamp required again is a great idea. It is our company's internal quality policy anyways.
- Seems like a good idea.
- Seems to make sense. I wasn't aware we had to authenticate the permit stamp prior to 1999 so I'm sure we can get used to it again.
- Point of clarity: work that is done here, but project is abroad, it would require a stamp/seal?
- What about interprovincial work?
- Is this requirement consistent with the Safety Act?
- **\*\*add to FAQ\*\*** that we are noting we will need to note in the Act that if other demand side legislation requires a stamp, it will still need a stamp in the new EGPA.
- If outsourced work is done in India and brought here, does an APEGA member (and/or Permit Holder) need to review and stamp it here?
- Geoscience consulting – would all permit holders require stamps?
- What about the costs of Notarius? Will it become an administrative cost burden?
- Is this burgeoning requirement for stamps and seals really in the public interest?

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- Would clients now need a responsible member?
- What is the driver for applying a number rather than a stamp? What about electronic stamps?
- Is there an authentication requirement for work going abroad regardless of jurisdiction?
- Currently is there is no way of ordering a PGeol stamp, will that be addressed?
- Professional documents – as it relates to materials testing in engineering, current definition of the proposed change, would that require data to be stamped?
- Is there need to confirm by the firm if there are others relying on the engineer's affirmation re: materials testing?
- Permit to Practice – would a responsible member need to review the document, does that mean the PH need to stamp or would it mean that the Peng reviewed? Construction document out to bid, does that need to be documented because it would have “for information purposes only”? Would preliminary documents really need to be stamped? Bid documents would be issued for the purposes of bidding, changes that occur afterwards would require stamps.
- Services provided outside of Alberta - does that mean by an Alberta professional?
- Is the work only for work that comes back to Alberta or that goes outside of Alberta? I.e. Geo who does work outside and then it stays outside.
- Work done in Alberta and sent outside. Clarification about whether this would be applicable was raised several times.
- It's to protect the public of Alberta. – Another clarification that needs to be explicit.
- What about interprovincial work? Does that apply as well?
- Work that as a professional here and is being sent out to Alberta? Will that ever be looked at APEGA, i.e. Bad work that was done outside of the province or country?
- Does this apply to goods imported? Is this requirement consisted with ABSA and other import requirements?
- Do we need to put any notes or information that needs to be added to our designs or work we currently do?
- Add to the FAQ sheet that if other legislation also applies (i.e. Import legislation, ABSA etc.), it needs to be considered.
- Some clarification: i.e. Pump designed in Alberta for a client in Brazil and there is a catastrophic failure, is that not work done in Alberta?
- Outsourced in India and brought to Alberta, can I authenticate it here in Alberta once it arrives and is used in Alberta?
- Is there a clarification we would address here that a design done here and then sent outwards would be specific here or elsewhere?
- Coming from the geoscience consulting work: permit stamps aren't used, only numbers are being used currently. Notorious subscription fees are a never ending cost and will start to become a burden. This is a concern.
- Individual practitioners will also need permits, they will also need that added layer of cost to their administration. I think that will cost them a lot and is a big concern.
- Contrast to Texas board of Geoscientist: the stamping and authentication is separated out for public client versus to another business, the public needs the authentication but to another business does not. Leaves to the profession, in their 'Professional judgment' of what needs to be stamped: perhaps we can learn and look up what is being done in Texas and see applicability here in Alberta.

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- What was the driver to permit changes to the stamp from only a number? Will it be available electronically? This needs to be added to the FAQ – it is a very common question.
- Does it make a difference if it (the design or engineered product) will be used within the province or outside of the province?
- Assume I am estimating reserves for a company outside of Alberta and the company is a joint venture with a foreign company and one with Alberta company, what should I do? Should I follow APEGA or follow international standards for that work? Maybe if a decision that an Alberta company is going to make (i.e. sell the interests in the JV) then it could be applicable. Considering the levels of complexity with company ownership and stakes, this type of scenario needs to be considered.
- I have an embossment: if I need a PGEOPH or PGEOL. Currently it is not an option to order online right now, will they still be available? (The embossed stamp.)
- Definition of a 'Professional document' : materials testing, civil engineering components, concrete testing, those results are relied on by others, currently not being stamped, but now, based on the proposed legislation --- that would need to be drawn out – would need to be authenticated which is very different than what we do now. The concrete testing is confirming what has already been designed. A lot of those requirements are that they need to be done by a Professional Engineering firm (the testing) in the plans. – (Note: this type of scenario needs to be reviewed as it is common practice).
- Responsible member has 'reviewed' the document – whether by applying the signature, it's not clear, that is was reviewed by the responsible member or that they are 'qualified' it's not clear right now.
- Construction document out to BID, to authenticate that 'for bid purposes' there is a large 'for information purposes' – there is a prelim that the design is built on and then it goes along the design stages. Each stage, the design is based on the previous. – has this been considered and how this will be managed?
- Clarification Question: not having to authenticate the good or product itself, but the system that uses it.
- Work done in Alberta under an external (out of province) engineer, who is responsible for the authentication of the work?
- Confused about "performing inside or outside of Alberta". If the work is to be performed outside of Alberta, does it still need to be authenticated inside of Alberta?
- APEGA should change the act to solve outsourcing problem. Engineering work for projects to be built in Alberta should be designed by local engineers, unless the company confirms in writing that no suitable engineers were available in Alberta. Young engineers are not getting opportunities due to outsourcing. The engineering work gets done outside of Canada (in China and Korea) and gets only reviewed by local engineers. APEGA should encourage the hiring and training of young engineers for the better future of Alberta. Quality of work from overseas is poor and below standards.
- Discussion within members: For products coming in from outside, how does the PPMP work? Do you want APEGA to give licenses outside of Alberta?
- Engineering is a secondary industry unlike oil and gas. Giving away employment is not doing well to anybody.
- Both P.Eng and permit holder license required for sole practitioner?
- APEGA should authorize engineering for specific areas, i.e. P.Eng (Electrical), P.Eng

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(Civil), P.Eng (Mechanical). Why did we study different disciplines if anybody as a P.Eng (from different discipline) could sign off the documents?

- APEGA needs to provide clarity on electronic authentication rather than using notorious methods.
- Curious about “outside” products. Would be a concern for civil engineering projects taking responsibility of outside engineering goods.
- APEGA should run a specific survey on “thoughts on outsourcing jobs”. There are many professionals who have similar thoughts and strong opinion about it.
- APEGA should make some sort of rule to help get Albertans hired first.
- Permit holder stamp brought back? Just need the number of permit? Or proposing a stamp?
- What do we mean by restricting unlicensed people outside of Alberta? They don’t have a license anyway. What needs to happen? But what it says is knowingly or unknowingly hiring an unlicensed member.
- Is this happening in Ontario right now? I thought this was an existing rule.
- There’s a lot of outsourcing going on but we still have to be responsible for the technical aspect despite being allowed to hire these people.
- What is the scope of responsibility for the APEGA member for the work of non-member companies or contractors? Is it only the design or is it all technical design with the exception of goods?
- I am not sure how this works. For a pump for example, we can stamp an outsider’s design. What about fabrication of piping outside of Alberta? Do I have to stamp that design? That’s a lot of work!
- Something that’s manufactured outside of Alberta – what are the rules around goods coming into Alberta? You can’t make a blanked statement on this- consider the design of a structural member. You have to pay attention.
- If an item is coming in that is part of a larger design, that is when I am responsible? How are the responsibilities divided between manufacturers and myself?
- A stamp is a stamp. Why can we not use embossed stamps anymore? Is it just a cost issue? Is it because we don’t see value in an embossed seal?
- Does the embossed seal appear in reproductions like photocopies? Is that a reason why they are being done away with?
- The easiest way to make things happen in construction of trusses – a lot of Ontario engineers who do these designs are actually registered in Alberta as well. This is something that can be done.
- We used to have a process with CSA to approve processes, is this still the case? We used to accept CSA approved items are acceptable – is this still the case? How do we ensure CSA work is being supervised by registered engineers that we would recognize as qualified in APEGA?
- Where are we at with encrypting digital signatures? Electronic certification of digital stamps and seals in Canada?
- What is the relationship between APEGA and Notarious (sp?)? The software company responsible for electronic authentication.
- Is it acceptable for hard copies of drawings to be produced with just electronic signatures?
- I want APEGA to be more specific about what types of documents require electronic authentication for stamping. We are not sure if we are meeting APEGA’s criteria.



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- Have there been any court cases related to this type of authentication that may affect legislation through case law.
- There is a lot of confusion – for example, tender drawings. We thought that we didn't have to authenticate. But the City of Edmonton for example has requirements for authentication of this document. Different bodies have different rules.
- I like you are planning to include electronic signature. What about the guidelines, for e-signature, what requirements are attached to that? What is going to be in place?
- If you receive a doc that has an e-sign, which could you reject? I am concerned how to keep them legitimate (original).
- I have a concern, in the last slide, there as a clause saying: "that is brought to AB, or built in AB". Original products don't have to have a stamp, but if something is put together, somebody has to stamp. Now, as an example, in our organization, we are using little structures that have been designed and built in AB. There have been times that modules have brought from outside the province, however, we take advantage of sending the stamp electronically, and they have to follow the guidelines. Now, with the changes, how do you make sure if what is brought in is constructed under the guidelines for us to validate? How can we make sure it meets the quality levels?
- I have a question here, all professional docs need to be authenticated by a RM and a PH? Page 3. "All professional docs must be authenticated by a license member and a Permit Holder". For a company, before you need just one, now you need 2, that's hard to apply. I think the RM should be enough. I don't think that's good.
- If there are 100 engineers, would there be 100 stamps? What is the practicality? The burden of the 2 stamps would be difficult to make it happen...how many stamps would be required...
- If I designed a car, and others may design something too, which I don't know about. The practice, should be the last stamp is the CEO.
- It doesn't sound practical that the PH should sign.
- What about the technical stamps?
- In my practice, sometimes you have up to 12 engineers working under your supervision and then all is put together. Should then I take responsibility for all of their individual contribution to calculations? Sometimes people like to stamp for their individual contribution, because they like to ensure their work.
- In practice, this would lead to having many stamps in a document.
- What you describe is for different disciplines, but if you have a drawing with five different engineers making a contribution, each of them should authenticate?
- Then, work from overseas should have an APEGA member looking after it?
- If a company has 1000 employees, and we are going to have, 20 directors, which are RMs for different areas of supervision, how would you make the director sign every single package? What are the guidelines, for example, 1-10 employees for 1 RM? If sometimes hard to get all signatures on time, this process will add then another layer. E-signatures?
- I would suggest to remove this, it's too complex to apply.
- Are you saying that you create a software that is further used for multimillion projects? Are you concern about the users? Or the creator? (Another member reply that P.Eng. are responsible to validate the software at 5 different levels or miss using it and the software is only ensured by its price).
- For engineering done outside of Alberta, do foreign licenses still count?

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- For digital signature, is it only APEGA approved digital signature?
- Are there other engineering Associations using Notarious?
- If you are laying a piece of equipment built within Alberta does it need to be stamped? This could use some clarification.
- Is Notarious the only software we can use for digital authentication?
- Can we roll Notarious feeds into our dues?
- Is a pump manufactured in Alberta required to be authentication? How about a custom pressure vessel that is to be to ASME standards?
- How will this affect regulators (AER, NEB, provincial and federal government)?
- There is confusion regarding the term “professional documents” or project file.
- Anticipate problem. Global warming potential is a geophysical parameter. Alberta Climate Change panel is making judgments on this (Bill 20) but none of them are professional members.
- Fines are levied unless willing to sign off; recommend that professionals not be provided with this way out; it is difficult to regulate.
- Many oil and gas documents have not been stamped in the past; why now? It seems redundant to require two signatures.
- “Professional documents” needs better definition. Working documents (e.g. seismic cross-section used in a meeting) should not require authentication.
- Suggest expanding the definition of “professional documents.” Emails, calculations, etc. are relied upon for making decisions. Does this make them professional documents and require authentication?
- There are thousands of emails, memos, etc.; need better definition about what needs to be authenticated. At what point do these documents affect the public?
- How will we regulate what is considered a “final document”?
- Who will cover the duties of the Responsible Member when they go on vacation?
- Issue with authentication of seismic programs. Professional member needs to stamp the parameter sheet; AER may modify parameters before it is sent to the field; professional member may not have the opportunity to authenticate until later.
- There are many documents that go outside of companies and the general public relies on these authenticated documents.
- How does this affect regulators? AER, NEB, etc.
- Response that we have provincial legislation, can’t apply to those.
- Need clarity around what is meant by a “file”.
- Sample problem: the CO<sub>2</sub> report. Alberta Climate Change panel has no geoscientists. So should the report be thrown out, because it cannot be authenticated by a member?
- Environmental impact reports are not commonly stamped – industry practice.
- One participant doesn’t see the value of a second stamp/signature on each professional document.
- One participant used the term “madness” to express his concern around the proposed process, stating this is not how internal documents are used.
- How are we going to regulate what a “final document” is?
- Definition of this is key to this change – should apply when there is influence to the public.
- Need to define what must and must not be sealed, for public-interest purpose of the Act.
- Pleased that RM will not be removed

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- Authenticating Inside vs outside AB – does a Geo in Saskatchewan doing the work need membership if work is for AB?
- Publications – not required to be authenticated? (Conference papers?)
- If paper analysis done or changes made/modified – required to be authenticated?
- Definitions problem: implied contradiction
- Compilation of data is already working the data so does the compilation need authentication?
- Generalization in the changes is a positive thing – binds all together (i.e. packages including document and all things that provide details for the document like maps attached)
- APEGA should strive for mobility agreements
- I appreciate that members and permit holders are included in the authentication process, but no mention of responsible members (sarcasm). I'm sure the CEO would appreciate 400+ documents coming in for him to stamp
- So an engineer in Saskatchewan would require membership with APEGA in Alberta?
- What is a professional document? E.g. A university paper, conference papers or publication, research is that included? I work for Alberta Energy Regulators. We put out maps for public use, are those professional documents as well?
- Comment from another speaker: if you used a map issued by AER, analyzed it, recreated an aspect of it, 'work the data', etc. then do we have to authenticate it?
- I hear a contradiction: could you issue a document and call it something different (e.g. Include financial information) so it is 'no longer' a professional document?
- Another speaker: is it a technical document, or 'reading material'? Who do I trust? From what sources can I trust?
- I like these changes. Under the old wording, a cross-sectional map (which is created with a lot of assumptions) would need to be authenticated, but from its other technical documents are created. Under the new wording, this cross-sectional map would be reviewed at a later time and authenticated
- The definition of a professional document has expanded considerably (e.g. even acquiring geotechnical information! Any practice of geoscience). How can there be any exceptions at all? My company does a lot of research and how can it be excluded?
- As someone who is registered in 3 provinces, I would like to encourage making things easier for members registered in multiple provinces (duplicate CPD hours, slight differences in authenticating practices between provinces, plus it is expensive)
- What are the issues of someone authenticating a document (as an individual) and then approving as a responsible member?
- Alberta Building Code Schedules will need to accommodate Permit Stamp
- Will electronic authentication be opened to other providers than Notarious?
- Will you be able to apply the permit stamp electronically?
- Had some challenges with Notarious on fully digital packages
- There is a gray area in the definition of packages
- If I do work in Alberta for BC company, do I authenticate twice?
- We used to transfer data in table and didn't authenticate it
- The wording is gray around authenticating "final" documents
- Would APEGA want to review authentication standards when reviewing PPMPs?
- Will this wording lead us to authenticating too many documents, leading to confusion and

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confusing the public?

- Need more clarity when documents are generated externally and also for commonly generated work. What is considered a “final document” or “one that is relied upon by others”? What about draft documents?
- Why does a document need to be authenticated when it is only used internally at the company? What is the practicality of authenticating what some engineers do when it is a small amount of work?
- How does one authenticate data?
- Question about authenticating work generated “inside or outside Alberta”; practicality of stamping the documents.
- Comment: A management of change (MOC) process covers changes; they are not authenticated. Do they need to be?
- MOC software already tracks sign off; why does it need to be stamped; what level of change requires stamp; is this practical?
- Do all change orders need to be authenticated when they occur frequently and the original “final” document was stamped? (need more definition on this topic)
- Concern about the requirement to have two stamps; why not make all employees into Responsible Members?
- It would be good to have an example (go by) available from APEGA.
- Consulting companies have already developed efficient processes for authentication.
- About the authentication. Further clarify that it is the responsibility members who should apply to the permit to practice stamp, not the permit holders.
- Field engineer should be included in the definition of “the responsible members”.
- The definition isn’t broad enough in the term of the implementation of the execution of the engineering documents.
- In regards to the actual implementation of the authentication, the authentication for the document or the system will be replaced.
- E.g. sometime there are changes of the engineering diagrams or documents in the middle of the project, and there are no documents produced at end for the final authentication.
- Can the EOR (Engineer) be the same person with the responsible member?
- The flexibility is a big benefit for the group and business.
- The definition of the Geoscience is doubtful and incorrect on page 7.
- The profession documents are approved by AER. Have APEGA go to AER and talk with them on the requirement from the AER? APEGA legislation should be balance with the regulation from AER.
- Can technologist be the responsible member? No, only P.Eng, P.Geol, Profession Licensee...
- Surprised by this. If in Alberta we don’t have experts, how are we going to manage this? There are loopholes
- Make sure all definitions are clear and complete
- No object with this change
- Is there any difference between seals?
- Are we going to ban embossed stamps? That is weird.
- Authentication of a bid document – what will it be? It would depend on the stage of the project?

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- How does a stamp protect the public? It protects the company.
- How is APEGA going to authenticate an email?
- Examples are going to be needed.
- Is everyone going to get a stamp? It is going to be too difficult.
- Need to clean up guidelines/standards before the Act is approved
- Support this, but have the stamping guidelines clear
- A 3D printed stamp is a good option
- The overview document did not give enough detail
- Not everybody is doing the signatures (i.e. professional member and a permit holder)
- How can someone be authenticating if the company is not registered
- Needs to be guidance – the fact that signature have to be done. If work is being outsourced – the PPMP does need to have the procedure written in
- Description of a professional document is good – explicit language
- Need good definition of who is responsible, who did the work and who is signing the reliable documents that pass to another group
- Need clear communication – PPMP to be tailored to be understandable to engineers
- Will emails need to be authenticated?
- Difficult for RM to stamp certain proprietary processes that are part. Example: we purchased a pressure vessel that includes all components including stairs and handrails. OHSA has a provision, that if something is commercially available, then does this require PM sign-off.
- I understand if work from outside Alberta is brought into Alberta then an APEGA member has to stamp it, but do we have to authenticate work going to another jurisdiction?
- Who is responsible when a “person” knowingly hires an unlicensed person?
- Some conflict between Technology work and Engineering work. Too many technical things get categorized as engineering.
- Need more definition and guidance on how PM and RM will sign bundle of documents.
- Is it OK if the usual RM who oversees a particular work is away or on vacation, another RM authenticates the document on behalf of the Org?
- Hard in Canada to get support with electronic signing when most focus is on SAE and SME in the US.
- There’s a problem with outsider designed engineering designed products and systems that have to be authenticated within Alberta due to work of products of a propriety nature which an Albertan PM may have to authenticate. E.g. Foreign designed industrial systems which an APEGA PM may not be able to authenticate to their standards due to propriety designed elements
- Engineering designs authenticated within Alberta by a member of APEGA that may not be for work meant for jurisdictions outside of Alberta, will the design have to be authenticated by both jurisdictions both origin and destination?
- Which person or entity will bear the penalty for hiring individuals or work not authenticated by APEGA within APEGAs jurisdiction?
- Clarifying the overlap between the roles of technologist and engineering designs or documentations.
- Clarify how electronic authentication will be implemented and accepted. E.g. Via NOTARIOUS program

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- How will E-authentication be implemented for designs and documents originated outside of Alberta.
- If RM are required to authenticate then will other RMs be able to authenticate if the original RM is unable to do so?
- Problem with definition of “stamp”
- Where is detail for responsibility if not contained in specific definition it is useless
- Oil & Gas Modules: not stamping documents?
- Confused as to what needs to be stamped? Need to put in clearly what needs to be stamped. i.e. modules also need to be included
- Who stamps re piece being brought in to use (included in the drawing)?
- Think it is good to have the fines and responsibility is assigned
- Is there any intention to have oversight for outsourced work? (Out of Canada?) Who would keep watch on work being done
- How can P.Eng in AB who receives fabricated modules with “hidden” components authenticate it here? USA makes sure that work is being done to standard. AB falls short as we don’t make this.
- Control of digital signature in legislation?
- Methodology of digital signature falls short – doesn’t mean document is secured.
- If a stamp is missing, does that mean a fine right away?
- How do we deal with PPT, multi authors and sources?
- Pre-engineered products – may cause conflict with product that is not engineered but may not meet standards. If we are not authenticating the materials (installed), it is not in the best interest of the public. How far reaching is the engineer’s responsibility.
- This is not agreement with Pressure Equipment and Safety Regulations. Ex. piping design in US and design can be signed by US engineering -do they have to be members of APEGA and have Permit to Practice?
- Needs to be more carefully defined – manufactured goods
- Bringing in goods not manufactured here and authentication here – need to double check the design – problem in getting good quality
- Grey line between engineered good and engineering service
- Purchase of originally produced work – how is replacement of that piece going to be handled?
- At what point is engineering required with predesigned components?
- Don’t have jurisdiction to authenticate outside AB?
- Need to work with other groups to make sure they are on side ex. ABSA – contact: Mike Poehlem
- Fear expressed: someone questions judgment of authentication made – problems could arise – how would it get resolved?
- Clarify please, if you are out of the province under another regulator do you have to stamp again by a member of Alberta. Do you have to be member of APEGA?
- If the work is done outside of the country even if they have a PPMP here? How is APEGA going to know the design has an error that could cost money to the company?
- Are the fines going to be increased? What about if it goes to court? If case gets to the court and is vexatious that could be the end of your career.
- How can you make stricter rules or making rules under the saying that is protecting the

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public if the work is done in some place that we know very well the standards are different, possibly the checking haven't been done correctly or maybe they do not have idea or their way to do anything.

- It seems to be a redundancy going around signing same document the professional engineer, the RM and the permit holder.
- The permit holder is a responsible member, when you say permit holder you mean responsible member, is a third party or there are two parties?
- All the drawings going to a tender have to be signed and stamped? Is that requirement to report or not?
- So you are not stamping something that is constructible, what are you stamping?
- If I produce a drawing with bidding purposes and after the bid is done the drawing has to be changed, you know a drawing is a matter of opinion, then are we authenticating a document that is not valid? If it is not the final drawing why do I have to authenticate it? But authenticating that drawing when is only for bid is not protecting the public. The public is not at risk in that case.
- What is the point of that first authentication if the drawing is not complete? What are you accomplishing, how are you protecting the vendor in that moment?
- It seems like a pointless decision.
- Companies have verbal approval processes for making decisions on weekends and holidays where a decision is needed right away; is it acceptable to document and stamp after the fact (e.g. the following Monday)?
- Unsure of the added value in the digital world for a member stamp plus a permit stamp instead of just the permit number.
- For out of province documents authenticated locally, is it necessary for an Alberta engineer to authenticate it also?
- If there are multiple discipline authentication stamps on a document prepared out of province, do you require multiple Alberta authentications for all disciplines or just one overriding Alberta Authentication?
- Does proposal give Permit to Practice and Foreign Licenses to out-of-country companies?
- In proposal to change requirements for the P. Eng, designation, I believe removing the Canadian residence requirement is a mistake because the one year of Canadian experience is not enough to be qualified in many fields, and it may be difficult to evaluate for non-residents
- For the permit holders stamp will a digital copy be accepted as authentication?
- Is it currently the responsibility of the local company approving a design when purchasing a system from outside Alberta?
- Is there any way for the older embossing method to continue as an authentication method?
- Some preference towards continuing the use of embossing seal.
- It is not clear in the presentation specifying whether or not an individual with foreign qualifications may be able to work as an engineer in Alberta.
- Will external designs and companies need PPMP's when working in Alberta?
- With a RM's stamp why is there not an area to indicate their area of expertise?
- What will be the level of technical competence for approving documents not in ones area of specialization?
- When an organization is hiring an engineer the organization should be providing the PPMP.

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- An organization should be able to prove that their members know of and understand their PPMP.
- Does the size of an organization specify the number of RM's?
- Will APEGA provide templates and guidelines for PPMP's?
- Will each individual engineer from multiple disciplines require different individual PPMPs?
- Using equipment from outside Alberta from around the world, so now the idea is that you do not need to stamp those goods because they are outside Canada but we need a stamp for an overall design, we do not need datasheet from the supplier, they do not need to be stamped so I think that is good. I like that.
- Being in a manufacturing business, is an American company we have engineers in in Houston, and now they work in equipment build here in Alberta, but engineering documents are coming from Houston. Under the proposal legislation they have to be signed by a Responsible member and stamped with PPMP from someone else.
- They are saying that they can go after the manufacturing company for not hiring someone with the proper stamp, and they can be sued.
- There are two things I'm seeing here, first, they just going to be built in USA and shipped into Alberta to avoid that and second if they decide to build equipment here in Alberta they have a great engineering group in Alberta, so that the member signing for the drawings.
- If the equipment was built in Alberta but being used in Ontario it still needs to be authenticated here in Alberta right?
- I can see a practical issue here. Usually lots of companies work from overseas. Depending from where you are talking about you can count on certain quality, but what about if someone's equipment is manufactured in Burundi, theoretically they do not have to check it?
- I was in the previous meeting (Permit to practice) last week having that same question. We had to install a hydro turbine and we did not know about it. Just to clarify, you signed only if you have done your proper checks in that equipment. You assume the equipment was made to comply with the purpose you are contracting. Who is responsible here?
- For some of our equipment they are custom designed, they are designed to work anywhere in the world but they all specific, so we are responsible in what we provide? I know the legislation says it will not be required to sign the document, but how that will be written, that is what I have been wondering.
- How does the electronic stamp work? How can we stop people from modifying electronic documents?
- The stamps can be scanned and then signed and then scanned again, so how can we now what is the original, what is the practice with electronic file, but all the process is expensive, how does it work?
- Relating to bringing international pieces and work, I think is fine to have the engineering permit for the drawing, it is a good choice because in a large company is easy to confirm the roots of the designing having both the permit and the stamp from the engineering office.
- Regarding the electronic files, how is this going to be regulated now it has to last for at least 30 (thirty) more years from now.
- What we put as a system now is going to be useful 25 years from now not only 5 years.
- It will cost a fortune
- Is electronic seals only issued by APEGA?



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- Second part, not the service, but goods imported, where the company has to authenticate the process. What type of authentication should be done?
- Who prosecutes an offense under the act, who prosecute that?
- What the "first" refers to in the presentation?
- Is the authentication becoming uniform across all the provinces?
- It's becoming costly when other provinces have different requirements for CPD and filing, it would be better to have uniform process. There should be more consistency or standardization province to province. It will be Canada more competition
- Will the definition of a license member be updated?
- What will happen to the professional licensees?
- There is no way to look up what member works where and what they are working on?
- Difference BC and Alberta: to sign up the segment of a document you have to be working on that specific segment (in Saskatchewan)
- One member did not realize there were embossing seals.
- What is the offense for knowingly going offshore for a document and importing it into Alberta without authentication by an Alberta Professional Member?
  - How would this apply to Geoscience outsourcing?
- How would this affect P. tech. authenticating documents which was previously done by a P. Eng.?
- "Really like this proposal".
- APAEGA has only endorsed one provider of digital signatures (and electronic stamps).
  - What were the criteria for this selection?
  - Are other providers possible in the future?
- Several members were concerned about how these processes would be implemented.
- How do we treat counterfeit stamps or those that aren't registered anymore?
- Is there more teeth in the Act to go after these people?
- We put a cap on the fine, doesn't mean we use 100% of it each time at discipline
- BC doesn't have this – is this good?
- Don't recognize stamps from other provinces?
- Will it be considered "protectionist" (re mobility)?
- Document needs professional member stamp and permit to practice – what about a recommendation? Examples for consulting, what about operating companies?
- Put definitions in PPMP – up to permit holder. Concepts are clear in the Act, be explicit in the guidelines.
- i.e. don't want to be too specific in the Act, about what constitutes a document to be authenticated – put in PPMP
- Does a specification need to be authenticated?
- What is an embossed seal? Why not needed anymore?
- If a design has been done in Ontario – how is it to be authenticated in Alberta?
- If a pump has been designed elsewhere – pump authenticated? Lift station?
- Who is held liable if a big piece of equipment doesn't work?
- Work done outside of Alberta – does the AB engineer need to authenticate?
- For authentication, need P.Eng. and RM? Can one person be both?
- Permit to practice – going back to stamp, sign and date?
- Difference? Embossed seal vs. rubber stamp.

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- Issue: Digital signatures/stamps cannot be determined if it is an original or a copy
- Do we stamp test reports?
- Conflict of interest issue based on engineering quality... RM should only be stamping for approval of PPMP process, not reviewing the engineering details.
- Software engineering vs. software products – there is a document available for guidance on this
- Does legislation have to go through first or can this be written into our regulations sooner?
- Why the change to multiple responsible members (RM), give me an example when you need more than one?"
- In our company 2 people sign as RM for quality check but we have 15 RM, that each have their own permit to practice stamp. You are saying, the legislation allows a company to have more than one?
- We have a permit to practice that includes, a mechanical engineer or two, and an electrical engineer. The question that I have, is, for this permit to practice, in the state that you say that RM should sign within their area of responsibility, does it mean, e.g., the electrical engineer cannot stamp for mechanical on permit practice or vice versa?. All responsible members, would understand the PPMP, or have the ability to do the quality control. Technically, any of those people, could sign the permit to practice. Area of responsibility is not area of expertise?"
- RM is a bigger title and then you have professional member and permit to practice holder. Is there any other responsible member other than these two categories? Definition wise, it says that in the public interest, the definition of permit holders and RM would be clearly defined... I think permit holder is part of the RM, and the professional member is also a RM. Then, a RM is?
- Each RM of a company would need to participate on the preparation and sign that PPMP document? Every time a new RM comes on board, they would have to sign the existing PPM? "
- Given the role of the RM and act a safe keeper to the company and PPMP, I'm having a tough time around the definition of RM as an individual that provides services as a contractor. To me this is a really odd, illaudable definition given the person I work for. That should be someone that work at the company or have a stake in the company.
- From the definition of the obligation RM and permit holders, should it be and/or? Would it create more complications to make all RM to go to APEGA and follow processes through?"
- Can we authenticate e-mails? Or are they banned? How do I authenticate an email? If that's what you are up to, then, we should do that, because we are not going to print emails. Perhaps, there is something you want to introduce something digital that applies to emails.
- Very often the design consulting are not involved in the day-day inspection of the construction work, it may continue in the construction phase and they might get call a question or upon to do periodical inspection as needed. When it comes to as-draw joint in that case should be the engineer stamping that document?
- The idea that you should use perhaps a PDF bar, or stamp signature to authenticate emails. I think the current guideline for authentication recommends against using a digital stamp of signature because we can't maintain control of them, so, if we are going to the authentication of emails, it should be a secure tool, and a notorious software that we are using for emails now should be addressed and a standard tool for people to use.

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- How are we handling 3D modeling, and scans coming back from the fields?
- with respect to as-builts, the change you propose would add a layer of effort for the design engineer that would need to stamp all of those, because previously we shouldn't have to authenticate it unless we verify all aspects of it
- With reference to as-built. It's really impractical, to go to with stamp because mostly the consulting engineer design is no longer working that consulting company, and the project starts and the whole thing, expected is minor changes, in terms of instrumentation and controls, and I don't know about other disciplines, but, stamping early, is going to be a big challenge.
- "The client is requesting as built drawings for who are not the designer, what are we calling them now, as recorded drawings? And you will say on the drawing, this stamp is to those changes only. All you covered is regarding to better protect the public interest. There has been other self-governing bodies criticized because of no government transparency. Is there something APEGA is working, taking action on to open the transparency to the public? "
- Need clarification on the last slide regarding 'authentication required'. Is authentication required for design parts received from the manufacturer?
- Is there engineering exemption for pressure vessels?
- Is authentication required for the packaged products? In some cases individual pieces are bought separately and assembled on-site. How does the authentication process work for that?
- Can you explain how this is something that will help a permit to practice stamp - a responsible member reviewing technical aspects of a professional document.
- This needs to be documented – what are you authenticating for bought goods.
- If there is another authority involved, how does authentication work?
- Permit holder stamp – fail to see the value. Wastage of time.
- About the new requirements on permit holder stamps: will the Responsible members be holding the stamp?
- Related to construction industry, mechanical, structural, architectural. There are a number of stages of drawings, and one of the review stages may be used for approval by the municipality or issued for bid, or issued for construction. Often times there's a requirement to seal the package for a municipality review, but individual documents are not stamped in every stage. Is there a need for a record drawing?
- Slide that clarifies that individual goods are not to be stamped, but the overall design needs to be stamped. Does the whole engineering package need to be stamped?
- What's the purpose of the stamp in documents issued for bid or issued for tender? Q: What's the value, since there are already laws to protect the public at those stages?
- Is the Responsible Member the right authority to attest on the Quality Control of a package, (i.e., regarding the standards it should comply with)? He may not have the qualifications to do so.
- Will Responsible Members need to rubber stamp packages? This adds a significant step. Is it necessary to be authenticated in this fashion in each and every step of a package? In what circumstances will the Responsible Member not have to sign the full package?
- What will the Responsible Member have to look at in each package?
- Is signature and date required on the stamp?

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- Will each Responsible Member have to have his/her own stamp in the corporation?
- Will each Responsible Member have to have his/her own Permit to Practice? Q: Can a corporation have multiple copies of the same Stamp?
- In case of multiple Permits to Practice, why would a Responsible Member have responsibility over more than one area?
- In some cases, Embossed Seals are still required in some cases.
- What are the authentication requirements for out-of-province workers doing work in AB? Will they have to hire a local Licensed Member to authenticate their work? The local authority may not have the expertise to authenticate this work.
- Conversely, what's the requirement for out-coming work?
- In case of multiple drawings, can only the cover page be authenticated rather than every individual document?
- Comment on engineering product. As these products get complex, i.e., modular building, by the definition authentication is not required. Conversely, a newly building built in the same spot would need to be authenticated. How to clarify this?
- Same question regarding authenticating multiple drawings vs. authenticating the cover page.
- Same question regarding authenticating the cover page. This page may need to be attached to each drawing if an individual drawing is provided.
- What about authenticating emails, how to address the subject of providing technical and complete directions through emails and the need to authenticate them?
- Authentication of as-built drawing. The consultant may not be involved on a day-to-day construction work, but be involved at the completion stage. How to include periodical inspections as needed? Should the engineer stamp the as-built drawings?
- Should a .pdf be used to authenticate information contained in emails? Secure tools should be required for such use.
- How are we handling 3D modeling? In future as-built will not be as common and 3D models need to be addressed by the authentication process.
- With respect to as-built drawings, those shouldn't be authenticated today. It is a big challenge that now they need to be authentication.
- Same as above, i.e., as built drawings.
- Same as above, on the difficulty of authenticating as-built drawings.
- Like the fact that changes are clear and explicit
- Worried about potential confusion about the scope since non-technical documents would be possible to authenticate as well
- Worried about the significant strain and additional effort required to authenticate each document twice. Suggested APEGA consider the use of new technologies to facilitate the authentication and/or reduce the workload required to authenticate all documents two times
- Would Cree-manufactured goods need to be authenticated?
- Is this the best way to ensure the use of quality systems in place? Why?
- Who is required to authenticate/sign documents: the responsible member, the permit holder, both?
- Does the permit holder assume responsibility on the technical information on the document?
- If there are multiple responsible parties, will the signature of each party relate specifically to his/her work?

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- If there are multiple responsible parties, will the signature of each party relate specifically to his/her work?
- Love the changes, was implicit in the past but now is very explicit which is less of debate - permit to practice stamp were not mandatory before now it's mandatory again? APEGA issuing the permit to practice stamp again? To this point a sole practitioner which may not have permit -definition of professional document? Whether recommendation and decisions that Do not technical calculation will not be qualified as a professional document , be more specific in recommendations and decision -initial reaction of this section of the document brought the additional strains and time lines and possible consequences, In Customer focus organization always complains about timelines , this worries me , there would be consequences to that , should be some unique innovative ways to use innovative technologies to minimize additional strains of responsible members -service design , pre-manufactured brought to province not required to be signed off by APEGA member , standards needs clarification; risk and consequences of responsible member of authenticating each professional document to minimize the impact on organization; organization have 1 responsible and 2 professional member to keep up the work load, those people not be competent enough to fulfill this. Is this the best way to achieve? Is this the most effective way to accomplish the outcome? Having a responsible member quality is a burden on practicing engineer within Alberta, would be consequences to that may not achieve the outcome you have signatures
- Desire to show public that quality management system. Is this the best way to achieve? Is this the most effective way to accomplish the outcome? Having a responsible member certify quality is a burden on practicing engineer within Alberta, would be consequences to that may not achieve the outcome you have with signatures. Introduction of CET, drawings and, the drawing documents have a level of accountability and experience. Proposed change to signature on every document - CET is authenticating professional documents also has to sign. Responsible member does not have to be directly involved in any engineering work; just to have eyes on to see there is a quality management system. Can any responsible member sign, or should he be linked to work? In Syncrude any person who is responsible member can apply for permit to practice stamp because the person is qualified enough for a permit practice stamp ,
- How is it possible to ensure that work that has been done abroad to be authenticated. Is there a model or guideline available for this?
- What is the reasoning behind going back to requiring the permit holder's stamp?

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- The permit to practice stamp seems to be an unnecessary extra step. The benefit seems to be minimal for the additional work.
- Authenticating every step of the process for large projects, where bid documents and other documents, which are part way to completion, seems to be a waste of time and impractical to do this for all steps in the process.
- For skid units, for instance, it seems impractical to require engineering for all components in the skids to be covered by an Alberta engineering stamp.
- Unincorporated sole practitioners will now need a permit to practice and a PPMP to practice which is not currently the situation. Why?
- Where there are many responsible members in an organization, how many permit holder stamps would be available?
- For sole proprietors, who are providing their own QA/QC by stamping their work, how is it a benefit for them to have a QC program? This may be particularly onerous for individual engineers to have to take on.
- In organizations where there is only one professional, there is no additional benefit for a permit to be added.
- Who holds the permit holder (PH) stamp? Responsible member (RM)? In the case of a PH with several RMs, can there be a stamp for each RM? Would the RMs be designated by the PH on the basis of professional expertise? E.g. mechanical, electrical, etc.
- Why do bids need to be authenticated by PH, in view of the Alberta legislation that governs the procurement of goods and services? It seems to be an unnecessary extra step in a project with no benefit of protecting the public. What is the value of such authentication? [Staff response was that this requirement would be part of the quality control process as documented in the PH's Professional Practice Management Plan (PPMP)]
- The fact that it is proposed that there would not be a requirement of PH and RM authentication in the case "of products designed and manufactured elsewhere and imported into Alberta. E.g. turbines, etc." It is not uncommon that rotating machinery items such as compressors and turbines include an integrated control system governing the operation of such units. If an exemption for such items is to be given, then clarification is warranted.
- Is a modular home "designed and manufactured elsewhere" exempt from authentication?
- The value of protecting the public by requiring the "stamping of engineering or geosciences services for all documents performed outside of Alberta" was questioned. The situation mentioned was if "contracting out" involved a report based upon expertise (e.g. biology) and knowledge beyond that of the RM and possibly the PH.
- A question was posed regarding the stamping of each individual drawing for a project which might involve 120 drawings. It was noted that even if all drawings in a report were signed, this would not provide protection in the case where the drawings had been removed from a report and utilized in another context. This seems to be a management issue so perhaps could be governed by the PPMP, which would need to be approved by APEGA.
- The matter of electronic communication related to authentication needs to be reviewed, e.g. reliability and security e.g. electronic signatures.
- Policy/procedure to authenticate 3-D images needs to be addressed.
- Procedures/policy needs to be considered regarding the requirement to authenticate as it relates to "as-built" drawings where an incidental change to an existing drawing is made by

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direct communication between a client and a contractor. The situation might be different if a PH is involved with design and construction, rather than only a contractor.

- Would we pursue Ford to authenticate a vehicle?
- Does this apply to pressure vessels? Skid vehicle/units supplied out of province with a variety of processes that are then reassembled in Alberta?
- Why PTP Stamp introduced? (
- Permit number - shared authority with engineering stamp?
- Fail to see the value of permit holders stamp. Bureaucratic!
- Expensive
- Favourable change.
- Revised act will require Permit Holder (PH) to use a stamp, apparently this was case several years ago and changed to current practice of only PH permit number.
- Noted the change of requiring a sole practitioner to be a PH.
- Professional document needs to be clearly defined. Also the issue of reports that may not contain calculations to support some of the content of the report, but content based on application of engineering principles.
- The proposal of provision for a PH to appoint more than one responsible member could lead to unintended consequences because of the extra effort and work to comply with the requirement of the Responsible Member (RM) being required to apply stamp in addition to their signature and date. Concern expressed that the revised act will state that it would appropriate to have more than one RM depending upon the practice.
- Would it be possible to reduce some of the burden of the RM stamping requirement by allowing a P. Tech. to stamp?
- Would it be possible to have a professional member not an RM provide the authentication?
- The PH stamp should include the name of the professional member who is the PH.
- As to the requirement that no authentication be required for “engineered goods or products designed and manufactured elsewhere”, would mobile homes be in this category?
- How will this work for companies that have a great deal of work completed outside the province?
- In regards to outsourcing, will all work need to be checked out by a registered professional in Alberta?
- Do we need 2 stamps: member stamp and permit to practice stamp?
- Will it be correct to stamp a document by the engineer doing the work only or will the responsible practice member have to stamp as well?
- This will be a waste of time as the responsible member in a company will spend all their time checking over others’ work. A professional should already have the authority to approve work from the training they have
- Standards around the globe-how will they comply?
- Authentication of bid documents - should they be stamped?
- Are skid units included that are built elsewhere?
- Would a sole proprietor need to meet this standard of 2 stamps?
- Is there a way to delegate authority in your organization? Or would each member need 2 stamps?
- Not practical to necessarily have a permit holder stamp for everyone in an organization.
- RE: Applying permit stamp as well as member stamp; comment is that Saskatchewan

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already has this. Is this an effort toward consistency?

- How does the permit holder stamp work? Is it an electronic/physical individual stamp?
- Does the legislative review address if an engineer is registered with APEGS, designing for Alberta, does APEGA authority require APEGA registration?
- RE: difference between product/service manufactured outside the province; how is that addressed in authentication process?
- What exactly does the Permit Holder sign off/attest to?
- Is it not sufficient that the PPMP is signed off by permit holder?
- RE: Time delay between permit to practice stamp and P.Eng stamp. Do the two stamps have to be applied within a certain time period?
- Who will have the authority to use the permit holder stamp?
- Refer to Saskatchewan; in addition to having a separate certificate of authorization, it also notes a discipline. Question: is there a requirement for the P.Eng. stamp applicator to be a separate person from the permit holder member?
- Is the permit holder also responsible for future product/project flaws, or does it fall on the P.Eng?
- Why was it decided that the responsible member would need to sign off on each and every professional document, as opposed to responsible member attesting to quality management plan?
- The requirement of stamping engineering work whether done inside or outside of Alberta, I think this is a good thing. Could you clarify what would the requirement be for responsible members and work that is happening outside of Alberta, whether they would be stamping stuff, or work done outside of Alberta and brought into Alberta, how would that work and someone reviews and stamps that? How would they be able to verify that the work was being done in accordance with the reviewing members PPMP?
- In the case where the work is being done outside of Alberta by a non-Alberta firm that doesn't have a requirement to have a PPMP and it's being supplied to an owner within Alberta, let's say they don't have engineers on staff, how would that work in that case? If the firm that it is being supplied to in Alberta does not have any engineers on staff, they don't have a PPMP, how does that work? Say this is an engineering assessment or design for a wall or something (i.e. Not a pump), that was happening outside of Alberta and it's for an owner that doesn't have any engineering firm/ doesn't have a requirement to have engineers on staff.
- What about a municipality, you have an engineering firm from Ontario do some work for you and then you get the design back and you go to execute that work and you don't have any engineers on your staff and you don't know that there is this requirement to have the design authenticated in Alberta, how are we going to manage that?
- The previous point is already addressed currently in current authentication requirements and APEGA guidelines for authentication.
- The last bullet, pertaining to any person knowingly employ or retain an unlicensed individual unless the person hiring does the authentication, in legal speak is that implied the person being the company? Because the person doing the hiring is not necessarily the one that is going to be working with that person and making sure it gets authenticated and some other engineer may take responsibility. So that word 'person' does it cover the company or permit holder? The word 'person' here needs clarification.
- I agree with the recommendations, have you considered that the authentication of



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documents being done in another province, that a person authenticate them in that province, just to simplify the process and breakdown barriers between provinces.

- Permit holder to apply their signature to everything else seems quite redundant and it's going to add a lot of bureaucracy and add a whole lot of time to everyone essentially. Especially if all the sole practitioners need to have a quality control process, and then to add this on top of this, this seems redundant and extra bureaucracy for the permit holder.
- PPMP is required and then in addition to have a Permit to Practice stamp seems to be a huge extra step in bureaucracy.
- A professional engineer shouldn't be stamping anything in they are not following the PPMP. That would go against their ethics and not following their own PPMP.
- People are not going to pay attention to it if they are the responsible member (say a 1 to 10 membership), they will just be stamping permit to practice the entire time and not doing their other work.
- If there are other competent engineers doing the review, and a PPMP is being followed, it seems redundant to then also need the permit holder to review and stamp.
- Currently it's optional to sign the permit stamp, we use it in our practice and we find it a positive quality check, but keeping it optional may allow the PPMP to decide whether it is appropriate for the type of work being done and for a particular company.
- Question about the exclusion mentioned on the last slide about engineered goods not being included, does this refer to pre-engineered or something engineered for a project such as a pressure vessel? We purchase a lot of equipment and it's always an issue, I'm just trying to understand whether is item is pertaining to equipment purchased from other places? Specifically the clause about engineered goods. Would the exclusion also apply to a pressure vessel?
- For equipment that is manufactured outside of Alberta, for platforms or skids, a piece of equipment but that is custom designed for a specific purpose, which might be a little different than a pump (which is more off the shelf), how would this apply to a skid package that has some engineering done outside of Alberta but that is custom to a specific application?
- The requirement for sole practitioners to acquire a permit to practice makes the requirement for a permit holder stamp and signature on all documents redundant. Adding the permit holder stamp and signature to everything will be a very significant waste of time and resources. It is analogous to requiring a quality control manager to personally sign off on all inspections, rather than allowing qualified inspectors to sign off on the inspection.
- The requirement for authentication of electronic files is not currently possible with many file types, especially if it is restricted to Notarius. Will APEGA allow electronic stamps other than those issued by Notarius (which I think only works with PDFs)? Other file types, like 3D models, e-mails and others that are not PDF?
- In terms of a professional document, as a consulting engineer, I am often asked to provide, no necessarily full blown reports, but essentially small technical memos, sometimes provide advice via e-mail. These are quick exchanges that happen all the time, I'm just wondering how far down the document food chain so to speak does the term "professional documents" go? Are we going to be burdened with additional requirements for digital stamps on all kinds of things in the future that we currently don't do now?
- Well, the comment about companies coming up with a process side of what they authenticate and what they don't is really going to be driven by what APEGA requires and

## Updating Authentication Practices

my question is, is this going to increase the load or burden of, if it's legislated that professional documents now include technical memos, they now include e-mail of a specific nature, that's what I'm trying to get clarification on, how far is APEGA intending to go with the definition of 'professional documents'.

- OK, I understand the aspect of protecting the public interest and certainly as a professional engineer that is what we are doing here every day, my concern is that measures that make more restrictive definitions add more regulatory burden won't necessarily protect the public interest but will provide for a lot of extra effort to avoid essentially stepping outside of new legislation that has been put in place. At the end of the day, working as a professional engineer for over 25 years, I have not seen any problems with the system we have now so a lot of these changes that APEGA is proposing here are put forward definitely in the interest of the public, which is always a good thing to do, but I haven't seen the evidence for where the problem is and again I wouldn't want to live in a world where we have all these extra regulations and we have to put professional stamps on every little document we put out the door and e-mail. I would really like APEGA to clarify what constitutes 'professional document' and I understand that it's what somebody relies on, I get that, but there needs to be a pragmatic approach as well. \*2 others agreed at this session.
- Please clarify "authentication" for electronic files. Does this mean "Notarius" must be used or will pdfs be acceptable?
- Regarding the permit to practice stamp, so now we have a P.Eng. stamp and then you have the responsible member stamp with the permit stamp, what is that responsible member taking responsibility for? Are they simply saying "yes, we have a PPMP and we are in compliance with it" or are they also taking responsibility for the P.Eng.'s work and if so isn't that duplication? (Pertaining to what is being proposed).
- How does the signature and stamp, how is it giving that extra level of protection for the public? I think they are far better spending the time working on the PPMP, working with their people to make sure the PPMP is implemented and practiced in the business, for themselves rather than signing a stack of 300 P&IDs to be issued to a company. It just doesn't seem to me to be providing value to the public.
- I challenge why signing each individual document gives that value rather than APEGA auditing PPMPs. \*\* I agree. If not auditing, just having the responsible member assure on an annual basis that the PPMP is healthy and they are in compliance.
- I have a comment on the process, I support the authentication process because I do think that applying the stamp and the permit to practice stamp both emphasize that the PPMP was followed as well as the professional member has performed his due diligence in his review. My concern is around the completeness of the document for its intended purpose. If it's the intention to scale that down to where those documents are used beyond actual implementation that would affect the public and more into a situation as was noted in the presentation as issued for bid, types of documents, that to me is more of an execution related and not necessarily a technical related activity. But it then places a large burden on the corporation for its responsible members as well as the engineers to go through and authenticate documents to what might be a questionable level. For example, at what point do you say it's complete for a bid versus complete for a hazardous review or complete for a scope review? All of these are interim processes in the development of plans and drawings, whereas to me the one that really protects the public is when you are going out for construction. I think there is an opportunity by going further up the development process to essentially create a lot of cost and effort on behalf of the engineers that I would

## Updating Authentication Practices

question of whether it is actually adding value in protecting the public.\*\* agree, 2 more participants agreed.

- This just applies to the jurisdiction of Alberta, say someone doing work outside of the country, none of this applies, is that correct?
- An engineer working in Alberta for a client in the US, this would also apply, correct?
- Agreed - the better the definition of a professional document, the better we can assure good quality processes focused on public protection rather than the myriad of emails and opinions.
- The definition of professional document posed is vague and subject to a range of interpretations. I think that a more detailed list of examples may be required to guide the practice.

## Improving the Practice – Permit to Practice

- Do municipalities have to have a PPMP or are they exempt from having this? And if they are, I'm wondering why?
- We are engineers and work at engineering departments in municipalities, we review engineering documents, and I am surprised they are not required to have more such as the requirements to have a PPMP even though they don't authenticate drawings or other things.
- No concerns, we agree with the proposed changes.
- Why was the decision to move the requirements of a professional member to attend the permit to practice seminar moved over to the CPD program?
- Can a single PPMP be used to cover several offices in the same corporation?
- How does discipline of the PPMP happen now? The speaker spoke about clarifying how responsible members will be dealt with if there's issues and I wondered how that happened now
- How does the PPMP review (the involvement of a member who is not a responsible member) affect an individual practitioner like me, who works in an organization?
- Has APEGA ever looked at comparing its list of members who work for organizations with whether those organizations have permits to practice? I know someone who only recently was informed that their company needs a permit to practice and they seemed surprised by that.
- I just joined a small company with less than 10 people. I am the only P Eng. Presently, does the company I work for need to apply/have a Permit to Practice? Most of our work is in BC. I am a member of APEGBC. Occasionally we may need to do some work in Alberta. I am a member of APEGA as well the office is located in BC.
- Can you please provide the contact for the permits department?
- For a responsible member, is there a minimum per number of people practicing in the company? Is there a 10 to 1 ratio, or any ratio and is that going to go into the act?
- What is the downside of leaving the requirement to attend the seminar in the regulation?
- Is there an option to do a video training rather than the live seminar?

## Improving the Practice – Permit to Practice

- Why have sole practitioner have a permit to practice as well? But there is no additional person to check in a sole practice. They have to pay two fees which is expensive for a sole practice.
- What is the anticipated time lime to implement these changes?
- Generally agree with the proposal except for the need for sole practitioner to have permit to practice. The P.Eng. License already provides the "permit".
- I am wondering if APEGA will have 'templates' in place as a guide for sole practitioners to follow. (For PPMP).
- I like what I see from the proposed changes, only item is when we are saying that where a practice needs additional responsible members, those additional members be responsible for the disciplines that are being provided by the firm, something tying more the practice of the firm to the types of disciplines needed of the responsible member that they are involved in so that there is a clear understanding that the responsible member is taking on the responsibility of certain specific aspects, especially in multi-disciplined firms where you've got a number of disciplines happening that you only want that responsible member being responsible for certain parts of the practice.
- Would the numbers of RM's be prescriptive? (e.g. 1 RM per 10 P.Eng)
- What was the rationale behind the sole practitioner changes – them needing a permit to practice?
- That takes away from the sole proprietor scenario as you have an extra level of review in place for a document or drawing, you're implying there is another person to review.
- The PPMP seems to be the driving document that you are looking for, is there not a better way of implementing a PPMP on the licensed member as opposed to watering down the license itself. You have a license as a professional engineer or professional geoscientist, but now you're going to have to go and get another license in order to practice.
- Maybe APEGA can take on the role of generating the PPMP for sole proprietorships, or a template for the PPMP that can help drive the sole proprietorship to ensure that all the facets are accounted for. It looks like a stage gate process.
- When you add that extra level of requirement for a permit to practice license on top of your professional member's license, then essentially you are creating it so that the professional member is a bus driver. He is no longer the driving force behind the company as such, he is now an employee. For him to play both roles, we need to give him that opportunity, in the proposed changes you're not giving him that opportunity. What you are saying is that the license of a professional member is fundamentally a driver's license now if you want to become a company to practice engineering you have to have a permit to practice, so in order to be the bus company, you have to get an extra license to be in business. That to me waters down your professional member. This can go that direction.
- Is there any perspective there where you're saying that the sole proprietor or the individual engineer or geoscientist is creating enough problems that there is a requirement to add this extra level of license ship (i.e. Permit to practice)?
- Is there information where there has been multiple situations that APEGA has had to deal with and that a sole proprietor obtaining a permit to practice will resolve those situations?
- I understand the need for a quality management system, that's not the problem that I am seeing here, what I am seeing though is the professional member's license is no longer the professional member's license (i.e. It does not grant them the ability, as a sole proprietor, so undertake engineering work, they need to have a permit to practice). You can't go out and

## Improving the Practice – Permit to Practice

practice engineering without this permit to practice, other than being an employee in another company. So that to me is an issue and unless there is data supporting the need for this change, perhaps that there has been so many x number of disciplinary problems with the sole proprietorship, where a PPMP was not in place, then fine, if the PPMP is the solution set, then let's go with the requirements of the PPMP, but if the permit to practice is the solution set, we need to see what data is available to back that up.

- The changes seems like an overhead that is best managed by a corporation, but makes being a sole practitioner difficult.
- I think part of the rationale was for sole proprietors to provide a PPMP.
- I like the idea of APEGA creating PPMP templates for sole proprietorships and small incorporated companies.
- The other intent was probably to remove confusion on behalf of the public.
- One last comment on permit to practice is that Municipalities are currently exempt from requiring a Permit to Practice. For those Municipalities practicing Engineering I would think this should change to requiring them to hold a Permit to Practice as well.
- Full-time employees a necessity? What about permanent part-time people?
- From the private sector, is this approach to structure this plan?
- Will APEGA have the resources to structure the PPMPs?
- Would there be an increase to the auditing resources to check in on Permit Holders?
- PPMPs are integrated into the existing systems, will that be maintained?
- Clarity needed around 'an individual' providing rather than a corporation
- Can 1 responsible member provide services for 10, 15, 20 companies?
- Are we pricing the sole proprietors out of the market if they also need a Permit to Practice?
- Can a professional licensee become a responsible member?
- I'm at the forefront of my evolving field, will a PPMP impede my practice and affect my capacity to make a living?
- With the sole practitioner, would a PL need a Permit? How about a PTech?
- Is it in the public interest to have 1 responsible member for a huge corporation?
- How do we implement the new requirements for PPMPs and Permits to Practice given the widespread unemployment in the Geoscience industry?
- 'Full time' permanent employee in the briefing note for RMs, would part time employees also count?
- \*Briefing note: PPMP would each of the RMs stamp the document? There are a hundred RMs in this Worley Parsons Company.
- From the private sector perspective, the PPMP plan: is there an intention that a governance of the plan be set up? Also, will there be an audit or review process by APEGA on an annual or certain timeframe basis?
- A former employer have integrated the existing PPMP in the proprietary integrated management systems. Hope that is retained and a great way to enforce it and that those portions of the management system will be stamped by a RM. Member very positive about this item.
- Permit to practice sole proprietor who is not incorporated can get a permit to practice: the briefing note doesn't specify a corporation.
- Can 1 member be a RM for several companies? How does this meet the intent of this

## Improving the Practice – Permit to Practice

regulatory change? For more than 1 permit holder?

- How is a sole proprietor being a permit holder - going to get a PPMP “peer review” as it is a requirement of the PPMP. Is this going to price them out?
- Can a professional licensee be a RM within the area of their scope of practice?
- I’m a sole proprietor, I’m making a living off my ideas, a PPMP won’t necessarily capture, my profession is still evolving – kill my creative freedom – how am I supposed to make a living? There is a supervisor being used who is a permit holder that reviews and if the company uses my ideas/design.
- Took the permit to practice course recently, it was a recommendation only 1 RM for about 10 people. It seems strange for only 1-2 for multiple hundred organizations.
- Does a PTECH need a permit to practice?
- Sole practitioners: concerned about the timing and the implementation in these times; permit in place, insurance, PPMP: geoscience industry. Very hard to comment on regulation when we don’t know the implementation effects on people.
- To get permit stamp signed, need to send to Calgary, which can result in a delay to the process.
- Interest in having email authorization to have the signature be applied electronically.
- Interest in the amount of members that’s have sole proprietorship.
- Quality authentication should be responsibility of a company and not an individual professional member. Quality authentication should fall under a company’s quality management.
- Don’t agree with sole practitioner needing permit to practice. APEGA’s focus needs to change. Corporate giants with PPMP produce worst and poor quality engineering while smaller firms produce better quality work.
- No consulting firm doing design and engineering work for a client shall be allowed to delegate to the contractor during tendering. Designing should be done before tendering.
- Comment about ‘one or more responsible members’: Will it be based on the size of a firm? “One or more” leaves ambiguity and still does not solve the issue.
- For a firm with number of branches located in different cities, how does the RM definition work? Can one RM represent several branches? Does RM have to be present where the engineering work is being practiced? Certain larger consulting firm have only two RMs and the entire company is manned by technologists.
- APEGA needs to focus on quality engineering. Back in the days, there was no AutoCAD and the quality remained consistent. Now with digital technical world, there are lot of inconsistencies in the work and the quality of work has gone down.
- My company had to re apply for permit to practice because we re-branded and were required to apply for permits in each area. Why? We now need 3 or 4 responsible members whereas we only needed one before.
- Will this requirement for responsible members be communicated to the membership?
- How many responsible members per practitioners are required if more than one?
- What does the legislation require for PPMP in the current legislation? Does it just not define the details? Will future legislation include the details?
- Clarification – do responsible members have to sign and date permit stamps? We do not have to stamp and date stamp currently. Under the proposed change does each document have to have two signatures and not necessarily from the same person?

## Improving the Practice – Permit to Practice

- I supervised two companies and it is really important for the CEO to take responsibility for engineering work being done in the company – the good and the bad. In a medium/large company it is hard to see how that could work in a practical sense in terms of having two signatures required. Bureaucracy creates problems. We have drifted from consensus building and science into contested decision building and court activity.
- The PPMP is submitted to APEGA for stamping? Am I misunderstanding the message.
- Is the PPMP approved by APEGA?
- How does this contribute to liability and how is it used in civil cases?
- Is APEGA's role in terms of commenting on a PPMP just advisory?
- You touched on a lot of things but can you share with us what caused APEGA to want to get professional members to read and sign this thing?
- How would the PPMP look for the sole practitioner? Are the new rules are going to be in the PPMP itself? Or the PPMP will be decided by its own company? I just wanted to know, how APEGA control this PPMP?
- I just want further clarification for the permit to practice, and those practicing with the Government organizations. Those organizations do not require permit to practice, or responsible member. To me, there is need of clarification of practicing within Governments - Definitely provincial Governments.
- There is also need of clarification regarding what is in the PPMP for those organizations too.
- I agree with the recommendation for the PPMP.
- If I am a sole proprietor, or if I have a partnership, it's easy for me to control the PPMP. If I have only 5 or 6 employees. It's easy to communicate. But for consulting engineering, how do they implement this, how to make sure that happens in their PPMP?
- I just wanted some clarification - you wanted to define a RM as someone who is operating under a contractual, agreement, does it mean that someone that is practicing on their own could operate under a corporation's permit to practice? If so, they are working for a company so they won't need an independent permit to practice then?
- Second last line on page 3, says: "PPMP must be signed within the area of responsibility". So, are we saying there is a PPMP for every area of responsibility? Does it mean we should have multiple RMs? If yes, this would be very helpful because it's impossible that a single RM is knowledgeable on everything.
- Is APEGA going to designate/clarify how many RMs a company should have according to its size? Will APEGA dictate or provide guidelines about it? What about area of expertise, let's say, I'm a civil engineer, I wouldn't sign outside my discipline, say, someone of mechanical, there should be someone responsible in that area.
- I used to work for Enbridge which is a large corporation, and I would say, citing that example, that, the easiest thing for us, would be to give an area of the PPMP for operations, for construction, for building expansion projects, for pipelines... that would be the easiest way because PPMP content would be depending on the area of the organization.
- I like that you are proposing to remove the CPD (the seminar), into the program.
- We already stamp and sign our permit to practice – unless in rare cases it does not fit
- At some place we have a separate page (index) that covers a drawing set – Will this still be ok?
- What would we have to do with piping isometrics – there are a lot of drawings issued each week?
- Each responsible member will need to sign the PPMP – is this correct?

## Improving the Practice – Permit to Practice

- How do we apply permit stamp to instrumentation data sheet?
- Can we permit the index sheet of a package instead of each sheet? We can issue 100 or 150 a week
- Could we have each RM stamp a letter that says they have reviewed the PPMP and are committed to implementing it and file with this with the RM list and the hardcopy PPMP? This would be instead of stamping the PPMP
- A sole practitioner is now being required to have a Permit to Practice and a Professional Practice Management Plan?
- How much extra will this cost? Current cost (\$325 for P Geo + \$510 for Permit) is high.
- The cost of errors and omissions insurance is already significant. Can APEGA assist in discussions with insurers to reduce costs?
- What is the value of PPMP when there is only one person (sole proprietor)?
- How does this apply to a small company that is a non-operator?
- Are not professional members already quality controlled? Adding extra layers seems redundant.
- Are the Responsible Members liable/responsible to ensure that the company executes on its PPMP? It is sometimes difficult for RMs to control company actions).
- Will APEGA now require two layers of authentication for professional documents? Permit to Practice stamp must be signed by Responsible Member and the actual stamp for the work must be signed by the Professional Member. This will create a significant burden.
- Can dual stamps be signed by the same person?
- Question regarding extra cost for a sole proprietor to have a Permit to Practice.
- Comment that PPMP is redundant for sole persons.
- Response from APEGA representative that it could be pretty thin, depending on the scope of practice, but need a QMS for the public
- Responsible Member somehow liable for the action of the corporation?
- Isn't registration with APEGA sufficient quality policy, because we are held to standards?
- Point of clarification: the intent is to require two stamp per document
- Responsible Member signature and date with permit stamp
- Practicing Member signature and date with their professional member stamp
- Note: this concept has been introduced because we have seen issues with the public.
- Concerns raised regarding burden on responsible members to police every document.
- Response that the Responsible Member signs to indicate QMS is upheld, not to verify exact content.
- The two stamps could be the same professional member, i.e. you did the work and are the Responsible Member.
- PPMP Question – how is APEGA making sure PPMPs are meeting standards? Does APEGA have to review?
- Professional responsibility for PPMP and making sure being followed – don't have the authority in a large company.
- Why is responsibility put on professional member? The permit holder is the most senior.
- Defining who should be the responsibility member and problems in having that member make decisions for other members – can cause problem if professional member not have the professional knowledge/authority
- Problem that members don't understand where PPMP comes from or who is creating it.



## Improving the Practice – Permit to Practice

- APEGA needs to step up on how to enforce
- Responsible members – what does “full time” constitute?
- Why do both permit holder and member have to notify if no longer an RM?
- There are many subsets of areas – how to find someone who has the knowledge to assess the quality/completeness of the work?
- Setting up relationship between RM and professional member – could cause a lot of conflicts
- RMS are like a gatekeeper?
- Clarification question about PPMP: how is APEGA ensuring the PPMP created are of suitable quality? Is there a standard they must meet?
- Should I be able to go to my employer and ask to see the PPMP and ask who the Registered Member is?
- It looks like electronic stamping is not included in this change.
- I have 5, 6 levels of management above me. How can I be responsible as a responsible member to those above me when I don't have the authority to enforce it? I will be resigning as a professional member is this is enacted!
- We gone through 20 years of irregular growth (in people and knowledge) and consequently identifying a responsible member who can approve the work of all others is difficult. I don't see an authority in setting the bar on experience and knowledge. Who is best capable to have the experience and knowledge to be the responsible member as the role is intended.
- Responsible members can be managers or technical staff.
- Companies will take APEGA's PPMP criteria, do a few careful word replacements, and use that as their PPMP. APEGA needs to reassess how they enforce company's PPMPs.
- Semi-retired staff who are responsible members: when do they not become full time employees?
- If an individual leaves a company and is a responsible member, who is responsible for informing APEGA in the change?
- There are sub-disciplines within geoscientists. How can a responsible member (or a few) cover all these sub-disciplines? I realize this is not supposed to be about reviewing technical work, but the responsible member needs to understand the technical knowledge well enough to approve the quality? Where do we find these gods? We don't want a situation like an MBA running a hospital.
- Individual responsibility, responsible member responsibility, and corporate responsibility. We cannot forgot the corporate responsibility. Who is responsible for putting together the PPMP and ensuring it is followed? The intention of this is to clarify the quality management system, not to supervise individual technical work.
- Unwieldy to sign PPMP by all RMs
- Should be company's responsibility to manage RM list
- Will owner-side corporate entities require a Permit to Practice?
- For a company with multiple Responsible Members, why do all have to sign the PPMP? Larger companies may have 15 or even 100 RM's?
- If work is outsourced and is authenticated by the contractor, why and how must it be authenticated by the client company?
- What is the value of applying the Permit to Practice stamp? It feels redundant to apply two stamps to a final document?
- What is the value for an RM to authenticate and then apply stamp? (similar to previous)

## Improving the Practice – Permit to Practice

- What is the point for a sole practitioner to have a PPMP?
- Why do sole practitioners require Permit to Practice when their scope is limited; this creates bureaucracy. There is a danger for sole practitioners to simply download a PPMP from the APEGA website and sign it; does this add value?
- Example given by Permit RM: many Professional members of different disciplines are sometimes required to authenticate a document; unsure as to reason to additionally require Permit stamp.
- If the existing systems (set up by a company and identified in the PPMP) are working, will they be accepted by APEGA or will the company be required to change?
- Comment: having a set process is easier for clients to understand.
- What is happening with the stamp, since APEGA does not issue them anymore?
- What is the definition of “corporation” and “company”? APEGA should further clarify and add it in the legislative.
- Making clear definition on the sole practitioner part (E.g., Consultant on their own), what are the responsibility, liability and obligation. They should be included in the legislation.
- For the international company, clarification on the definition for that, how they apply against the permit to practice in both inside and outside of Canada.
- Will APEGA review PPMP before the permit requisition? How and who decide the deficiency in a PPMP? (Facilitator: the explanation on the review on PPMP)
- What is the standard content APEGA in place now for PPMP? Is there a minimum standard for the PPMP that requires following?
- Suggestion: There should be a clear content of standard or PPMP in APEGA, instead of the guidance line.
- Members should be responsible to/through APEGA not the company – likes the “and” in the 6<sup>th</sup> bullet
- Needs clarification
- Continuity important – responsibility of the permit holder to advise if role changes
- Responsible member – clarity of definition of role, procedure, system
- People need to understand the content of the PPMP
- The last bullet of this section of the Overview summary is not understandable
- CEO is not responsible member, but sometimes he might have to be because is engineer?
- How many responsible engineers and who is to be a responsible member?
- Looks fine. There are many responsible members in our company. COO is the one who signs, but this may have too many people signing
- Company would have the responsibility to sign every plan? Now is more explicit. Is it needed? This feels like being “nanny” to the professional members?
- The permit to practice stamp has to be on all documents. How are we going to manage that? How do we apply that physically?
- We have professional that do not know what the responsibilities are. I like the idea of the stamping.
- We need an update on the electronic system – it is a bad system. It doesn't work. It is expensive and should be rethought.
- Do we need to attend a seminar for it, if yes, when? Will it be tailored for responsible members?
- A responsible professional could be signing but may need Geoscience and Engineer. Process/system on the signing off – if there are two or more responsible, need to clarify if

## Improving the Practice – Permit to Practice

- only one of the people out of two or more are responsible members needs to sign
- Need example of what a Member of a Permit Holder.
- In the overview there is a redundancy “a member of the Permit Holder” and the last point “who is also a Professional Member”.
- Please clarify the role of the RM.
- One member said there was confusing information given at a previous PPMP where the RM also had to give technical supervision which is a problem when not of the same discipline as the PM. Why must the RM also stamp the final documents by the company?
- How does requirement for sole practitioners apply when they are a consultant to a company?
- There should be an option to do it either way: some consultants covering their own PPMP and liability who will pass these costs on to a client, and when the client wants the consultant to be under their umbrella.
- What is the point of making the RM stamp the PPMP - to add civil liability?
- Concerned with logistics of PM and RM stamping every document in a package. • Who decides how many RM?
- Clarity on what “a member of the Permit holder means”, how is it different from a full time permanent employee?
- Extent of responsibility for Responsible Member (RM) to ensure a PPMP is in place?
- Is a RM responsible for the quality of an entire technical document or the overall quality of a document even if the document is not in the discipline of their specialty?
- Does the RM have to be directly supervisory of a technical document?
- Will the RM have to stamp a document in addition to the engineer that is directly responsible?
- How will logistics be taken into account for an RM to authenticate every document that falls under their purview?
- Will contractors or consultants who are sole practitioners require PPMPs for each individual even if they are working for another entity with their own PPMP?
- It should be allowed that contractors or consultants have PPMPs in addition to the company that hires them.
- Will the requirement for individual consultants or contractors to have PPMP affect their liability for civil litigation?
- Clarify that on every piece of documentation, there will be two stamps, one of the individual permit holder one of the entity with the PPMP.
- Who will determined the number of RMs for each document for each company?
- RM hired by company – Contractor is not so is a weak link. Contractor within a company doesn't have the clout when something goes wrong.
- Amending legislation language used in summary is a problem. What is a permit holder?
- Documentation of non-conformity must be recorded and given to oversight body
- Words chosen in summary are ineffective – not following quality management plan wording.
- Re sole practitioner - how does that section get implemented?
- Re unlicensed PT – not clear when hiring unlicensed – which person should be hired?
- Hiring out for RM? (Contractual RM?) – Why is this being proposed?
- Contractor with own company and works for other company – do you need 2 permits to

## Improving the Practice – Permit to Practice

- practice? Do you need 2 RMs then?
- Should a sole practitioner have an RM too then?
  - Is there a limit to how many organizations an RM can act for? Are there risks involved with that?
  - Number of RM needed to be appropriate to practice? Will this be clarified?
  - Understand the intent of the language – “deficiency” – where will/is this defined?
  - Why don’t we define the PPMP as a quality management plan?
  - Under definition of member ex.: City dealing with regulations, does not have engineering work – do they need a PPMP?
  - Do all drawings have to have Permit stamp and RM stamp?
  - Individual (contractual arrangement) from outside of Alberta – should we be more restrictive. Limits are needed.
  - Are there minimum requirements for the PPMP? What does APEGA have for requirements?
  - Are we trying to remove responsibility of the professional member and give to the RM?
  - What protection is there when I authenticate a document and give it to a regulator? There needs to be recourse if document used for other than purpose authenticated.
  - Does APEGA has any idea on what the proportion/ratio of RMs is?
  - Has a sole practitioner had to have had a PPMP before? This would be difficult if working part time.
  - How many audits of PPMP goes on? Would appreciate some feedback from APEGA on it.
  - If a set up a corporation where I do not need to be doing stamps and so on, do I need still a permit to practice as sole proprietor?
  - As Consultant Company we can be under the company permit of practice.
  - Could you clarify the difference between member and the permit holder?
  - Expediting drawings you can have multiple RM’s?
  - The same member stamping a drawing and signing has to have a permit to practice?
  - Last question is you are saying multiple divisions could have an RM, so could you have multiple RM in one division if the company only do mechanical work. So permits are usually owner’s name?
  - The drawing under new legislation, is supposed to be signed by permit holder as well. That means that the responsibility of the owner is shifted towards the responsible person like the employee?
  - So the RM will have more liability compared to the owner? But they represent the company
  - There was a statement that the RM can be a contractor, could this person be residing outside Alberta? And they can work remotely?
  - My comment is with regards to the stamping, signing and dating of the professional practice management plan. Up to now we did not have to do that, we just used to have a plan and its updated regularly, so what the purpose of this is because the document is not seen as engineering document per se that we use to sign and stamp.
  - With the changing work force that we are having in Alberta requiring Permit holders and RM to advise on it at same time and let’s say that one of RM is laid off, he has 99 other things to do before thinking in APEGA’s list things to do as responsible. I think should be only the permit holder who has the responsibility to say to APEGA this is my list has now changed.
  - I do not know how many sole practitioners there are but it seems that we are making a little bit onerous on these folks to have to have both. Do not make them sign all.
  - Is there a distinction between sole practitioner and sole practitioner incorporate?

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- I think this is pretty onerous. I think you are adding another layer of bureaucracy without making sure that this is for public safety.
- That means their (sole practitioner) PPMP has to be signed twice for them and it may be better if APEGA recognize the sole proprietorship and tell them to incorporate their business and work as an engineer. This is an over kill process for APEGA that can cause a bad behavior and unprofessionalism of some sort.
- Relatively straight forward proposal; I have always used Permit to Practice Stamp
- With the current state of the economy I expect there are more Sole Practitioners; how many are there?
- Does requiring the Permit to Practice Stamp for a Sole Practitioner invalidate the quality of the Members Stamp
- For many companies contracting personnel are a “revolving door”; how does this affect the PPMP if Responsible Member is a contractor.
- Concern there are few guidelines for a PPMP.
- For a sole Practitioner, is there a problem for the member signing off on the technical work as well as the permit?
- I believe the situation and requirements are different in Saskatchewan; how do they compare with APEGA’s proposal?
- For a large company with many responsible members, it is often difficult to have them all sign off on everything.
- Are there any thoughts on having periodic reviews of the PPMP to insure continued relevance?
- Concerns of the lack of clarity during the stamping process, whom should be applying for a permit within an organization.
- Clarify if a Responsible Member (RM) should be knowledgeable on a document if it is not within their area of expertise.
- Lack of understanding in the given documentation if a Professional Member (PM) is responsible for the document to the same extent that the RM is.
- How do you reconcile the difference of scope between large organizations and smaller entities, the sole practitioner and smaller companies may have prohibitive requirements for Permits to Practice (PMP).
- What are some of the problems that these changes are meant to address?
- Are these changes meant to focus on the practice of sole practitioners?
- Is the lack of Professional Practice Management Plan (PPMP) for sole practitioners currently an issue?
- Can PPMPs be generic for particular disciplines for small companies and sole practitioners?
- For sole practitioners, who will check up on the work if they require a separate RM?
- Are there requirements for PPMPs?
- Is APEGA going to do more checking and auditing for PPMP’s of RM’s?
- Is a PPMP currently a requirement for getting a Permit to Practice (PTP)?
- Do you still only need to place a permit stamp at the end of a document and not throughout a documents progress to prove the involvement of a RM?
- Questions about licensing individuals and entities in other jurisdictions and countries.
- The responsible member in the company I work for is specialist in another area of expertise from mine. If I seal a document that I created, how a responsible member can put his name in that document without being responsible.

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- Is that going to be spelled out “for each area of practice there should be at least one responsible member”?
- Would that work for another offices outside Alberta?
- Would that mean that the company would have to duplicate in an area of expertise for each province? Is required in other provinces?
- Is it possible to have a responsible member that can act as responsible member for several offices?
- Putting in place a PPMP protects the engineers working in a company, meaning that they have a process which I like. I would like to have a definition as how many responsible professionals should we have for area, office or discipline and how many engineers. Please be specific with numbers.
- Another comment is that I do not agree to put stamps on every single document, it is too much, having an engineer signing and he signs under a PPMP and permit to practice, someone can look at the engineer name, the company he works for and if there is a permit and be sure that the process is already complete and trustable. Otherwise I will register all my engineers as responsible members who can sign. We need to avoid the double signing. A more of a balance in terms of when they have to authenticate please.
- Can a responsible member have to be the member signing?
- We think is redundant, signing twice if we have the engineer also signing. It might be better if we can put the name of the engineer in every single document.
- Since we are talking about changes to the Act. I agree putting permit to practice to every engineer. It adds value to the practice. But, I disagree with sole practitioners having permit to practice because it is costly, is burden in some practitioners and I get untruthful of the intentions of APEGA. I will have to ask also what is that money used for, but that is matter for another meeting.
- Since big companies have to have supervision from different countries and it becomes an issue for them already, how can you do using a telephone to verify all the details, with constraints of time how to be sure that we are showing the things in a good way in that situation and we are shielded from management in the company?
- Having lots of work from other countries, how can people from other countries adapt to all this requirements.
- Who has to sign the documents? The responsible member with permit to practice in Alberta, from Alberta or with Alberta base or residing in Alberta.
- APEGA is also trying to get rid of the foreigner licensee for a professional member right?
- How can tell if a person who is registered in Alberta one day, isn't going to move next day somewhere else.
- Is the PPMP expect that each responsible member signs the section relative to his responsibility?
- Wouldn't it be better to have one person sign it for the entity instead of many people signing it?
- Definition of a professional member of the permit holder? Why not just a professional member of APEGA?
- What we are missing is one size fits all... there is no additional protection having more engineers signing.
- Page4 statement is vague, we need more clarity
- There should me more coordinated responsibility among the responsible member, we

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- should have a person who will be responsible
- Page4: who would determine the change? The corporate or APEGA?
- Should indicate that anyone practicing engineering has a responsibility to know the PPMP (not the case right now)
- In case of letting go or resign of a responsible member who should notice APEGA or replace the member?
- How do you ensure quality of the PPMP?
- APEGA will have to staff up a lot more, if you need to apply these changes
- Incorporated one-person company with permit to practice; currently stamps work and writes permit number; in the future would he need to use permit stamp also?
- Requiring the use of two stamps (member and permit) would seem redundant if signed by the same person.
- Using both would be consistent from company to company.
- Could the public be confused by a member signing both the professional stamp and the permit? It would appear he is approving his own work.
- Could the fees for the permit be an onerous burden for sole practitioners?
- Member questions the value of a Responsible Member seminar every five years; more value seen in Peer Reviews of PPMP for feedback and improvement. (Several members agreed with this comment). This would be especially valuable for small companies and sole practitioners.
- Suggest CPD seminars from APEGA that provide guidance on PPMP preparation.
- One member glad to see sole practitioners be required to have a Permit to Practice.
- What about the partner? (Non-APEGA company partner)
- Is the RM responsible for quality of the document?
- Better definition of RM is good
- When you have a lot of RMs, getting all to sign might be difficult (i.e. 50+ RMs). Perhaps one per discipline or another way to track, otherwise continuously out of compliance (email?)
- Permit Stamp – will it be standardized? Will APEGA provide this? Will the RM name go on the stamp? Print name? Professional member number?
- What is the change for the sole proprietor (what is before/after?)
- Is it conflict of interest for sole proprietor to sign both tech and permit stamp?
- Who will approve the quality assessment system? (Is there a guideline?)
- Will APEGA provide template for PPMP?
- Proposed changes to description of RM – contracted employee in what situation would be RM?
- Who decides how many RMs are required? Firm that practices engineering vs. firm that hires engineers?
- How many RMs for Municipality? Who decides how many are required?(2015 PPMP for RMWB named 8 responsible members)
- How often do you need to review PPMP?
- What is the liability of responsible members?
- When do documents need to be “sealed” with stamps? (Engineer and PM) Stamped prior to reviews when multiple reviews required or only upon final completion/approval?
- What is the benefit of adding the additional signature (best practice right now but not

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required)

- Responsible member and professional member – can this be the same person?
- Pyramid of authentication created by having each level (i.e. a contractor passing information to EPCOR we will be relying on) stamp their own.
- Typically one RM per how many people?
- Bottleneck issue? (i.e. single RM is on vacation – someone needs to cover)
- With respect to the new requirement for permit holders professional stamp. For a large corporation, are you envisioning that the responsible members will be holding that stamp?
- Related to the construction industry (any sort of mechanical, structural, architectural, construction consultants), that is building systems. There is a number of stages, issuance of documents like drawings, and one or two review stages. There might be a permanent approval related to the municipality, there might be an issue from them, a situation, an issuance of documents, there might be an issue for construction, and just with any, or most of them, and then you get them one as these addendums that add to the recorded draw stage and if you look at (what I understand will be happening right now), is that, often times, an issuance might be a field requirement suitable, colleagues?
- There are two words that came out in the presentation, there were rely upon, and there was also final. Rely upon: basically there are people relying upon on documents at any stage; and final, you never see authentication that is right now, on the record drawing. It is important because, if that's really what you want, you need to be clear about that, to the consultant."
- What about complete packages supplied by construction companies, as local control systems and all those things? In that case, are you telling that the whole engineering package around that equipment, need a stamp, or do not need a stamp. That is not clear. When you buy a compressor, it comes with control systems, protection equipment... that needs to be understood.
- I am having a hard time trying to understand, an issue for bid, an issue for tender, the purpose of our stamp. At the end of the day, it's dated to be relied upon, for something to be built, not to protecting the public. Nobody is building anything, the public isn't at risk, on our tender packages. I don't understand why we are going through all these costs, passing them on to our stakeholders, I don't see the value on this. Maybe someone can help me to understand them.
- Regarding the issue for bid, issue for tender, whatever the one it is, we have lots of people already in place that handle these on the procurement side at issued and tendered documents. I don't see the value we are getting out of these other than I have to get the stamp on site (my responsible member), and put the permit number on it, and then issue it. As I say, nothing is getting built, issuing a tender, we are not protecting the public, and in procurement they protect this on the tender.
- I am not sure if the Responsible Member (RM) is the right authority to audit the quality control, because I'm not really trained to assure that all documents in my office meet a certain level of quality, company guidelines. There are offices in my company that make sure that all documents meet a certain level of quality. My role is more about making sure the work is done, using acceptable standards of practice. I think asking the RM to do the auditing. That would be a new competency, to verify that documents meet the APEGA requirements? Especially when it's not recognized in the company to do so as well. In authorizing the work, the company has management systems



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- My question is related to the RM signing the permit stamp. I know we used to do that but we still doing that in SK, I have this query and would like to ask what value this would add to the process. In my company we are used to issuing packages, hundreds of drawings on a regular basis. This would add a significant step to that. If the RM is not looking at the technical details for the drawings and the correction of that, just that the quality system is being followed, is in place, it's according to the professional measurement plant. Is it necessary to authenticate that on each and every drawing, or would it be more appropriate to authenticate that, say, to the registrar? APEGA? on a regular basis, say annually, quarterly... under what circumstances when a RM not sign a permit or drawing, and turn it would be reasonable, and then all of a sudden, would be that the quality systems wasn't being followed, or would this be more of a routine approval, one more step, or reasonably, we will see someone not stamping a drawing. Would someone please clarify that to me? What will be the RM typically looking for in a drawing when it is in front of his or her desk?
- Prior to this, we didn't have to stamp, actual permit stamp, could it be just a number? In the past, we just saw the stamp but not signature, is that malpractice?
- Can the engineer who is the CEO, can they also sign the current stamp?
- Each RM will be requested to stamp for each RM in a corporation? So each RM in a particular area of practice would have a permit to practice on the profession? I work in a corporation that is 8000 people, so, everyone will be chasing one stamp. Can we have 15 copies of stamps?
- When we have multiple permits to practice stamp, how do we know who has to put the signature? When we have multiple professions and permits to practice, I just want to have operational duties, and an engineer responsible member, now the same person signs for both. But when he have so many people, why the same person should take the responsibility of all?
- I want to defend the embossed seal. I have lots of references from forensic engineering, that they request, explicitly, the use of embossed seal, instead of stamp, because the stamp has an ink on the text of the letter
- Authentication parts of documents that come from purchase outside the province, that comes also in two ways, what comes inside and what goes outside - Am I correct in understanding, the intent is going to be, for the person that is contracting outside of AB, to provide and ensure that the person that is doing the job obtained the necessary permits and authorization to do that work in AB or is willing to take responsibility by authenticating it themselves?. As a follow up, I can see issues arising in the consulting industry, where you are contracting with very specialized fields, where there are very limited choices for people that choices of people that you can go to, that you haven't the expertise, essentially you are paying for it so, you can use it, you are basically trusting that expertise through a contract. You are putting people in an awful position there because you are asking them to act as a policemen for them to make sure they jump to the register, and you are telling me, they have to take responsibility, even when they don't have the expertise whether they don't know whether the information they are getting practiced could be practiced differently".
- if you are doing work outside of the province, and they need to make sure that you are properly registered, I guess, is not clear from the wording right now, it's almost as if you are implying that whether you are doing work outside the province, or inside the province, you have to authenticate it. My comment would be that, put it in some words indicating that authenticate doesn't mean go to registered individual because, that is really irrelevant, if you are doing work in ON, BC or somewhere else, because they are not looking for AB

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registration. People tend to assume that AB regulation is sufficient to meet the regulations here. It needs to be clear that the authentication is for work incoming to AB.

- If you have 120 drawings, can I just put a stamp or a cover letter instead or authenticate one by one?
- I have some concern for some engineering products that are quite complex, e.g., modular buildings, entire buildings can be brought in, and by your definition, I don't need to authenticate that, but if I built, I would need a stamp, for a building in that same spot and that same function that would be authenticated. There should be consideration and updated with that.
- In geosciences area, there is a lot of plans, sketches, cross sections, and things like and they are usually involved in some sort of a text or report and context from which they are derived from, and themselves they are authenticated and individually stamped because they are considered volume of work. But unfortunately those documents are taken from the report, the context is loss. That's a grey area we are struggling right now with refers to authenticating."
- Can we authenticate e-mails? or are they banned?, how do I authenticate an email?, if that's what you are up to, then, we should do that, because we are not going to print emails... perhaps, there is something you want to introduce, like a digital thing, that applies specifically to emails instead of living everyone up to their own devices.
- Very often the design consulting are not involved in the day-day inspection of the construction work, it may continue in the construction phase and they might get call a question or upon to do periodical inspection as needed. When it comes to as-drawn joints? In that case should be the engineer stamping that document?
- The idea that you should use perhaps a PDF bar, or stamp signature to authenticate emails. I think the current guideline for authentication recommends against using a digital stamp of signature because we can't maintain control of them, so, if we are going to the authentication of emails, it should be a secure tool, and a Notarious software that we are using for emails now should be addressed and a standard tool for people to use.
- How are we handling 3D modeling, and scans coming back from the fields?
- With respect to as-built, the change you propose would add a layer of effort for the design engineer that would need to stamp all of those, because previously we shouldn't have to authenticate it unless we verify all aspects of it
- With reference to as-built - it's really impractical, to go to with stamp because mostly the consulting engineer design is no longer working that consulting company, and the project starts and the whole thing, expected is minor changes, in terms of instrumentation and controls, and I don't know about other disciplines, but, stamping early, is going to be a big challenge.
- The client is requesting as built drawings for who are not the designer, what are we calling them now, as recorded drawings? And you will say on the drawing, this stamp is to those changes only?
- Contract employees (the individuals giving service to corporate companies), do these contractors need to develop a PPMP?
- How is PPMP going to work for a sole practitioner?
- Explain the rationale behind a sole practitioner required to obtain a permit to practice as well as their individual license.
- RMs individually responsible for a large company is a conflict between general business

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practice and PPMP.

- Clarify – sole practitioner to stamp, have permit, and have PPMP – meaning overlap of PPMP?
- It is not beneficial to contractors and sole practitioners that they are expected to buy a second license from APEGA to practice.
- Sole practitioner is hired by a company with PPMP. It is an overlap of PPMP, which one governs?
- Sole practitioners who cannot offer responsibility, this change will put them to double jeopardy. Charges against them as professional members and charges against permit to practice. It will be double charges, an 'overkill'.
- When a RM stops being RM (leaves a company for an instance), both the company and RM advise APEGA about it. This will result into tremendous administrative work both for APEGA and the company involved to keep track of PPMPs.
- Need clarification about digital signatures. Printed document can be copied. What is the difference of stamped document and scanned document?
- Do professors need permit to practice? Should universities have PPMP?
- What's the purpose to changing to multiple Responsible Members? Can you exemplify when more than one Responsible Member is required?
- We have a permit to practice that includes a mechanical and electrical Responsible Members. Will the electrical engineer be able to authenticate work that belongs to the mechanical engineer scope?
- Technically, can any Responsible Member sign the Permit to Practice?
- The person is confused between Responsible Member and Permit Holder. He asked if there are other categories of members, and whether a licensed member can have a Permit Holder or be a Responsible Member. He asked for clarification.
- Will each Responsible Member need to participate on the creation of the PPMP? Q: Will every new Responsible Member have to sign the PPMP?
- Given the role and responsibilities of a Responsible Member, what's the definition of a Responsible Member, what level of stake in the company does he/she need to have?
- Clarification on requiring Responsible Members to inform when they cease to be a RM. Do both the licensed member and the Permit Holder have to inform when the RM ceases to fill that role?
- Would an ASSET member be allowed to be a responsible member?
- Do all responsible members have to sign the PPMP?
- Can the responsible member be a part-time employee? Will you consider making this explicit?
- Liked the fact that clear definitions of the terms were provided
- Worried about the potential contradiction in asking to sign, stamp, and date the PPMP based on the APEGA's proposed new requirements to authenticate documents (discussed earlier in this session)
- Is the PPMP going to be reviewed by APEGA?
- How will APEGA ensure there is a minimum of consistency between different PPMPs based on scale of practice (e.g. requirements for sole proprietors, big companies, etc.?)
- Will they be timely reminders/notifications by APEGA about the seminar session requirement to members that miss it?
- Are there going to be standard requirements for PPMPs as well?

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- Are there going to be standard requirements for PPMPs as well?
- What member that is regulated through asset be allowed to be a responsible member under PMP? -when mentioned? Every responsible person should sign and stamp PMP Yes any responsibility, is it Geographical -could a responsible member be a part time employee? - updated definition, when says responsible member have stamp sign and date the PPMP, it has contradiction with authenticating and professional document sign provided earlier, provide clarification here. - All kinds of PPMP around different sizes 2 or 20 pages. APEGA doesn't review PPMP? How make some consistency -does APEGA send 5 year reminder for expiry of course? - requiring stamping is contradicting, stamping is not something legal, signature is more legal
- PPMP for sole practitioners, before receiving the permit can he submit the PPMP to see if it meets the requirements? Someone may practice for 5 years and their PPMP may not meet the requirement of APEGA -PPMP in terms of signing, dating and stamping and recognizing the seriousness I presume is it correct to say. put APEGA.... it was mitigation against the member -sign stamping, I fully agree that future responsible member should sign Stamp date the PPMP, I disagree the stamp should be applied, it's not the right recognition and it may have misunderstood we achieve more with signature
- It should be acceptable to have a list of responsible members rather than to have them all to have to sign the PPMP or other documents.
- Couldn't a permit holder simply supply their quality program to APEGA to prove that they have a system in place rather than adding the permit stamp to each document they authenticate?
- Another comment that the permit stamp doesn't add any additional value.
- For a P.Eng. stamping their drawings, they are taking the responsibility already for the work, the permit holder already has a PPMP and presumably a QC/QA system in place, what is the added benefit of having the permit holder stamp being added? If there is a QA/QC system in place, some aspect of the work will have already been reviewed by someone else.
- For an individual consulting engineer, or sole proprietor, who would be available to "check their work"? QA systems usually require that the work is checked by someone other than the person who performed the work. In that case presumably the client's approval of the work would represent the check. Again, there is no value added to the process by having this individual apply a permit to a document which they have already authenticated.
- How is the permit holder's stamp going add anything if the person applying the stamp

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doesn't review the stamping engineer's work?

- There used to be a permit stamp and that was eliminated. This system has been working fine for many years. Going back to the permit stamp seems like a step backwards, particularly for a company where the person stamping the work would also be applying the permit to practice stamp. "If it ain't broke, don't fix it."
- On many engineering documents, such as drawings, space may already be tight, requiring more space for another stamp, which doesn't add any more value to the document, (which already has an authenticating stamp from a P.Eng.) is a waste of space and time, particularly when the person applying the permit is the same person who authenticated the document.
- An individual, who has already studied engineering and passed accredited courses, then worked in an engineering capacity for the proscribed length of time, and passed the professional practice exam, etc. thereby earning their P.Eng. has already demonstrated their competence to work as an engineer. By authenticating documents they are demonstrating that they accept responsibility for their work. Earning the right to be called a Professional Engineer is the level playing field for all practitioners.
- It may be reasonable to require a PPMP and attendance at a responsible member training course for a sole proprietor, but it seems unreasonable for them to develop a QA/QC system before they start their professional work. They are taking responsibility for the work that they perform, and by so doing, they are inferring that they are competent to do the work that they have done. Where is the value-added benefit to adding a permit stamp to their work? These proposed changes seem to be additional impediments to a small start-up engineering operation, which already has invested at least 8 years into gaining the right to operate as a P.Eng.
- What is the motivation for these new proposals? Have engineers practicing as sole proprietors been performing incompetently and thus jeopardizing public safety? If so then they should be investigated and dealt with appropriately on a case by case basis. APEGA should not be adding impediments to qualified individuals to practice the profession that they have been trained for. These proposed changes only add bureaucratic burden (disproportionately) to sole proprietors and small businesses, with little or no discernible benefit to society. These proposed changes would simply be additional hurdles, in an already complicated process, delaying someone from earning a living doing what they have been trained to do.
- Why multiple RMs?
- Clarify definitions of RM, as it relates to providing services particularly to a firm involved only in fabrication.
- Clarify if all RMs with a PH need to be involved in the development of the PPMP? Is it satisfactory that all RM sign the PPMP?
- Clarify that the PH and all RMs in the firm are required to inform APEGA of any change in the firm's RMs for any reason (e.g. resignations, retirements, etc.)
- Large # of contract employees. Will they be required to provide a PPMP?
- How will large companies with a large number of employees develop a PPMP?
- Why requirement for sole practitioners? Disadvantage to Alberta.
- RM for all is going to be very cumbersome and put Alberta at a disadvantage.
- Sole practitioner to have a stamp and PPMP? What if he hires a contractor? Is he covered by the individual PPMP? Bureaucratic and an APEGA cash grab? What if

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- PPMP overlap?
- Sole practitioner could be put into double jeopardy. Member and permit holder fines may be both applicable.
- Stopped being a responsible member in a large org. will be a large bureaucracy.
- Stamps for permit holders? Is there going to be a security issue?
- Whistle blower legislation protection?
- As a professor, do I need a permit to practice?
- This will restrict all guest lecturers.
- Can an ASET member be a RM? Scribe comment: Was the question really asking if a Prof. Licensee be a RM? What about the situation of a “work” in progress?
- Can the requirement that all RMs must stamp, sign and date the PPMP be relaxed to not require the use of the stamp? A comment from another individual stated that this requirement seems to contradict the issue of professional responsibility.
- Can a RM be a part-time employee?
- What is the intended scope/detail expected in a PPMP of a sole practitioner?
- At present APEGA does not review all PPMPs, will there be a change in the future?
- Does APEGA send a reminder to RMs to attend the Permit to Practice seminar on the five year cycle?
- Why should the RM be required to apply their stamp to the PPMP?
- Comment: The requirement in the proposed revision to the act to require that all RMs will be required to not only sign and date the PPMP but to apply their stamp would be looked upon favourably by the courts.
- Should organizations have a list of responsible members?
- Hasn't APEGA already recognized the member as being responsible? Why do we need an additional stamp on a document to certify that the work has been carried out?
- Will a sole proprietor need to apply 2 stamps to their work as well?
- Could a company provide a Q.C. log to prove that the work has been reviewed by a responsible member to avoid stamping twice?
- The act of stamping by a responsible member on work already reviewed by a professional provides no gain; there is already a process in place in most cases.
- -provides a Q.C. system and ensures consistency throughout an organization is uniform.
- Isn't this the role of a PPMP in an organization already?
- Is it APEGA's main push to make the current system uniform for organizations and sole proprietors?
- What value is being added by adding a second stamp to a document?
- What are the current fines?
- Who owns a design? The engineering company doing the work or the customer?
- What if a design is from an overseas company? Does it need to be approved here in Alberta?
- Surprised by the wording “permanent, full time employee”
- Struggling to understand the need to sign, stamp, date (authenticate) the PPMP (as a non-technical document)
- Who will define these phrases: “Within their area of responsibility”, and “as appropriate to the practice” (in reference to the number of Responsible Members)?
- You mentioned in the preamble that the idea behind this was to clarify some of the

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definitions, looking at other legislations language can be pretty opaque, I wonder if this is the best place to do it, or if you are going ahead that work should go hand in hand to the responsible member training materials and other documents available on the APEGA website.

- Pertaining to the recommendation about the definition of responsible member, I do not agree on the last bullet about an individual providing services to the permit holder through a contractual arrangement. To me that opens it up to having it be a hazy set of channels of somebody providing services to somebody else, so somebody could hire an engineering consulting firm, where that person is a contractor too and to me that is just asking for trouble, so I would suggest that definition not be there.
- It troubles me that we have small firms practicing engineering and have someone part time looking at their engineering, that to me goes against what we are trying to do as an association in terms of providing some regulation and professionalism, so that really saturates and waters down what we do as a profession (in the case of contract engineering services, where a firm does not have a full time engineering professional). If you practice engineering you need people to be there doing it full time and I would expect our leadership to demonstrate strong leadership.
- I don't see any issue with the contract type arrangement.
- Concerns about a contract responsible member, I don't agree that we should allow them.
- More than one responsible member, are they going to be jointly responsible, in a large organization that could be difficult to achieve, especially with a firm with several branch offices. Each responsible member may not be available to oversee all of the work happening in all of the branch offices, or is each of the responsible members going to be responsible for overseeing work down in its own branch office for a certain number of people. I assume this is currently happening and would continue to be the case.
- I agree with having multiple responsible members, especially with large, multi-discipline firms where you have thousands of people in an office, you definitely need to have, I mean you do anyways, but I think you need to put that rule or guideline out there that a requirement is to have more than one responsible member and have a trigger point (size, number of members, types of work etc.).
- My concern with a large number of responsible members is that if in one part of the firm something was not occurring in accordance with the PPMP, would you be potentially tagging a responsible member somewhere else with fines / administrative penalties, like if it is not within their scope or if they are in another branch, how would they be expected to know that practice in one of the other branches was not occurring in accordance with the PPMP.
- Just as a follow up with the authentication requirements (to be discussed as the next topic), when stamping and signing the PPMP, will the same requirements apply to stamping and signing of the PPMP?
- Suggest amending the bullet for an individual providing services to a permit holder through a full contractual agreement. Add the 'full time' to the contract agreement to be a responsible member for the permit to practice.
- Sole practitioner needing a permit to practice, quality management system for an organization, same as the PPMP, to me I see it but it also seems a bit unfair to make an individual come up with (also pay more money for the permit) these plans. Why has the bullet point about sole practitioners needing a permit to practice, why has this come up? Like checking for example, when working by yourself, how do you get your work checked?
- What are the cost implications for a sole practitioner that would have to obtain a permit to

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practice?

- Are we going to lean towards having a 'standardized' PPMP for all companies so we have a way to review them against each other?
- I understand that but if a review is called for, without any similarity, is the review just based on the judgment of the reviewer?
- Could there be some clarification about the definition of a responsible member under a permit to practice including another professional who is just providing the services to your company? (Contractual agreement). Is that basically to cover someone that is contracted versus a full time employee?
- So someone like a sub-consultant, you would not need any of the other definitions, correct?
- Reference to the requirement of all Responsible members (RMs) needing to sign the PPMP, that seems impractical in a large company that has a large number of RMs for them all to sign and stamp that.
- If an individual is providing services as an RM to a permit holder, how will he/she ensure that the PPMP is being followed? Will he/she be allowed to do an audit annually or something? In this case would be providing services through a contract.
- Regarding changing the requirement from needing only one Responsible Member to needing one or more Responsible Members, as appropriate to the practice, how will it be determined how many responsible members would or could be needed?
- If the Permit Holder has several PEng, only some of them can be "Responsible members" and others may not be allowed use their stamp?
- I'm struggling with this idea that sole practitioners require a permit, in some cases someone could be doing part time work and it seems that his individual license should be sufficient, in other cases it may be someone doing some engineering for another company that is a permit holder and could work under that permit. I think it is too stringent with the clause requiring every sole proprietor requiring it so I would leave that out.
- I'm not clear, say an overseas company trying to open a sales office in Alberta and selling engineering products which will be used in Alberta, if they are trying to get a permit and later on, of course they need an RM, if they hire an RM (an individual) through a contract, that RM should have a permit to practice as well? Or just the APEGA membership would be enough?
- The overseas company has hired that APEGA member to act as an RM for their PPMP, so that member needs to have a permit to practice as well? Or obtain a permit to practice? That overseas company does not have any employees here in Alberta, but they have a sales office and they will be selling engineered products here in Alberta, so looks like they would have to obtain a permit to practice and would have to get a PPMP later on for them they are going to hire an RM, who is already a registered member of APEGA, that RM does not have an individual permit to practice, but in future, they would need one, is that right?
- Clarification of the various scenarios of when an RM, Permit to Practice is needed in the case of oversea companies need clear guidelines for the members to follow.
- Sole practitioner would need a permit to practice.
- Pertaining to the permit to practice stamp, my understanding is that it is not necessary for it to be applied, only a permit to practice number and a signature, so with the legislative changes will the language be adjusted to incorporate that practice or are we moving back to the practice of putting the stamp in? So we are moving away from just putting the permit to practice number and signature.



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- For an individual member practicing engineering and geoscience, could the same person be the responsible member? Sounds like if you practice engineering and geoscience you would need 2 responsible members at least.
- I was a single member permit holder for 8 years of my career and I looked through the requirements for the PPMP and the quality system. It seems to me that those documents in place are much better suited for a large organization in the sense that they communicate across individuals, expectations and processes. To me it seems like a burden for individual practitioners as there really isn't anybody to communicate other than externally. I wonder if APEGA has given any thought to that particular issue and the reason I raise this is because when we burden, there are many very specialized technical people out there that are sort of on the edge of retirement and this sort of thing will just push them away and they will shut their practice and close their doors. We won't have access to those people. I am not out on my own anymore, I work in a company but we do utilize those specialists and I am concerned that APEGA hasn't really thought that particular issue through.
- I am aware of the requirement for an incorporated sole proprietor to have a permit to practice, but I thought that when APEGA reviews the requirement for PPMP and quality management system, which they would consider the need of those documents and the scale of the organization that needs to provide them. When you look at what's required there, there are a lot of things that just don't make sense for an individual practitioner whether they are incorporated or not.
- I agree with the suggestion to change the Permit to Practice instructions and processes to recognize sole proprietors.
- Agree, with same comments in regards to sole proprietor.
- I agree with getting the clarifications in the act, but I agree with the comments about sole proprietorships. I believe it adds a burden to single individuals who are trying to practice.
- I am incorporated so the change does not really affect me.
- I generally agree with the changes.

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- The proposed PLI would eliminate the ability of a large company to 'self-insure' if they chose.
- I did not realize this was not a requirement. In today's world this is a must and never considered otherwise. I expect very few professionals would not already be carrying a PLI policy.
- Wasn't there a comment earlier that PLI would be from designated providers only if it was mandatory?
- Was it indicated that council would decide how much coverage you're supposed to carry? I thought there was a point there that council would indicate how much coverage you were supposed to have. Am I incorrect there? I agree, there is so much differences in the

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amount and type of work you do that setting coverage amounts does not make sense.

- I would add that for the consulting industry clients sometimes specify how much PLI you are supposed to carry anyways.
- Clarification of whether APEGA will be making recommendations of the minimum coverage amount or not.
- If APEGA wants to negotiate better premiums for us go right ahead.
- Sole practitioners will have to get a permit to practice if they want to consult, and this requirements is that anyone with a permit to practice will need liability insurance as well, is that correct? I work for a relatively large consulting company that from time to time has people on contract here that are sole practitioners, but work for us under our insurance, but this requirement would need them to also have their own insurance before they ever got to working for us. Is that correct? I have concerns about this one forcing sole practitioners out of business basically. It seems like there are a lot of people in Alberta right now who are sole practitioners and not necessarily by choice, but because of the economy and then this would be an added burden on them to have that insurance even though their intention is to not practice by themselves, but to practice under the umbrella of another organization/company as projects come up.
- This recommendation does make sense generally. I am worried about the extra obligation on sole practitioners though.
- Will the professional liability insurance currently available through CSPG meet the new APEGA standard? CSPG = Canadian Society of Petroleum Geologists
- Is it going to be mandatory to have PLI for all members?
- Do these PLI changes apply to all PM's or only those employed by consulting companies? I.e. If I am a PM in a manufacturing or operations company, will I require PLI coverage under the new legislation changes?
- Generally agree with consulting engineers having to have PLI.
- Generally agree, though w/o the minimum coverage regulated there may be large disparities. And if minimum was high, it would add a cost burden.
- It would be helpful if this came out with general guidance about contract review because where we run into a lot of potential issues with contracts is that there is either no standard of care in the contract or the standard of care clause in the contracts that we are given by our clients are written in such a way that they could actually invalidate our professional liability insurance coverage. Understanding the wording in the contracts and the impact it's going to have on your insurance is also something that both professional members as well as receivers of our services need to understand.
- This PLI requirement is applicable to only consulting services?
- I understand that having PLI will improve the optics in the eyes of the public. However, the penalty for not having PLI that may come out of the court system may be sufficient. (I do note the comment that the government has essentially made this a requirement).
- Just wondering why we are limiting this just to consultant firms where the risk to the public could be by other firms as well. Need clarification on this item.
- I do think that there should be a requirement for the level of PLI. As a professional member or even as a permit holder as necessary, I suspect as you go up the food chain, going from a professional member to a permit holder, with multiple professional members and potentially non-professional members working, the responsibility and level of minimum insurance should increase proportionally considering where the profit is coming from any

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work. For instance, the professional member working for a permit holder is not a profit receiving member but a paid employee, whereas the profit is actually being generated by the permit, as such, if somebody was going to sue the company, they would sue the largest pocket, which is why you sue an entity that has money versus an entity that does not have money.

- I'm also licensed in two jurisdictions in Canada and one of them requires that we have \$100,000 in liability insurance that comes with the licensing as a professional member. I do see the potential for APEGA to get with several insurance companies and work out a deal for its members to get a preferred vendor for this liability insurance. It's easier to bargain as a group of several thousand versus a group of four.
- Most projects that we bid on now, it's a requirement to disclose how much liability insurance we have. That is something that may become more and more of the norm in Canada as well.
- There should be some onus to disclose to our clients or to the public in some cases as to what that liability level is as well, aside from the PPMP.
- If you are submitting an RFP, you should state what the insurance coverage levels you have are. Similar to where we are requiring contractors to disclose the level of coverage that they have, we should have to disclose to that same level as well when submitting bids on contracts.
- Stating the amount of insurance required for a multinational company would be problematic.
- PLI requirement needs to have the flexibility and is there a possibility to get economies of scale?
- Do we really need a floor for coverage? Do we leave it up to the clients?
- Is this really smoke in mirrors as it conveys to the public that there is insurance coverage when catastrophic engineering failures might be worth far more than coverage.
- We don't want to appear to have a favorite insurance provider; however, we have a current relationship with Moleche-Monex... we need to dispense with that quickly.
- What evidence is there from APEGA that people are being sued? What will this accomplish?
- Do other self-regulating professions have this requirement?
- Concerned about stating in the PPMP about the coverage limit, it can be confidential in nature.
- In a multinational or even a sole practitioner, might be both wanting to keep limits confidential.
- My corporation has PLI and is customized to my needs, an underwriter needs all the information to make a coverage amount – through a broker. I still choke when I fill out the broker paperwork and insurance cheque. It's really customized for large corporations and small practices and based on needs. Look at the flexibility of insurance coverage.
- Bulk buying power, APEGA should look into this.
- Public or not, clients often want proof of insurance and you get that from your broker.
- The devil here is in the details, a lot has been covered by insurance, but rarely has it been actually used.
- Minimum insurance requirements might be considered smoke and mirrors. Miniscule to a catastrophic event.
- Some additional thought: gives the public what they are looking for but doesn't put the profession in a better place, this is a mass overhaul.
- Conflict of interest: Meloch Monex (TD): APEGA should immediately close off the

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relationship for no perceived conflict of interest and this proposed legislation change.

- The legislation would not have minimums, seems strange that there would not be maximums.
- What data or info does APEGA have on numbers of people getting sued or claiming against insurance I know maybe 1 person who has claimed against their insurance policy? The times we know are usually catastrophic for which insurance policy would not have covered it.
- Do other provinces have this requirement?
- City often hires consulting engineers to do work – but not all the time. Sometimes work is done in house (ex. Line painting or signage is taken off the design engineer's list) – would the City need liability insurance for small jobs like this?
- How does the general public find out about the consultant's professional liability insurance?
- Permit holders out there right now without professional liability insurance.
- Is there any guidelines from APEGA on the level of professional liability insurance to help organization's gauge the amount of insurance needed
- Do you find there are owners out there that don't know what questions to ask when it comes to the consultant's professional liability insurance?
- May not know how much is needed to be appropriate for the project.
- Request for guidance on the minimum liability insurance needed
- Liability insurance is often limited by the value of the project – is it enough?
- Seems very reasonable to protect public and environment with a mandatory PLI. It is a step forward.
- Don't want to see companies that are required to use for insurance. APEGA should provide with a list of companies and not monopolize on certain insurance companies. Presentation mentioned on one of the slides "providers regulated by designated insurance". Comment repeated twice.
- Opinion: APEGA should govern minimum coverage requirements. For example, in a vehicle act, minimum auto insurance required is a million dollar. Accidents happen, people get killed while driving. Same goes with engineering work, accidents happen.
- I am surprised how did we get so far without the requirements of insurance? Insurance must be a must.
- There should be a clause that a sole practitioner should not require insurance if the project is less than 1 million dollars (essentially for smaller projects).
- Protect public – errors and omissions should not come out of contingency fee but from insurance itself. This will help clean up the engineering work of Alberta. Insure that insurance pays, that should be mandatory.
- Repetition of previous comment, additionally force consultants to pay from insurance.
- On slide noticed about employee. To me it seems like its overall responsibility of corporation and not a RM.
- Don't create lot of bureaucracy with insurance matters – find the problem and fix the problem should be the approach.
- This is litigation bait. If you get engineers insured, you'll attract lawsuits. When you're sued, you're not even in charge of your own defense.
- What is meant by "primary"? What about secondary coverage?
- All of our customers in Oil and Gas already require this coverage so this isn't perceived as an issue for us.

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- From a public safety and protection standpoint I don't see this is a problem but I don't want it to be required in all cases. I want to have the choice.
- Shouldn't we be concerned with eliminating errors rather than creating more side issues with introducing this type of legislation. I don't want to encourage a litigious society. We are engineers.
- It's not clear if a permit to practice is required by consultants. How many of the APEGA members are consultants and how many aren't? Shouldn't consultants or other practitioners need primary liability insurance as well?
- Is a definition of consulting included?
- Insurance against omissions or errors – playing devil's advocate here, doesn't this mean we are now allowed to make mistakes?
- Defence is looked after by the insurance company – you don't get to defend yourself, you're not in control.
- If we're going to go down this road, maybe we need to dramatically increase the training of engineers in the law? Engineers will have to do a lot more work in the Law. If I were starting this again, I would not go into engineering.
- Has APEGA studied the effect of this requirement on the risk taking behaviour of engineers and how careful they will be if they are not personally liable and have insurance? I will be bailed out by an insurance company.
- The first bullet says it is not just consultants who are required to have this, but all engineering services? City of Edmonton for example is not a consultant but they do everything that a consultant would do. Are they covered by this rule?
- Mandatory training of professional members about insurance and the law? It affects each and every one of us but we are not legal experts. Can we include this in PD requirements?
- Does the permit to practice specify consultants when you apply? How do you know who is going to require this insurance if that is not stated.
- Liability insurance – domestic, national or international required? APEGA is saying it's needed but not how much is needed or the scope required. My point is if APEGA is saying we need it, it should be designed to cover whatever the company is doing regardless of the work the company does. A matter of language.
- I can't see APEGA will have the policy/guidelines to the insurance company.
- For sure it will be different for big than from small revenue companies, or sole proprietary. If it's make like uniform coverage for all of them, is going to be very expensive for small companies to pay for big insurances. How will APEGA help with the insurances to influence on those decisions?
- Don't you have this kind of insurance already? It's not available now? I think it's very different from dentist, because, he's operating by himself. But, when there are, say 100 people working on the same thing, my insurance can't cover all of them, if something happens, maybe I can afford it, but you are my superior, and you didn't buy it for me. Even if I have insurance, maybe I would cover \$10,000, but the law is bit a different. It's hard to find an insurance company that provides this type of coverage (service).
- What is the rationale of not specifying the minimum coverage?
- How would this PLI requirement apply to manufacturing companies (who cannot purchase PLI) that also do some consulting (and therefore would be required to have PLI)?
- Regarding the PLI, it appears that this is only being made mandatory for consultants. Is there any reason why this is the case?

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- An answer to an inquiry about where to get PLI: I made an application for PLI on last year, "Coverage for Individual employee if non-consulting firm". It was MHK insurance.
- Is there any guideline about Governments having PLI?
- Will Government have to buy insurance for consultant services?
- I think most of the companies should have the PLI as part of the contract because if, for example, they make a mistake. I just wanted to confirm that this would be mandatory, that all consultant firms have this PLI in place, and they demand others to be covered.
- In the video, the words: "non-consulting permit holders" do they have to have a PLI?
- Now that APEGA is making it mandatory to have a PLI, what happens when public goes to APEGA and says, that a consultant doesn't have enough insurance, or the right amount and saying I want to issue a complain about it, and you say that you don't dictate how much is the amount of money should be in the insurance. Is APEGA willing to take on this responsibility of disciplining members that don't have enough insurance?
- How about the small municipal town, do they have permit holders? And PLI?
- Here in Canada, is it the project that is insured? Or the people should be?
- Is it a personal insurance? Or a company insurance?
- Is there an example that you have in mind when you are saying non-consulting permit holders can purchase an optional individual insurance?
- Is it mandatory?
- Sole practitioner - are you still required to have your own PLI?
- Amount of insurance liability should not be public. Understood that we need to show that we have PLI
- PLI amount must be considered commercial confidential and the amount should not be published in the PPMP
- The suggestion that the PPMP carry a statement that our insurance certificate and amount is available to APEGA in a practice review, is a good suggestion
- Many consultants will be forced out of business due to the increased costs (new requirement to purchase PLI). Costs for sole proprietors is significant. APEGA must consider the impact.
- Need to define "error" as it relates to errors and omission insurance. Making error such as dry hole does not impact public interest.
- Error and omission insurance policy does define the two terms.
- Define the purpose of PLI as it relates to protecting the public.
- PLI will become a problem given its cost (\$6,000/year). Underemployed consultants will be impacted. What will APEGA do to negotiate reduced rates or to distinguish between Professional Engineers and Professional Geoscientist when the impact is different?
- Geoscience is not vanilla; there are many interpretations affected by errors; need clear definition between PLI for P Eng and P Geo.
- Vote indicated audience is concerned about introduction of PLI for all members; later a comment that "concerned" was not defined before polling.
- What's an error? Geologic and geophysics interpretation can change day-to-day?
- This could put a lot of consultants out of business.
- Need to define "errors and omissions."
- Dry hole example – business risk vs. public safety.
- This is a problem for geology consultants. It could be ~\$6000 per year for minimum coverage.

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- Suggestion to have APEGA work with insurance providers to manage costs
- Clear distinction between need for this for geologists vs. engineers.
- Geological opinion vs. mathematical fact
- “Errors and omissions” is defined by the insurance policy.
- This seems like a one stop shop for a very wide range of applications with different risks.
- Suggestion to ask for a show of hands: who is concerned about introduction of this to all? The vast majority of participants raised their hands.
- How does this affect government organizations?
- Question: how does this affect government organizations who provide geoscientist consulting services?
- Do construction complaints need PPLI?
- Will we need E & D after we retire?
- Will companies take out the insurance or will individuals be forced to?
- This approach makes sense.
- It makes sense when it protects the public; is this always the case?
- Why does employer PLI need to cover contractors when the contractor has its own?
- Why does a sole practitioner need a Permit to Practice and PLI?
- Appreciate the need for contractors to declare whether it has PLI but why is it now going to be dictated by APEGA?
- Will APEGA become a supplier of PLI?
- Secondary insurance is currently offered by APEGA; will there be any changes to this?
- Clarify: permit holder will provide PLI for all employees and ensure that contractor needs its own?
- The approval of PLI should be before the permit to practice.
- The error, omission and who decides should be further defined in the legislation.
- Good idea
- Are professional members covered under the permit holders?
- Need to clarify that any professional member needs to be covered
- In favour of the permit holder having the insurance. Where I have a problem with the definition is only for consultants. Should be for all engineers
- Minimum insurance – is it only to protect the public? Or is it only to comply with regulations?
- Declare level to the client?
- PPMP should show quantity for clients – not have to explain to client
- Should be more important to inform the client about the coverage
- I don’t feel comfortable or clear on “holder” definition
- Mandatory liability insurance in other institutions is done?
- Is there a minimum? Has to be appropriate. How will you check for this?
- If someone is working in a big company and also has a consulting job – does this apply?
- If there is a fatality, does this cover a serious incident?
- Insurance covers only errors or omissions. Negligence is not covered now.
- Guidance needs to be given by APEGA as a regulatory body. Engineers should refrain from working with companies that might be avoiding the insurance.
- Same as with permit to practice, important that client be able to cover consultant, especially a sole practitioner, under their Prof Liability insurance.
- How is proof of insurance provided - copy of insurance certificate?

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- What about an Operating company like an Oil & Gas which doesn't have Professional Liability Insurance to cover their consultant.
- Will part time Consultant and Contractor require Professional Liability Insurance (PLI) even if their client already have PLI?
- How will individual practitioners provide proof of insurance to their employers?
- If an engineer is working for an employer who is not primarily an engineering company, who will be responsible for the insurance requirements.
- What is justification not to have a minimum coverage amount?
- Oppose PPLI but rather have private insurance and proof of insurance
- Good thing – long overdue
- Language of PLI – “professional” (errors & emissions) – this along does not provide enough protection of public – should have general and PPLI
- Cost should be borne by PH – not individuals
- Should make sure PH shows proof every year when they renew permit
- When PH surrenders permit – should keep insurance for a period of time – ten years for work done
- Is there any retroactive nature to having insurance?
- Fully support – a long time coming
- Problems behind this – insurance used by contractors to alleviate their (poor) quality of work (deep pockets so can afford to pay for errors)
- Semi-retirement work – amount of insurance prohibitive to contractor who is not full time
- Cost of insurance is quite costly
- Problem more with insurance companies – how will insurance is quite costly
- If you are contracted by large company are you covered by the company?
- Regulators/AB Infrastructure – professional members are not covered by this proposals
- How is APEGA going to check if permit holders are consulting or they are designing their manufacturing products?
- I was involved where each partner has their own company and forming as partners a company. So now they have to have each one insurance?
- SO if a person has got four permit holders working for another permit holder. Can one overall permit holder have an insurance for the sub number holders? Because that was not stated.
- Hiring engineers that are incorporated is the solution because they have insurance. That means that there will be more insurance business coming in there.
- The regulation should say all members are covered not all members are required to have their own insurance.
- As a consultant (Sole Practitioner), I have found finding insurance difficult and the cost almost prohibitive.
- How is this a problem?
- As a Sole Practitioner (consultant) do I require PLI if a hiring company agrees to cover me?
- Need clarity on whose PLI covers an individual in different situations.
- Could invite more litigation if everyone has insurance.
- Could lead to complicated legal contracts for professionals in term of caveat statements.
- Geoscience and engineering requirements should be different because potential liability could be different.



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- It is difficult to get appropriate coverage because insurance companies do not understand industry.
- In some jurisdictions (BC) a compulsory minimum PLI is provided for individuals as part of the annual dues.
- How does requiring Professional Liability Insurance (PLI) protect the public interest?
- Will consulting engineers require PLI's even if the client company already has PLI?
- Is Error and Omission Insurance required under the requirement available for individual consulting engineers?
- Who is benefiting from the additional requirements for PLIs for consulting engineers?
- How do you define the difference between a permit holder and a consulting company?
- Will individuals primarily working in a non-consulting matter require PLI?
- Can a company provide PLI and Errors and Omission Insurance for their consulting engineers?
- The non APEGA individuals such as the executives of engineering companies should also be consulted for these changes.
- Errors and omissions are under the engineer who is practicing and the liability insurance was the company's responsibility to make rules. So now the errors and omissions would apply only to the companies and no the engineer? And what will be the engineer errors and omissions insurance?
- The requirement now is that everybody has to have that primary professional liability insurance on the case whether you are a sole practitioner, whether you are a large company where you will require that everybody working for you has that insurance out if you consult not on the manufacturing side.
- For consulting only?
- But if the company is covering everybody, then what is going to happen is eliminating nickel and dime each other and basically go after the corporation, for them to deal with the insurance policy to cover any litigation instead of that each other.
- What I think too, is a risk management strategy to hire an engineer who is going to take on the liability for the work that they want to do right? But if they hire an engineer that doesn't have the insurance, that is not going to end up good.
- Under this requirement now the company will be responsible for insurance that anybody they hire, whether is part time, full time, and the contractor has professional liability insurance?
- It would have to be in proportion to the project that the person is consulting to.
- I almost cannot believe that this is not in the Act already, coming from Quebec, every year I had to send the papers for the insurance with my registration so they will see it. I would like to see as requirement that when you get registered you show you prove of insurance and gives me the right to ask my employee to give it to me and I will be covered. In Quebec the limit the insurance up to 10.000 dollars and they can do through the association. I would suggest to do here in APEGA.
- Do a blanket by APEGA, all members which can pay some fees that include the insurance?
- I do not accept it.
- Requiring sole practitioners hired directly by a company is tricky because many companies are trying to avoid certain expenses, at the end they are not avoiding extra money.
- Would not be better to say that you have to make sure that you are hiring an engineer that has the appropriate amount of engineers for the work they are doing?

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- The suggestion on APEGA providing insurance for its members, I do not know how that would work because it seems like the premium would depend upon the individuals.
- Many insurance companies as long as you pay a fee, you covered a million dollars, and they do not go after how many years' experience you have. It is just an insurance.
- Should the company be forced to provide insurance for the employees instead of each one to have it because then in your group of engineers all of them are going to have different amount of insurance. This should be considered.
- When I filled out my ENO document, my comment is that it is very expensive
- In Newfoundland, there was no ENO, and I had to ask my USA company to insure us
- I am not sure APEGA should be telling us which insurance to use.
- There is no specific amount, how would you know they had any?
- The company ensures the professionals, would the engineers individually get an insurance?
- I don't understand the non-consulting side? Should the individuals have the Insurance?
- The PLI is a good security blanket
- Is the PLI tax deductible?
- It is best to limit your liability in a contract
- Need clarification of why mandatory PLI was proposed.
- Are there statistics on lawsuits being filed against engineers vs. geoscientists?
- If company accepts a consultant without insurance why is APGA intervening?
- Is there any science to support the need for a PLI requirement?
- Mandatory or compulsory PLI could encourage lawsuits; it would be a make work project for lawyers; public disclosure of PLI limits would provide targets for lawsuits.
- Could insurers be asked to provide data on lawsuits?
- There is probably a big difference between the needs of geoscientists vs. engineers for coverage and this should be reflected in the premiums.
- If there is no minimum coverage proposed in the legislation, could Council dictate a minimum by regulation?
- Does the Act define what 'consulting' means?
- Don't think it is should be mandatory as it will be high cost for small companies. Already tough economy - can decide if they want to assume the risk
- How long do you need to hold the invoice for? (i.e. after a project)
- I think it should be mandatory – everyone can make mistakes
- Positive approach even for sole proprietors – provides relief for public if sole proprietor can't pay
- If individual has PLI through employer, makes a mistake, how does APEGA discipline?
- APEGA members will have PLI through APEGA?
- It is not best if we know the minimum PLI?
- Company buys insurance or employee?
- PLI is to protect the professional? Or the public?
- Municipality requires consultant to provide proof of PLI
- Unknown that APEGA didn't require PLI before
- What is the cost and does the cost of service increase – and who pays?
- Changes to insurance market, maybe new products available on market.
- Time limit on maintaining PLI (i.e. stop practicing have to protect for statute of limitations)
- May not be a big cut

## Improving the Practice – Professional Liability Insurance

- Municipality needs 2 million for consulting
- In-house engineering: self-insured or under general liability insurance
- How is EPCOR classified (or technologies) to know what kind of coverage is needed?
- Deciding own amount and type of coverage is wishy washy – should be more clear guidelines.
- Supporting documents needed for what is considered consulting.
- COE for the public?
- Should this cover designing to a certain level of reliability? – NO, insurance is more to cover negligence/mistake... not to promise a certain level of service
- I work for a company that provides engineering for in-house use, why do we need in the PPMP the value of the insurance policy?
- There are large companies outside there, that, are self-insured in terms of professional liability insurance, with high deductibles if something were terribly wrong, for the most part they are insured for claims, is that something that would be acceptable with the proposed legislation?"
- My company also does works in another province, and they have mandatory insurance policy that you have to buy to one specific broker, is that the plan in this one, do you have a specific broker or are we free to choose?"
- Need clarity employees of operating firm are encouraged to buy individual Professional Liability Insurance (PLI)?
- It should be made clear in the APEGA documentation that a consulting firm employee is covered.
- PLI is not required for manufacturers but is required for consultants. What value does it bring to the client with only certain level of coverage?
- Why does a consulting company need PLI but not an operating company?
- Reword 'error' to 'negligence'.
- PLI is a huge change. APEGA needs to put together absolute examples for obligations and responsibilities. Need a very clear management change plan.
- APEGA should have a list of insurance companies and not monopolize on one insurance company.
- Why would the PLI be included in the PPMP if a firm is performing work for in-house use?
- There are many companies that are self-insured, with high deductible. Will this continue being acceptable or would they be required to acquire external PLI?
- Same question regarding in-house engineering work.
- In some provinces a certain broker has to be used, and this broker charges a premium. In AB, will this be the route to be followed, i.e., will a certain broker be assigned to provide PLI?
- Is there anything APEGA is working on to address transparency of the liability to protect the interest of the public?
- Is the proposed PLI perpetual or can it be interrupted?
- Worried about the increase in costs that the PLI would represent for small and medium engineering businesses
- Is there any indication that the PLI will be carried over beyond the time of professional practice?
- Appreciated the proposal that operating engineering companies should get a PLI
- Can you provide an explicit definition of a consulting company in the context of the proposed

## Improving the Practice – Professional Liability Insurance

### PLI?

- Could the permit holder decide what the employee PLI must be? Why?
- What happens to the individual and/or the employer if the PLI is inadequate in face of damages?
- Is there any consideration on how PLI rates would remain fair and affordable, based on the fact that the difference in member experience will likely influence the cost (e.g. the PLI cost for an E.I.T. might be significantly higher than that of a P.Eng. who has decades of experience)? How would PLI rates for members change over time?
- Is the proposed PLI perpetual or can it be interrupted?
- Worried about the increase in costs that the PLI would represent for small and medium engineering businesses
- Is there any indication that the PLI will be carried over beyond the time of professional practice?
- Appreciated the proposal that operating engineering companies should get a PLI. Can you provide an explicit definition of a consulting company in the context of the proposed PLI?
- Could the permit holder decide what the employee PLI must be? Why?
- What happens to the individual and/or the employer if the PLI is inadequate in face of damages?
- Is there any consideration on how PLI rates would remain fair and affordable, based on the fact that the difference in member experience will likely influence the cost (e.g. the PLI cost for an E.I.T. might be significantly higher than that of a P.Eng. who has decades of experience)? How would PLI rates for members change over time?
- Once having PLI you can't have interrupted insurance, should be continued - if permit to practice sole practitioner under permit mandated to have insurance? Carry beyond the inactive period?
- Is it mandatory for operating companies? Does insurance company provide definition for consulting engineering or APEGA is providing?
- Permit holder minimum requirement can require responsibility, how does it work? Employee be able to pay for it, does company dictate to employee how much need to pay
- It is important to define consulting services very clearly, in a company when you have many entities under one umbrella and one company providing services to another one... would they required PLI? What would the impact on business be? Who needs to purchase - if the minimum is set by the employer and the individual changes the insurance, what will happen to individual when the insurance is not enough to cover the issue, how will it be set up?
- A consulting company which bids on jobs and the price is increased because of the insurance, add more details, cost to business -EIT no experience or someone who is just became a PEng, what record is been used to rate that individual? High risk for an EIT compared to someone who has 20 years' experience
- Would we need to get PLI if a company is only doing manufacturing?
- Is there a clear definition between a consultant and a contractor?
- (APEGA is looking to the CRA to define a consultant and contractor.)
- Who maintains the liability for contract work, where the contractor has left the province after the work is completed, for instance?
- Manufacturing companies wouldn't require PLI insurance, but they are expected to have comprehensive insurance.
- The minimum PLI that is available is \$200,000.

## Improving the Practice – Professional Liability Insurance

- Could APEGA provide group insurance for PLI?
- Is insurance required for a firm if not providing consulting services?
- Clarify that the amount of insurance is specified in the PPMP, based on APEGA policy.
- Allow organizations to be “self-insured” as governed by the APEGA approved PPMP.
- Clarify that a “sole- source” insurance broker is not required as is the case in the Province of Quebec.
- Are only consulting firms required to provide PLI?
- Operating firms mix with employees may create more need for individuals to buy PLI.
- Why the difference for consulting and operating companies
- PLI - has it been scrutinized thoroughly?
- Huge change. Examples need to be developed so that process can be clearly understood.
- Regulator will not designate the PLI provider.
- Professions that do not include PLI? Nursing provides PLI through their dues.
- Don't put an insurance employee on the development process.
- Does Alberta law require public liability insurance for an incorporated company?
- Will the APEGA mandated Public Liability Insurance (PLI) provide coverage for a specified number of years beyond the active period of the PLI?
- Is PLI required for operating companies with a PH?
- Is it possible that employees might be assessed some of the cost for the PLI of companies involved in providing consulting services?
- Clarification needs to be provided for the case of a corporation in which one of its service units provides “internal consulting services” that there would not be an obligation for PLI for that internal unit.
- PLI coverage for the employer and the employees needs to be considered.
- Would it be possible to change the dollar amount of PLI with different projects?
- Concerned about the cost for PLI for a professional member moving to practice as a single practitioner (PH) versus that for an established PH with several years of practice.
- Would a company only completing in house design work require PLI (Professional Liability Insurance)?
- Would I need to get PLI to work as an Engineer if my company does not do consulting work?
- Why is there not a specified minimum coverage on PLI?
- Would a sole proprietor doing work for only one company need PLI?
- Should APEGA look at other provinces’ regulations on PLI?
- Has APEGA looked to see if this insurance is available? What is the minimum?
- Could APEGA get a group rate insurance plan going for those members who wish to join a group plan?
- Clarify: does this include engineers in non-consulting firms?
- Do practicing members need to confirm PLI for firms? Are there consequences of not having PLI for practicing members?
- This only applies to consulting engineers?
- Point of clarification, the presentation mentions supplying to consulting services, but then mentions additional requirements for permit holders, so does that only apply to permit holders that are consulting companies? Or does that mean all professional companies providing engineering services?

## Improving the Practice – Professional Liability Insurance

- Consulting firms that we work with, almost all pretty much already have this anyways, just because of the stakes that are involved.
- Permit to practice for the sole proprietors, insurance is quite expensive and maybe that is the aim to push the requirement out to sole proprietors, but it's going to make it even more expensive to them to provide services with PLI. Just a comment.
- Liability insurance is a lagging item, it kicks in once someone has happened, have we looked at something more leading? We have some committees and any firm or member can be audited, have we looked at increasing the rate of audits or something to help mitigate issues? How about looking at extending our quality program as an association, we could find money for that and to go out and prevent things from happening. More leading activities, I agree with this, but this is a lagging issue, have we looked at that at more leading activities? More for council to consider.
- Has there been any discussion for small contracts where we have looked for specialist expertise, but because of the costs of insurance, we have entered into agreements with the specialists to provide the coverage, is it envisioned that that might be a means to achieve this requirement? Or would the specialist be required to have their own PL policy?
- The specifics of the implementation, those are important, I am uncomfortable going into changes when we don't understand how those changes will be implemented. There is a broad spectrum of impacts that will be had on people's practice depending on exactly how it will be implemented.
- I totally agree, especially centers like Edmonton and Calgary that could affect hundreds, maybe even thousands of your members. Engineers that are contractors to large engineering firms, so I think some good guidance on that to be part of the roll out for implementation of these changes.
- Sounds like a good idea to me, but I am a consultant with PLI anyways though.
- What allowances have been made for PLI insurance where a company is large enough that they provide their own insurance? I.e. they are self-insured.
- Sounds good
- Going back to my other question about standardized PPMP - if we have changes to what is required to be outlined in the PPMP, will we be given a specific outline with all categories required to be covered in the PPMP so we can ensure we meet them?
- What is the reasoning behind having no minimum coverage requirement?
- What does the national secondary professional liability insurance program (SPLIP) cover if it doesn't cover errors and omissions resulting from the member's professional practice?
- Has APEGA considered some kind of group policy since now individuals will be required to be permit holders as well?
- Would it be beneficial to have wording in the Act indicating that APEGA is able to set a minimum PLI coverage amount? Allows flexibility while ensuring a legislated protection.
- For consulting engineers they require PLI, what is unclear to me for the permit holders, is it only consulting firms or all firms would need PLI?
- This will really drive up the cost for all consulting work and will drive out of business a lot of individuals who do consulting. Or, these will be sent overseas which doesn't really work for us.
- Why are we doing this? Is this in response to a problem? Or a reaction to the government's request?
- I question how this protects the public, the only time this insurance will come into place is

## Improving the Practice – Professional Liability Insurance

after an event has occurred, so I don't see it. I just question the timing, the timing could not come at a worst point for the engineering profession in Alberta. I don't know what the official unemployment rates are for engineers right now, but as my colleague has said, this is a pricy case and it's going to drive a whole lot of people either out of business or it will send the work overseas which does not help us at all.

- PLI costs \$10,000 for an individual, often they need it to bid the work and if they don't get the work, they are out that money.
- In addition, that \$10,000 a year you mentioned (for insurance coverage), is only for the year that you paid that premium. If you get sued 5 years later or 10 years later and if you haven't continued that \$10,000 per year payment, then you are not insured.
- Most PLI policies require that you maintain your policies for 5 years after the work is complete. So the individual has to carry that insurance 5 years down the road too? That is impossible.
- Of all the changes that APEGA is proposing, this one here in particular is the most troublesome and I think the least thought out. I am not sure that it will actually enhance the public interest and in fact I think it will do exactly the opposite, for reasons that some people here have already mentioned. Some of our most senior engineering staff and know how in this province are individuals and there is no way that they are going to be able to pick up this kind of insurance.
- I think APEGA will do much better to institute rules that suggest that they could be covered by a consulting engineering PLI policy for example, or maybe APEGA spends its time coming up with insurance companies reasonably priced premiums that people can actually afford. The other thing is that before these types of broad changes are made, it would be nice to see the evidence for which there is a problem. I am not seeing the problem, in my world, I have not seen any litigation or public interest issue that is going to be solved by this kind of change.
- So PLI is not required for operating companies? Can you clarify?
- How many other provinces require PLI currently? Specifically for engineers.
- I believe mandatory insurance will be extremely onerous on small or single employee firms.
- I agree, cost premium should be assessed and how it will affect consultants and owners.
- Has APEGA thought about covering this insurance as part of the membership fee for all members? (For the Primary Professional Liability).
- I disagree with liability insurance as part of the annual membership fee.
- From a legal liability perspective, a target that the lawyers may not have been interested in before, as soon as you give them insurance they are a big target. I think you will see law suits will increase substantially if everyone has PLI. We will be litigating a lot more.
- It's the firms that currently have staff lawyers that have PLI.
- Exactly regarding big liability target comment.
- Agree with suggestion for APEGA working with insurers to provide competitive rates or better have insurers competitively bid to and the APEGA selects an insurer that will provide the best insurance premiums at all levels of coverage. There are big differences in rates right now even for the same coverage.
- I have to re-iterate, I have not seen the evidence to support that this type of a program would be required. I am somewhat leery of legislating somebody else's business as a requirement. I think it is also not well thought out of other unintended consequences. What it is doing by putting the onus on the engineers that have liability insurance, it's taking the

## Improving the Practice – Professional Liability Insurance

onus away from the company that is looking for the consulting services to scale the risk associated with the consulting services that they are looking for. As things stand right now, if you go out to a consulting company, you are going to make sure you have associated liability to cover those errors and omissions that is commensurate with the work that is being done. If we go and we legislate this, now we are setting a baseline minimum of that level and where it really effects is back to those sole proprietors that have to carry a heavy burden of this over a long course of time. What I am concerned it will do is that it will drive people away from actually looking for properly, for registered engineers and move to non-registered engineers in other jurisdictions for performing that work who then may or may not be aware of the happenings of Alberta and may or may not be aware of the Alberta requirements that are necessary. That is not putting the onus to ensure a registered professional engineer that is used to providing an engineering services onto the person that is requesting the service, as opposed to making sure that the engineering that is happening in the province and being used in the province, is being provided by members of APEGA.

- When we accredit institutions to grant degrees that are approved by APEGA, there is a requirement for the institution to have special engineers in their employ, as a minimum standard to be able to be a degree granting institution that is accredited. How does the permit to practice changes and this professional liability insurance stuff affect the university professors that are granting these degrees in engineering?
- But they (APEGA) are enforcing them (university professors) to have P.Eng. for the university?
- As you start to outsource this stuff, I'm really concerned about granting APEGA P.Eng. status to foreign entities/ people, not living in our jurisdiction and whatever and you are accrediting them that kind of stuff, these are the people that we are training to become professionals, and now you are asking them for another level of stuff. What is the requirement there? I guess, give some thought to that.
- Accrediting universities for engineering degrees and how APEGA goes about that, and what the minimum requirements for professional members are for them to get that accreditation.
- Do these proposed changes effect the accreditation process? Do these requirement for PLI and permit to practice apply to those as well? Most professors are consultants too, so not just that, but even as they are teaching engineering. How do these changes affect them?
- Makes sense.
- No Issues.
- APEGA should not proceed with mandatory PLI for sole practitioners without additional study regarding public interest, costs, etc.
- Not all jurisdictions in Canada have a requirement for members to have PLI, so an engineer working in a jurisdiction without PLI requirements, they for a short period of time, work in Alberta, how would that work? Their home jurisdiction does not have PLI but they are working in Alberta, is that a potential gap? This would be helpful to clarify in the guidelines.
- How is the PLI applied down to technologists? Who have been given limited abilities to provide engineering services? (the P.Techs).
- If you apply this to the engineers and the engineer's rates go up, but then it is not applied to the technologists, then you are effectively creating an economic driver to use a less trained or lesser skilled resource to perform the same activity. Which does not protect the public interest.



## Introducing Creative Sanctions

- Creative sanctions will result in more variation in the sanctions levied, possibly resulting in perceived unfairness and a decrease in confidence in APEGA. The Environmental Protection example allows "any" conditions - this is extremely broad, risking sanctions that are inappropriate. "Any" shall be avoided, but more specific examples shall be put into legislation
- Excellent decision to add this in and good examples have been given.
- I think it is a very good idea.
- Sounds like a good idea to me.
- Who would determine the creative sanction for a non-compliance issue? And how do you ensure consistency?
- Are creative sanctions applicable to both criminal and civil court? This could be a slippery slope, especially if sanctions are applied on top of sentences that are already imposed in court. The two primary victims would be the public interest and APEGA, versus victims through civil proceedings,
- Note the OHS example refers to a court-ordered sanction. In other words, it is left to the justice system to determine the appropriate sanctions.
- I have seen creative sanctions applied to the criminal code, but I have not seen much applied to civil code. It should be interesting to see how this plays in in our overall legal system. As APEGA, we do not get involved in the criminal side of things. So it should be interesting how this all shakes out.
- If a creative sanction is a non-punitive measure, how is record-keeping maintained on a member's file? E.g. A members file would include any disciplinary measures that would be considered by a review panel, but would a record of creative sanctions also be visible to a disciplinary review panel?
- To add to my previous comment/question, are creative sanctions analogous to extra-judicial measures in the court system, whereby an individual does not have a criminal record?
- Creative sanctions look good overall, they do not look that much different than regular sanctions from APEGA disciplinary review. There is an element of money, whether it is a bond going to court or community, and there is a potential of license being removed or revoked.
- It does not seem to apply equally to someone practicing without a license. There is a point there where a creative sanction might be ok. Maybe you get into a scenario with a permit to practice acting as a member or an engineering program to get the required education, just as some suggestions.
- So creative sanctions would be over and above a fine or as an alternative to a fine?
- Seems like a good idea
- Seems like a positive, progressive idea
- Currently, are sanctions mostly fines? And if so, is any of that written into APEGA's budget where we would have to reconsider that we usually get a certain amount and with the ability to impose creative sanctions we would lose out on revenues in a given year?
- It seems like it will provide flexible and fitting judgments to cover a wide range of infractions. Seems like it will help the "punishment fit the crime".
- Are the particular creative sanctions be outlined in the regulations or bylaws?
- This seems reactive when we should be catching people before anything happens.
- Is the point of creative sanctions to punish or is it remedial?

## Introducing Creative Sanctions

- Will creative sanctions be limited to mirror the maximum fine amount (e.g. if a creative sanction has a cost to implement would it be limited to the fine maximum of say \$100,000)?
- What parts will duplicate and or replace civil proceedings?
- Did we talk to the people affected by the creative sanctions in other jurisdictions?
- Are we giving people injunctive powers with this? Are there limits to creative sanctions?
- When complaints come forward, they aren't unskilled practice, they're unprofessional conduct, so a fine isn't necessarily the right tool to use, whereas for societal needs it would fit the mandate.
- Are the creative sanctions going to be listed in the legislation?
- Seems reactive to me, what would be in place to capture these issues on a proactive basis?
- Is the intent of these to be a remedial item or damaging? Punishment? Education?
- There have been recommendations recently on fines, would there be a maximum on a creative sanction? The cost would be extensive or perhaps more than the limits currently in place.
- What parts of this would duplicate or replace civil proceedings?
- The social consequences, sounds good. When we talk to other jurisdictions, it may be good to talk to the public or other parties effected (not just the regulators). This is getting into injunctions – maybe we should be careful about this in Canada.
- Often complaints are unprofessional conduct (not errors), conduct within society vs. unskilled practice, the committees need other means to deal with it because the fines don't always just do it. I think it's a tool that is applicable to our societal needs.
- No examples of creative sanctions – need to be more clear
- New and it feels it is not well thought out
- Who would decide the creative sanction?
- Court decides on those who are not members
- Want to confirm lawyers are not putting creative sanctions on members
- Are there options of fines for creative sanctions?
- Straightforward, makes sense. Comment repeated once.
- Curious about old act – what kind of sanctions were allowed? What is the difference in the new act?
- What orders can be done now?
- Apply to professional members only or even to permit holders?
- This is just another court process. Is this not through a court process? Can APEGA do it on its own? Will we have a process like a court system – with room for appeal, etc.
- Creative sanctions are probably a good thing. Seconded by another participant.
- A request – would you be willing to look into providing recommendations to companies as to the tools provided to professional members to perform their practice as expected by the public. Practitioners need the tools to do their job.
- There are no specific sanctions included in this idea, it is just whatever seems appropriate to the persons in charge of the decision?
- I oppose to this. It's not APEGA to decide this, like community service, this is court duty. Y this. Let's say, I'm an engineer and submit a fake document, you can send me to court, license, but not ask me to do community service. It's a judge job to decide that.
- My problem is, say I'm an offender, and I have a complaint about the way I treat my employe fine and I continue to do so. I think is a good idea to have community service because that all myself or correct myself. It might be an option.

## Introducing Creative Sanctions

- (community service) Is it an option than rather taking an offender to court?
- More than 6 people in the table think it's a good idea.
- Before, there was a magazine from APEGA that said there was a fine to a person, or people, secret, you never knew the name of the person, the people or the company that was disciplin part when you order to make an order to public the facts. Because most people just want to get away.
- That's a good idea (of publish), because when you are hiring or making a contract, yo reference, as when you are going to look for a doctor.
- It's APEGA's right to publish names like in Ontario, publish the names, the facts
- Are the sanctions going to be specific or will it be a blanket statement that have creative sanctions?
- Would actual creative sanctions be detailed in the legislation or in the by-laws?
- Will the possible sanctions be referenced in the legislation?
- Would APEGA be able to levy creative sanctions themselves?
- Creative sanctions are a good idea, but what is the value of creative versus existing sanctions?
- Currently, where does the fine money go? APEGA or provincial general funds?
- The current fines (sanctions) are not much in today's environment.
- What is the definition of "Creative Sanction"?
- How do you make sure who is responsible?
- Clarification needed of combination of punishment
- Do we know if there is an example for this need?
- It has to be clear how sanctions/punishment done. Whatever sanctions are given, they have to be doable.
- Is there an appeal procedure?
- Does a court decide the sanctions?
- Good idea
- Will it give the court the ability to apply creative sanctions?
- Really good idea
- Who in our case will decide what the sanctions are?
- Important to have both fine and creative sanctions
- At what point does the Court become involved?
- Of we have an engineer responsible for an oil spill – does this mean that APEGA would have their own penalty on top of civil litigation sanctions?
- Social justice – opposed to the wording.
- Sanction cases: engineer put sanctions on another engineer? Corporation on corporation?
- Is it possible to ask that our sanctions be considered with others given in the same situation?
- Sounds good, but sometimes things happen – i.e. do the work to the best of ability, but still something happens. Will the creative sanctions be flexible (re smaller issues not a big error)
- Makes sense
- Creative sanctions should not exceed fine limit
- How many incidents are we expecting? Is there a trend where there are more problems/investigations happening?
- Challenge on how to apply consistently

## Introducing Creative Sanctions

- I like the idea. I think putting a \$100,000 fine puts on pressure and it doesn't get better on the behavior.
- Is there any requirement as to the extent of this, for example how long? Or what kind of community services... what are the details on that?
- Why is APEGA proposing it?
- Is this for court-ordered sanctions only?
- Another broad proposal – the “how” is the potential difficulty. (several comments)
- Looks like a solution in search of a problem; like the embossed seal - Who cares?
- Concerns with the concept of social justice in the language.
- How to define the limits of creative sanctions?
- I like the idea. It does well for promoting the profession.
- I did not know this existed. I like it.
- Is the court deciding the type of creative sanction?
- How do we know that what the court decide is appropriate?
- What I'm curious about is how a corporation is going to apply this? The corporations usually do a lot.
- So this would be outside their insurance?
- Would the sanctions apply or to members or corporations?
- They should have put more information in the handouts?
- Is that a wide range of sanctions? Does it have a legal definition?
- Surprised that there isn't yet such sanction in place.
- Modified behavior is better than just applying fines
- Unknown sanctions could lead to uncertainty and lead to inability to mitigate against them as one could for monetary penalties.
- Is the term “creative sanctions new, and way is it used?
- Will it make a difference? (Already follow OHS, EPA etc.)
- Would it be in addition to punitive sanctions?
- Any thoughts on a “learning curve” or grace period? Or once approved, implemented right away?
- Litigation vs. through APEGA channels – simultaneously? One before the other? One and then the other? How do you know which is required.
- Concerned about the errors for engineering assignments. Does it make APEGA a second court? Need clarification.
- Could be used retroactively for a situation?
- Gives more flexibility.
- Who would be directly responsible to designate any applicable creative sanction(s)?
- Has any consideration be given to the possibility that a rate increase will actually occur in the proposed PLI for members while they are still waiting for a final decision on appeal?
- What is the definition of the ‘Public’ in the context of proposed creative sanctions?
- Who would be directly responsible to designate any applicable creative sanction(s)?
- Has any consideration be given to the possibility that a rate increase will actually occur in the proposed PLI for members while they are still waiting for a final decision on appeal?
- What is the definition of the ‘Public’ in the context of proposed creative sanctions?
- Who would be making up the creative sanction? Statutory entities? - How well creative sanction affect permit holder wants to purchase PLI, what type of coverage looking up in

## Introducing Creative Sanctions

- insurance? -some of the sanction are relevant, or time based sanction?
- Shouldn't both parties have to agree to the creative sanctions?
- (It is possible to admit to guilt to negotiate the sanctions.)
- Requesting clarification on the process. E.g. how enforceable are the sanctions? How can fines be collected?
- Will there be a right for appeal or review? (The sanctions could be changed as part of the appeal process.)
- There should be some clarity around what types of creative sanctions can be applied. The desire is to avoid vague verbiage.
- Are creative sanctions being applied to other professions?
- Have we doing this outside the act previously?
- I'm in favour. Concerned about restitution to clients. Does this make APEGA replace court system?
- Any retroactive applications?
- Who will make up the list of sanctions?
- How will sanctions affect a sole practitioner as it relates to obtaining PLI?
- Comment: Likes the concept!
- Has the creative sanction concept been effective and/or necessary in other legislation?
- Right now, there is no teeth to enforcement around unlicensed practice or titled usage. How does this concept apply to unlicensed practice?
- Would creative sanctions be in addition to fines and other sanctions APEGA can currently/already levy?
- The creative sanction will presumably be vetted by a number of parties (not just 1 person) to account for the degree of impact, i.e. a bond sounds like a less visible resolution than 'notifying anyone impacted by the offense', with long-term impacts for the latter. Either may be appropriate, but requires careful consideration.
- Creative sanctions sounds good.
- I agree, this is a very meaningful, positive addition.
- I think the creative sanctions can be a good addition to the legislation.
- Agree with creative sanctions.
- On the sanctions and the other acts that were given as examples, are you going to give examples that would be in the act for the engineers? It would help to have a list of possible sanctions like in the other acts, so that it is not so open ended.
- Agree with sanctions and custodian recommendations.
- Can you provide and examples of where creative sanctions would be of benefit?
- I agree with allowing other sanctions if they are more helpful and do not hurt the offender more.
- Is there any intention to have limitations to the creative sanctions to keep them in line with the current monetary penalties? Otherwise, it could be a way to go around the monetary penalties that is far more punitive than the monetary.
- I agree in principle with creative sanction, but am concerns about the limitations.
- I personally like black and white, I don't know what they are so I don't know how we can agree or disagree. \*\* Another person agrees: it's hard to make a decision on something, especially when some of these fundamental issues haven't been addressed
- I agree with adding creative sanctions as an option.

## Introducing Creative Sanctions

- Agree with the idea of creative sanctions, there will need to be some guidelines as to when they can be applied.

## Updating Tools for Statutory Entities

- This is a good thing to do and get consistency.
- Putting committees specifically into legislation ties your hands. Why not make the legislation give the powers to create committees to council? Also if your act refers to the principles of natural justice then you are better off to have much of what you mentioned in your rules and not your act. As someone who works in this filed the more you can create in your rules rather than your act, the better.
- I found it very "legalese". What I got out of that is if an individual is struck due to not paying dues or entering CPD hours, then a committee of 1 individual can be sufficient to reinstate the individual. Is that correct?
- Being able to have a committee of one person for making decisions, as long as that appeal process is in place, I don't have a problem with this recommendation.
- What is meant by "natural law"? That seems to be a term that could be open to a lot of interpretation. (I.e. The media). We should clarify, as what is legal to one person may not be to another person. This could be open to interpretation from a multitude of different angles.
- If there is enough notice given for a meeting, I don't see any reason to not be able to go ahead with the meeting, provided that there is equal notice given that someone is not able to attend and that there are accommodations made for that. It's much easier to deal with something initially than later on through an appeals process.
- How much time is "sufficient notice"? Concerns about people not being able to attend meetings, etc. due to unforeseen circumstances.
- I agree to get aligned with other professional bodies as long as guidelines are well developed
- How do you judge whether another jurisdiction has an 'effective' Act?
- Creation of panels with decision making authorities – would a stipulated order transfer authority away?
- How do you determine another jurisdiction has an 'effective' add/ policy?
- Second bullet pertaining to Page 2 of briefing note: creation of panels with authority, currently the committee then goes to a discipline committee and goes onwards. Does this mean that a committee wouldn't first then go onwards to discipline committee?
- Are there members of the public appointed today?
- How do you pick the public members?
- Is there criteria on how large the panels can become?
- APEGA has determined on any timeline to complete this process?
- Page 10 about timelines, deals with statutory entities?
- Arbitration process? Rather than suing, sit down and talk responsibility to get the cost

## Updating Tools for Statutory Entities

settled. In a way proposing the idea of “negotiated arbitration” more like “mediation” to speed up the resolution of smaller issues.

- Complaints in terms of absence – professionals will be notified of proceedings? APEGA should have requirement for notification processes.
- Are these the current policies and you just want to move it into the legislation? With all these committees we already have it surprises me that these aren’t already existing policies.
- Where do you get the power to have these policies in place now?
- Statutory entities and their power - I have a problem with the approach. I haven’t seen a single word here about science, the scientific method and consensus. We are getting more and more processes that are adversarial. This point was reinforced by another individual who agrees and wanted their agreement noted.
- There is nothing worse than an engineer who wants to be a judge or a lawyer. I feel that if we are going to get into adversarial processes it does not belong in APEGA. How efficient are our bodies going to be in a court format?
- This is only for our self governing entity – there is nothing criminal about this? Do APEGA members still have the option to go to the actual courts to appeal, etc.
- Is the public member a non-APEGA member? How qualified is this public member? How does APEGA decide when to include public members? Does APEGA have the power to choose when to include public members?
- I guess previous act is not helpful enough... these changes are super helpful... very much.
- Elevating voluntary work - I might be wrong about including volunteers in panels.
- Was there a problem before?
- The last one, that talks about appeal. Do you think right now there are not appeal guidelines?
- Is there going to be some legitimacy on that appeal? Now, will you have the option, that if it’s not legitimate, you can drop the appeal?
- Now, if I say I’m not happy with practice/work, then this person can still practice?
- What happens right now if there is some serious breach in the practice or poor practice of engineering and there is a disciplinary review - what happens to the practitioner? Can they continue during the time this happens?
- How do you define a public member?
- So a 1 member panel would not have a public member?
- Appropriate notice – how long is this?
- Will public members be able to fully understand what they are looking at in a panel?
- A one member panel should not be a public member
- When would you appoint a one person panel (most cases are complex)? What are the criteria for a multi-person panel?
- What is a “statutory entity”?
- Why are these changes happening? Has there been a problem with the existing procedures?
- What are the criteria for the selection of the public member?
- Government will post a job description and find the matched member.
- Is it one person for one panel? Is it fair to only have one person for each panel?
- Comments: “Nature justice” should be replaced by “Common Law”.
- Under the current process, the cost of the loss the appeal will be covered by the person or

## Updating Tools for Statutory Entities

the APEGA?

- Makes sense – it has to be consistent throughout
- “Public members” should be more than 3 members maybe 5 or 6
- How is oral submission documented?
- There needs to be guidance on oral and/or verbal submissions
- Clarity is important value
- No problem with it. Would be good to have more guidance.
- Good
- There are 5 statutory entities – will there be any added?
- Where are environmental concerns covered?
- Natural Justice – not defined – using introduction can allow it to be twisted in the future
- Example of Ontario not a good one (i.e. mall collapse) – important to use the authority we have
- Number of appeals and where to appeal to?
- What are the rules for the public regarding appeal? The rules have to apply to both sides.
- Want to make sure the process is not the punishment?
- Excellent proposal
- Is there a way to work with the government to make sure we don’t have some type of problems as in Malay?
- Is APEGA going to have some liberty to “filter out” some complaints?
- Is there a place for mediation and mandatory arbitration?
- How do you judge whether another jurisdiction has an ‘effective’ Act?
- Creation of panels with decision making authorities – would a stipulated order transfer authority away?
- How do you determine another jurisdiction has an ‘effective’ add/ policy?
- Second bullet pertaining to Page 2 of briefing note: creation of panels with authority, currently the committee then goes to a discipline committee and goes onwards. Does this mean that a committee wouldn’t first then go onwards to discipline committee?
- Are there members of the public appointed today?
- How do you pick the public members?
- Do not have a good enough understanding of current processes to comment.
- Is this something determined by AGEGA that is needed to correct a problem or a “suggestion” from government?
- What defies proper notice for notifications?
- What if the individual or entity being notified is unable to be notified?
- Does embedding this process in legislation restrict APEGA’s ability to penalize individuals out of compliance?
- APEGA can use court system to appeal someone at court? Is that standard for other professions also? Is it required that APEGA has to follow a procedure to keep a member or not and when is not a member, or someone has to be sued then that goes to court, not truly through APEGA, but if it is an appeal yes it is through them.
- This same path that we are going through here is the same that Ontario is doing, because they are expanding their power in their association. Are we also protecting the profession from people who are abusing the title or doing something wrong?
- Please explain the use of courts here



## Updating Tools for Statutory Entities

- This part it is pretty straight forward
- The statutory entity is not defined in the act?
- What is a public member?
- “Make sense”.
- One member questioned the proposal to conduct procedures in the absence of the accused member.
- What is the definition of “public interest”; it seems unusually vague and could be subject to interpretation by the courts.
- If APEGA advertises these procedures, it could lead to more frivolous complaints.
- If each statutory entity gets to make their own guidelines, how to ensure consistency?
- If some goals/objectives are defined, same procedures and policies should follow
- Panel will be made of 1 person? I think one person is not enough, it should be minimum two.
- Panel of one could create lot more occasions for appeal due to biased or inconsistent applications
- Is one person enough or should there be two?
- What is the reason for not having panels with public members at all times?
- Would there be a specified criteria defining how the roster members are selected?
- How will APEGA ensure a fair process in the event of having a panel make a decision without the member in question? How would APEGA ensure the member is notified on a timely basis?
- What is the reason for not having panels with public members at all times?
- Would there be a specified criteria defining how the roster members are selected?
- How will APEGA ensure a fair process in the event of having a panel make a decision without the member in question? How would APEGA ensure the member is notified on a timely basis?
- Should panel include public member? Why is it seem more confident by public? It Says ‘when you meet criteria you have to have public member
- How is roster determined? Is it reviewed and change on annual basis -panel is part of regulation to protect public if something goes wrong? Panel Assist the engineer in any ways when they got in legal cases?
- Can panel can proceed without presence of person? Not everybody updates their information and address, it is not fair without their presence. How will the person be notified? Should be some reasonable steps
- Concern about a panel consisting of only one person. (For basic “black and white” issues like consequences for non-payment of dues, this seems to be reasonable.)
- Should use an administrative review for basic things like non-payment of dues, etc.
- Ensure that if a person is delayed for extreme weather, health, family emergencies, etc. They should have the ability to ask for another date within reason. (E.g. three deferrals, before the person is “tried in their absence.”)
- It is not advisable to permit the chair of a tribunal to decide to allow for a tribunal proceedings with only a single panel member. It was suggested that a minimum of two members be required.
- Panels of one seem to allow for bias.
- The number of panel members should be addressed, as well as the number of public members relative to the number of panel members, possibly relative to the particular entity,

## Updating Tools for Statutory Entities

- e.g. discipline, investigative, etc.
- How are the rosters for the panel members established? Will the membership of the panels be reviewed on an annual basis? Or some other way?
- Provide some justification for the use of public members on all of the panels.
- Concerned that a panel can deal with an issue when the investigated person is not in attendance. Is there a possibility this can happen because no contact has been made with the individual?
- Is there more than one person needed on the panel?
- What is done in other jurisdictions and professions?
- It sounds like this is what we are currently doing, could you summarize what the change would be exactly? What is different of what is being proposed from what is currently happening?
- It is informative webinar.
- This is good background stuff to be doing. Clean up for consistency and wording.
- Agree.
- Agree, clean is good.
- Agree, seems consistent with other acts.
- Agree as well.

## Allowing for a Custodian of Practice

- Why do you have to go to the Court of Queen's Bench to get a custodian? Can APEGA not just assign or select someone?
- These are good suggestions and they should be done.
- What sort of liabilities do you see the custodian of practice opening up for the appointed responsible member?
- What would we do when this applies to an individual could it be applied to a permit holder who has lost their license to provide essential services?
- What rights does the member have in this situation?
- Should members have within their PPMP instructions on who to name as a custodian of practice if need be.
- Most member offer specialized services, if they suffer a heart attack and are near death and an appointment of a custodian of practice is appointed who is paying for that custodian? The customer has already paid.
- Talk to other associations - how did they implement custodian of practice.
- How do you determine whether a member is incapacitated?
- More clarity is needed on the appointment and triggers for that action.
- It's hard to comment on the Act when we don't know how it's going to be implemented.
- If we don't have a clear understanding on how it's going to be implemented.
- Lawyers and accountants need custodians, engineers have need for continuity but is this was explicitly meant for an individual member, what do you do in the event of a critical service or practice? I.e. A waterworks, heating/power company that loses its ability to practice. From a company perspective. There is some confusion/ lack of clarity if a company

## Allowing for a Custodian of Practice

vs an individual is applicable for this item.

- Should a PPMP have specifications about how this would be done/named in the event this was needed? How can this be influenced? (I.e. who would it be? I wouldn't want certain people). Can this be explicitly stated in the PPMP?
- Custodian naming, with now the insurance requirements, will this be an overlap or what is the purpose of the custodian?
- I don't think this is in the interest of the public or member at all.
- A sole proprietor, i.e. a designer has a heart attacked... who's going to pay for the custodian? This makes more sense for a company or an incorporated party rather than a sole member? I think this places a lot of burden on the family and estate of a sole proprietor.
- How do you implement this into practice?
- I think this is a pre-mature move, i.e. CA is only 2 years old in their new legislations, why don't we observe how this plays out for them and then make a decision?
- Here's an example: in BC, a realtor a custodian money was given. I.e. 2008 the banks. A custodian was appointed and the people really did not get anything, the custodian did. APEGA needs to look into these types of examples and understand the implications.
- More clarity on how this process takes place? When does this get triggered and put into place?
- How is it determined when someone becomes 'incapacitated'? How will this be done?
- I find it difficult to comment on the legislation when the implementation is not known. I.e. Punishment for theft, hanging vs. a \$25 fine.
- Agreed, the implementation I.e. Lawyers, have large trust funds, there is a need for custodians are necessary. Same for accountants: funds and continuation is needed. When designing a bridge, water system etc.... I don't see it as the same and continuation as needed.
- Yes, let's review this because of the necessary to review by the government. Let's not necessarily jam it into the revision. (As in, APEGA, let's not just jam it into this legislative revision).
- The degree to which it applies to the other self-regulated professions?
- Time limitation?
- What happens today? Nothing?
- Provides another avenue for owners to continue their project
- How do you go into an agreement with the custodian and the client if the custodian feels the work was underbid or overbid
- Clarification – would it be the responsibility of the member to find someone to take over their work
- Looks good – the changes.
- Is the custodian designated? Or appointed by APEGA?
- The details of custodian and the process should go in PPMP.
- Agree with the new role. Seen many friends in such a situation and transitioning is better.
- I think there should be some rationale for this. We don't want APEGA to just willy-nilly be taking over practices. I would like to see criteria. And in a large firm, there should be safeguards in place already and I don't see a place for APEGA in this context. For smaller companies it may be a different case.
- Going to court to appoint a custodian is a lengthy court process and large expense.

## Allowing for a Custodian of Practice

- Shouldn't someone just take over so we don't have to go through that court process?
- Currently, we don't have a custodian at all? Is it the registrar?
- Has this happened before, where APEGA has wanted or had to step in and exert this type of authority?
- Does APEGA have a system of support for APEGA members? We should!
- Who will pay the custodian? There is need for clarity, in the event when there are not arrangements in the PPMP.
- Can we make suggestions on who will be the custodian? I think that would come from the consultants, or the companies, because, say, I'm hiring an engineer to do the job, and I might be able to pay \$10,000 and suddenly, that engineer is losing the license, or is not suitable, now, I don't want to risk more funding in the project. As a responsible company, there should be people with qualifications to complete the project. Is not right to ask the client to pay for the custodian.
- Now, you don't have the option, right?
- Which of the organization already have that? Medical?
- Does the custodian have a choice to act as custodian?
- Like the idea
- Would the custodian have a choice?
- If a custodian was appointed and they make an error, who takes the liability?
- Does the member have to give permission to select a custodian?
- Can you decline to be a custodian of practice if APEGA asks?
- Will APEGA keep a list of various custodians?
- Have you considered the legal aspect of appointing a person as custodian of a legal partnership? (comment about APEGA being the avenue of last resort)
- For the sole practitioner who has not included in the PPMP, how would you designate a custodian?
- Why does the small corporation have to be accountable?
- Suspension of registration is good sanction. It says a lot.
- The custodian wraps up the business?
- Who finds the custodian?
- There is extra cost of getting a custodian – pay for?
- If there needs to be a custodian, how do you get that person?
- Custodian liabilities have to be clear
- Is APEGA is going to pay the custodian? Is it possible to get that help from APEGA?
- Agree the policy is ok
- How is this legislation going to be communicated to the community?
- Is APEGA receiving feedback from the companies?
- When Custodian takes over, there need to be arrangements for: whose PPMP, whose Liability insurance, etc.
- Has APEGA ever been faced with this?
- Some participants have experience with this: a subcontractor who became Incapacitated, an engineer who died without any coworkers.
- It could get really messy trying to appoint a custodian other than just hiring a new firm. Depends on how much work was done, etc.
- When someone takes over as a Custodian of Practice (COP), whose PPMP or RMs

## Allowing for a Custodian of Practice

authority will apply afterwards. E.g. When a COP is required due to the suspension of licensing.

- How often does it occur that COPs are required that a change to legislation will be practical?
- How will it be determined that a COP will be required in the event of incapacitation permanent or temporary?
- How would custodian be appointed in case of death?
- Do we have to go to Court?
- Wouldn't PPMP/Quality management plan include this?
- 2<sup>nd</sup> – APEGA to apply to the Court of Queen's Bench – wording is worrisome – don't want APEGA to just go to Court
- Is this intended to cover cases when company goes bankrupt and leaves work/clients hanging?
- What about clients? Can they petition for this?
- Can the client initiate? Not mentioned in the presentation
- Unincorporated individual case – sounds like taking over as estate manager
- Ability for APEGA to compensate individual?
- Very good idea and very unique
- Think members should be proactive and look at this. It also helps APEGA be proactive (having policy in place)
- Onerous and costly process to get someone to take over
- I think this is good. Especially in the incapacitation case. There would be so much that APEGA has to do for the company to be able to act if the person dies. You might be well if you put a custodian before.
- There has to be some criteria around when is implementation and how. That will be my concern.
- There may be situations in where the people just do not want to do their work and then the companies have the options of go and ask and find somebody.
- If the person who dies, would the responsible member from APEGA going to make changes on the PPMP?
- In the case of a sole practitioner, if he is doing something that only he knows how to do, it is going to be difficult to find someone else who is able to do the work.
- Another proposal that is too broad.
- Do not see it as a value add.
- Appears to be APEGA getting the right to seize a sole proprietorship. (several members in agreement)
- Will the owner of the practice have any say of who will be the Custodian of Practice?
- Who in a practice will have the authority to determine the requirements for a Custodian of Practice?
- How will the custodian be paid?
- Does this custodian to be a member?
- Would APEGA ask for members who are willing? How will this happen?
- So the custodian will have the ability then to go into the practice itself and to review the files and all the documents.
- More applicable to the sole practitioners
- Is there a PPMP development covering this?

## Allowing for a Custodian of Practice

- How do you select an individual to step in someone else practice?
- An interim practitioner should be better
- Will it be a bit of a process to select someone?
- How do they get paid?
- Is this really necessary? A company would probably go out and get a replacement in much less time than APEGA could intervene.
- This recommendation seems pretty broad.
- Must APEGA be the only one to make an application to the court?
- From a time consideration, it would be quicker to hire a replacement than go to APEGA and go through the legal routine.
- Confidential? How? Confidential about the person or reason, not about doing it?
- Who pays for the custodian?
- Who gets to be on an APEGA custodian list? What if they are a competitor?
- When would this be applied? Example: sole proprietor passed about through a project?
- Clarify who takes responsibility/liability for drawings?
- Is it like a performance bond (for a construction contractor)?
- There is a need for a succession plan to be included in PPMP ahead of time (before an issue arises)
- How is custodian selected?
- Family/Partner/Member of corporation clarification needed
- Who is championing the custodian? The company, APEGA? Larger companies would manage practically, how the custodian is going to be guided? What's the practicality of this?
- How does APEGA know about appoint a custodian if they don't have it in the PPMP?"
- The overall intent of this is a transfer of exercise?
- The request could come not only from the family members, but from the clients also.
- Is it up to APEGA to decide what incapacitated is?
- Put system in place so that custodian does not be beneficial financially.
- Intended only for sole practitioners or small companies?
- Need clarity on responsibilities of a custodian.
- What is intent of a custodian? Financial aspect and engineering quality aspect?
- Like the idea of custodian.
- Need a system in place or some regulations to recognize the incapability. Many times a person who became incapable does not believe that they are incapable.
- APEGA needs to be explicit about custodian responsibilities being only engineering components. Custodian should not be responsible for financial issues.
- Who is championing it? Is it the company, or is it APEGA? What about in the case of a sole proprietor?
- How does APEGA appoint a custodian?
- What's the overall intent of this? Line-down or transfer?
- Sometimes a family will not react.
- Is it up to APEGA to decide what incapacitated means?
- Has APEGA considered assuming any potential liability by assigning a custodian?
- What would be the guidelines to select a custodian?
- Why would permit holders not be allowed to designate a custodian?
- How would be custodians compensated for their service?

## Allowing for a Custodian of Practice

- Has APEGA considered assuming any potential liability by assigning a custodian?
- What would be the guidelines to select a custodian?
- Why would permit holders not be allowed to designate a custodian?
- How would be custodians compensated for their service?
- Will assigning a custodian put APEGA at risk by liability wise? - Sole practitioner do something respect to direction in PPMP identifying custodian; court how will it choose that person? What are Guideline and criteria?
- Why there is exemption to permit holder?
- Can a member request a specific person or persons to take over a practice in the event of incapacitation, in their PPMP for instance?
- There was skepticism whether this is required.
- It seems to be impractical to be able to replace a member with somebody who may not have very specific knowledge.
- Nobody would be forced to be a custodian.
- If somebody is becoming incapacitated, presumably they would look for help before they become incapacitated. (Skeptical if this proposal is a good idea.)
- Who would be the beneficiary of this policy e.g. is this just to help business people to protect their financial interests?
- Who determines when somebody has lost capacity to practice?
- What are some examples of other regulators having a custodian help?
- Would this be applicable to non-compliant members or companies?
- With regards to suspension, it needs to be clear that the intent is that the suspension is due to incapacity to carry out their normal duties, not some other reason for the suspension. (The wording of the proposal/description needs to be improved.)
- How will custodian be chosen? What are the parameters governing the custodian? Specified by APEGA Council?
- Custodian for a sole practitioner PH versus for an organization.
- Would the PPMP contain details for appointment of a custodian?
- Does APEGA decide if a member has become incapacitated?
- On what basis is it decided that a member has become incapacitated? Complaint from a client? Medical? Or another reason?
- Good idea. Need that custodian cannot profit.
- Only for small practitioners?
- What are the custodian's responsibilities? Financial, engineering etc.
- Who is going to provide name of custodians?
- Should be put into as a continuation of business.
- Good companies have probably already got this in place.
- What is incapable and who makes this decision?
- APEGA should ensure that it is only the engineering end that the custodian is responsible for
- Severe tact must be used.
- Does the appointment of a custodian pose a risk for APEGA?
- Suggested that in the case of a sole practitioner that the arrangement for a custodian be included in the PPMP
- How does the court appoint a custodian?

## Allowing for a Custodian of Practice

- Is it appropriate that for a corporation, with a large number of employees, not be required to identify a custodian? Perhaps one of the RMs could be specified.
- Could a custodian be appointed to cover for deficiencies in professional practice?
- How is the remuneration set for a custodian?
- Is a custodian of practice like a power of attorney?
- Is it really necessary to have a custodian of practice? Isn't it just bad luck if someone dies and cannot complete their work in progress?
- What other professions are we as Engineers and Geoscientists being compared? I.e. Doctors, Lawyers, etc.
- Who brought the idea of having a custodian of practice to the review panel?
- Who determines when a professional cannot carry out their duties?
- Comment: Suspension of capacity needs to be clarified.
- How is a custodian of practice going to be found when the professionals can be completing very specialized work and there may be no one qualified to finish the work?
- Who sets the rates that designated custodians could impose?
- Could implementation of a custodian of practice be triggered by a competitor?
- If a competitor does accuse someone of being unfit, is there any consequence for a bad faith claim/malicious intent?
- There needs to be some guidance, like we mentioned before on another topic, how this will be implemented. Last year, we need to prove incapacity and exactly when this type of situation kicks in, similar to comments when this topic initially came up. We need clear guidance or some more structure.
- Appears to be helpful legislation that protects the public's interest and safety.
- Custodian of practice is mainly for consultants?
- I think it will be a valuable way to protect clients/public.
- Very informative - thank you
- I think it's keeping in line with receivership of a company, it looks very similar.
- Regarding liability, where you have a custodian coming in and taking over that practice, how from the previous practitioner does that liability transfer over? Is there going to be a mechanism to, if another professional member goes in there as a custodian to look after some other person's practice and in doing so they discover an error or omission or some other serious type thing, is there going to be a mechanism in place to protect the member that is appointed as custodian?
- How is the custodian selected? Is there a board for that?
- Who and how determines when to initiate the takeover by the custodian.
- Agree with provision for custodian.
- I agree with the custodian and the creative sanctions recommendations.
- Since this is for a small project should the client not be responsible and not APPEGA
- I didn't hear anything that led me to think this is a tool we need. Is there something I am missing? It sounded like a lot of effort for something that exists today. The courts have the ability to transfer accountability today.
- Who will be legally responsible for any misconduct by a custodian? The person himself or the primary permit holder or both?
- This would be an example of where PLI would be important.
- I understand the good intention to protect the public interest here, but the wording should be carefully considered. Allowing family members to raise concerns may be an issue,



## Allowing for a Custodian of Practice

depending on dynamics within the family

- Allowing sole practitioners to designate potential custodians for their practice (in case they become incapacitated) may reduce some concerns regarding the appointment of a custodian by APEGA.
- Does Custodian of Practice rely on cooperation of the RM to assignment of a custodian? What if the RM does not believe it is necessary such as in mental health issues.
- I have a question as to how this will effect rates, for example, a custodian is put into place. Consultant A is incapacitated and not able to finish his consultancy, and Consultant B rate is double that of consultant A, now APEGA is going to get a court order to put consultant B into place, into a position where his rate is double or the customer is going to be charged double to support the finalization of the project. I think at the moment, what happens now? If someone is incapacitated then the customer is out of luck, and has to go look for someone to pick the pieces up and while that might be punitive to the customer, unfortunately that's part of the risk of doing business and should be part of the selection criteria that they used when picking a consultant in the first place.
- Considering the population of Alberta, the age distribution we have, I think it is important that we do get something legislated that recognizes the impact that of an aging knowledge base in the province and how we can support the public in maintaining public safety with that situation.
- I think it is possible that this item, allowing for custodians of practice, is one way to help protect the public and address the aging population of the profession in the province, there is certainly not enough information that has been presented here to say I fully support the measure, but I do think that measures do need to be considered for the case where you will have members that are incapacitated during active work. From my experience, we are seeing participating members that are well beyond what the past typical retirement age would be.
- One of the new disciplinary methods that is being proposed, that people can have their permit to practice revoked without going to court, is that correct?
- I am somewhat concerned as there seems to be an enhanced ability for APEGA to take away a member's permit to practice and apparently with this, parachute somebody into their company and take it over, which seems to be very heavy handed. Seems unnecessary to me.
- Who decides, even within APEGA, whether to proceed with identifying a custodian?
- There are other decisions that would come along with that, such as for example, consultant A, B or C to be the custodian, who decides which consultant to be the custodian?
- Improperly absent – a concept presented in the video – there is incapacitated, death, all those things, but improperly absent, this seems like a bit of a judgment call, and I think it needs to address “who” makes that decision.
- I have a concern on that, as you've brought it up, so, technically as a sole proprietor as an incorporated company the corporation has certain assets, if upon my death you parachute someone in to handle the company, there at will to distribute the assets of the corporation in my absence, rather than them going through the normal being part of the estate. That concerns me that APEGA would have the ability to parachute someone in, it's my company, and disperse of any assets it has, rather than it going to whom it should go to (according to my will).
- Does this apply to company assets? There should maybe be a clear distinction. Drawings or designs could be company assets for a sole proprietor.

## Allowing for a Custodian of Practice

- Would it make sense for this to not be in the legislation, but just put it in the regulation? Maybe there are too many variables with this item, it may be better in policy and procedure, rather than in the act itself.
- Is APEGA right now, without this being in the legislation, is APEGA not able to apply to the court? I think that question needs to be answered first, before we can start ensure the legislation has this provision.
- This also has jurisdictional issues around it. If you are a BC company and you have an APEGA stamp, so does APEGA have the ability to parachute a custodian into BC company? Or a company under different legislation, or an off shore company? It just seems to put more burden on local companies than it does, or is necessary, or can be enforced on others.
- I believe the custodian of practice proposal does have merit.
- I like the concept.
- General comment, normally rules and regulations, and things like how APEGA governs and deals with members and things like that, over time as issues come up and have to be resolved, it seems to be concerning that we are now saying, since we haven't had an update to the legislation in 30 years, we're going to make all these changes in one shot, we aren't really sure, it seems to me, these are even needed in some cases, so I just want to provide that feedback – that maybe APEGA is taking up a little too much at one shot and maybe things should be taken piece meal over time rather than trying to do it in one big shot.

## Changes to the Definition of the Practice of Geoscience

- In 1 (i) (A), the words “or the environment” are redundant and can be removed.
- In 1 (i) (A), “consulting, applying”. Does this cover people who use geoscience report as basis for other decisions (i.e. an engineer)?
- In 1 (i) (A), “classifying reserves” should not be deleted.
- In 1 (i) (A), why has “advising” been deleted when geoscience provides advice to engineers.
- In 1 (i) (B), should add “conditions and properties” to definition of earth materials
- Comments about 1 (i) (B) and (C). Original act covers scope of practice; new wording is vague (e.g. “processes” of what? “geo-hazard risks” – what does this mean? Question the need to include “biology.” Why was “through the application of the principles of geoscience” deleted?
- In 1 (i) (C), the words “or biology” should be removed as biology is not physical science; also including “biology” may include people who are not geoscientists.
- How much of the input from previous consultations (Geoscience Alberta) was used for these definitions; it appears that the input was not included; there is poor grammar (e.g. “data” is plural, use of hyphenation).
- Should “atmospheric geophysics” be included since it is related to the environment?
- Would not remove most words; adding “physics” is redundant; should use “geochemistry” rather than “chemistry”; should add “environmental geosciences.”
- For Part (A), concerns regarding the phrase “earth sciences or the environment”

## Changes to the Definition of the Practice of Geoscience

- Redundant
- Undue influence of environmentalists
- For Part (C), concerns regarding the term “or biology” - Recommend removal, not a part of geoscience
- General comments:
  - New wording might suggest inclusion of individual that are not geoscientists, Ex. water or soil scientists.
  - Does this address use of this information by others? Ex. an engineer using seismic data
  - How much historical and constituent discussion was considered here? (participant speaker worked with GeoScience Canada)
- Noted grammar issues
- For Part (B), the original text was adequate and the proposed text seems vague
- For Part (C), biology is on the list and environment is specifically mentioned because there are three paths: 1) geology, 2) geophysics, 3) environmental geoscience
- Suggestion to include atmospheric geophysics in the scope of the legislation.
- Classifying reserves is specifically highlighted in the original wording, and should remain in the new version.
- The word “advising” should be included – comment from a structural engineer
- Suggestion to not remove most terms as included in the original text, and to include the newly proposed text as well.
- Suggestion to clarify the meaning of terms, such as geochemistry.
- Recommendation to add “conditions and properties”.
- A further comment to not “muddy the waters” with biology inclusion.
- Need clarification on a number of points. Does this include surface water in the Act? Does pure research fall under the Act? Biogeo chemist fall under the definition/Act? Biology? Is the Act going to now involve biologists?
- Definition – very broad. Could cause confusion
- Section 1(i)(b) – oil field? Energy field? If the definition includes oil and gas – energy field not needed -all terms need to be well defined
- Water has been taken out? Why? Where would aquifers fall? Earth materials? Natural resources?
- Define carefully so others won’t define for us
- There are acts that could be affected by changes to this definition
- Concern – what about cross over fields?
- Clarification requested on:
  - Someone going out on their own, ground water survey. Will that fall under the amended act if it is surficial water?
  - University student in Dept. of biology and is conducting a ground water survey. Will that fall under the amended act?
- University bio-geochemist student is conducting a study on insects in a ground water survey (concern with including the word biology in the amended act. Definition may be too broad!)
- What about pollution in ground water, in the soil, etc.? There is no mention of pollution in the act.
- We may ‘tread on the toes’ of other professional organizations by making the amended act too broad (lots of nodding in agreement on this in a room of 1-2 dozen people)
- Why include the term energy fields if oil fields, etc. are included?

## Changes to the Definition of the Practice of Geoscience

- But wait! What about geothermal energy?
- Energy bodies and geobodies are unfamiliar terms. What do these actually mean? They are not common language.
- Aquifers - where do they fit in this definition? Why was water excluded in the definition?
- Careful definition is required for water. Brine is considered a natural resource, but is also water. We must be careful on the definition of subsurface water vs. surface water.
- Voids in rock to store CO<sub>2</sub> is already included in a different professional act, but it involves geology. There may need to be 'clean up' amongst different acts.
- There is no legislative definition anywhere for potable water! If definitions are made in different acts, we need to be sure they are in agreement.
- Mentioning chemistry, natural resources and biology in the amended definition is where it gets confusing.
- Another concern of engineers and geoscientists having overlapping areas under the new definition.
- Must both parties in a dispute agree to the creative sanctions defined?
- If there is a fine against a member, how can it be collected?
- Will this allow APEGA to enter a practice and decide what needs to be done?

## Changes to the Description of Geoscience Work Products

- Most professional documents (reports and work products) generated these days are produced using software; thus, it is difficult to attach a seal to the end result. How can you add seal or authenticate?
- One solution is to not separate figures from the report. Attach the seal on the cover letter.
- Proposed changes may not be practical to implement with some eDoc sharing.
- One possible solution to that first concern is to not allow figures to be separated from the report.
- Could potentially also use a cover page – signed/sealed.
- Licensee struck out? Please explain why.
- Clarification of a professional document as a stand-alone document specifically, or a packet of documents.
- Licensee is crossed out in the description, but it is mentioned in other sections or will be defined later?

## Geoscience: Changes to Exemptions

- In (c), omission of “prospector.” The reason for inclusion or exclusion seems vague and requires better definition.
- In (c), are “prospectors” aware that they will now be included? Question the need to cover prospectors when they are already defined by existing legislation (i.e. “amateur prospector”)
- In (c), does this also cover “prospecting” in a data room? Needs better definition.
- In (e), there is concern about “any subsequent changes.” When running seismic crews, it is difficult to stamp every change. Suggest adding more definition. Possible solution is to approve changes after the fact; provided that it is sufficiently documented.
- In (e), there is concern about “changes to the field parameters.” It may not be possible to control changes after delivery to client has occurred. How can this be enforced or tracked?
- In (f), what does “data management” refer to? This term seems vague.
- How do these changes relate to the purpose of APEGA (to protect the public)? Can APEGA regulate all aspects? What are we protecting the public from?
- What is being regulated since geoscientists make interpretations; there is no “right” answer and many viable answers.
- In (f), need to clarify “data management.” Who does this apply to? Data reduction/processing? Plotting? Some definitions are pointless and silly.
- It seems like (f) applies to technicians, technologists, GITs that operate under the supervision of P Geos. Is that correct?
- Part (f) “data management” term is too vague.
- Part (e) concerns regarding “any” change – very laborious in practice, likely unworkable. There should be exemptions.
- It is impossible to control changes made after a report is delivered to the client, especially if it is not in Alberta or Canada.
- Concerns around removal of prospector exemption.
- Has anyone consulted prospectors on this? Do they know they may soon fall under APEGA?
- They are regulated separately.
- Part (e) should be manageable because the point also states “prepared or approved”, i.e. it just has to be documented, but can still make changes in the field.
  - For reduction or plotting exercises, five geologists will come up with five different answers, and a viable answer is a right answer.
  - “Reduction” is too vague, may need to be regulated.
- Part (f) sounds like technicians, supervised by P.Geo.
- Define “routine” and “normal”
- What is the definition of ‘routine’? This member has never had a routine survey.
- What is the definition of ‘normal’? This member does not think there is a normal.