

## **Recovery of Discipline-Related Fines and Costs** *Improved Regulatory Effectiveness and Efficiency*

To improve regulatory effectiveness and efficiency, APEGA should have the ability to recover discipline-related fines or costs from offending Members and Permit Holders without a civil lawsuit and trial.

### Background

- The *Engineering and Geosciences Professions Act* currently allows APEGA to suspend the licence of Members and Permit Holders that have not paid discipline-related fines or costs ordered against them. The Act currently states that disciplinary fines or costs are debts due the Association and may be recovered by civil action for debt.
- If offending Members or Permit Holders do not pay the fines and costs stipulated in the order, APEGA must file statements of claim and sue the offenders in Court to recover the amounts.

### Why this is important

- It costs APEGA time and money to file statements of claim and sue in Court to recover the amounts owing. In many cases, APEGA has already spent significant resources to obtain the original discipline decision.
- APEGA could use these resources for other regulatory endeavours, resulting in better protection of the public interest and improved regulatory effectiveness.

### Proposed legislative change

- Amend the Act to authorize APEGA to file discipline orders with the Court if there are outstanding fines or costs. These orders would be enforceable as Orders of the Court.

Effect of the  
proposed  
change

- It will eliminate the need for APEGA to start separate lawsuits to collect the monies owing. APEGA could invoke the collection and recovery-of-debt remedies associated with the Orders of the Court, without the expense and time of a civil trial.
- It will align the legislation with other modern, self-regulatory associations in Alberta and Canada.