

The Canadian Council of Professional Engineers

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Presentation at UPADI
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**Providing leadership which advances the quality of life
through the creative, responsible and progressive
application of engineering principles in a global context**

Engineering in Canada

- ★ There are over 160,000 professional engineers in Canada
- ★ Canada's system for the formation of an engineer is world renowned
- ★ Canada is the 4th largest exporter of engineering services in the world



A Self-governing Profession

- ★ Section 92 (13) of the Constitution Act, 1867, places professions under provincial and territorial jurisdiction.
- ★ Delegation to professions - self-governance
- ★ Licensing, discipline and enforcement
- ★ Associations/ordre formed to protect the public and govern the profession
- ★ Legislative framework established
- ★ No industrial exemption: all those practising engineering must be registered



The Practice of Engineering

The practice of Professional engineering means any act of planning, designing, composing, evaluating, advising, reporting, directing or supervising, or managing any of the forgoing,

- that requires the application of engineering principles, and
- that concerns the safeguarding of life, health, property, economic interests, the public welfare or the environment.

CCPE Definition



Requirements for Licensure

- ★ Academic
- ★ Experience
- ★ Professional Practice Exam
- ★ Language
- ★ References



Role of Regulatory Body

- ★ setting standards (academic, experience, references) for admission to the profession and issuing licenses to those who qualify
- ★ **enforcement activities** for those practicing engineering who are not licensed or those claiming to be engineers who are not licensed
- ★ **investigation of complaints** against licensed engineers



Role... cont'd

- ★ **discipline activities against members who perform incompetently, breach the Code of ethics, code of conduct;**
- ★ preparation of guidelines relating to various practice issues for the benefit of the public or the membership;
- ★ practice standards, not engineering standards
- ★ continuing competency programs



Legal Responsibility

- ★ Responsible for regulating the profession via provincial legislation

- ★ From the definition of engineering

"...that concerns the safeguarding of life, health, property, economic interests, the public welfare or the environment..."
(CCPE definition)



Discipline Process - Members

Two Part Process...

- ★ Investigation (Confidential)
- ★ Discipline (Public)



Discipline Process - Members

Complaints against Members

- Review of complaint
- Report to Investigation Committee
- Consideration by Investigation Committee
- Decision on disposition
- Recommendation to Discipline Committee

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Discipline Process - Members

If there are reasonable and probable grounds to believe:

- a breach of the Act, Bylaws or Code of Ethics; or
- unprofessional conduct, negligence or incompetence

Then the outcome could be:

- File closed with no further action
- File closed with recommendation
- File passed to Discipline

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Discipline Process - Members

- Legal Counsel then prepares Notice of Inquiry
- Offer of Stipulated Order

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Discipline Process - Members

- Notice of Inquiry issued
- Inquiry Hearing
- Discipline Panel Judgment
- Case published including penalty

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Enforcement: Non-Members

- ★ Prohibition on practice
- ★ Use of title
- ★ Practice by an individual
- ★ Practice by a company/entity
- ★ Use of a restricted word

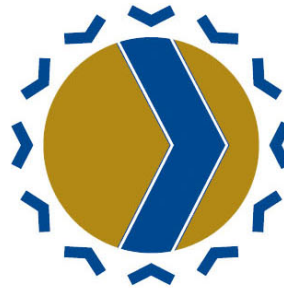


Enforcement: Non-Members

Action:

- ★ Request Voluntary Compliance
- ★ Confirmation of Compliance
- ★ Continued Non-compliance
- ★ Letter from legal counsel
- ★ Application for Injunction
 - Constraining Order
 - Costs and Fines





**CANADIAN COUNCIL OF PROFESSIONAL ENGINEERS
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