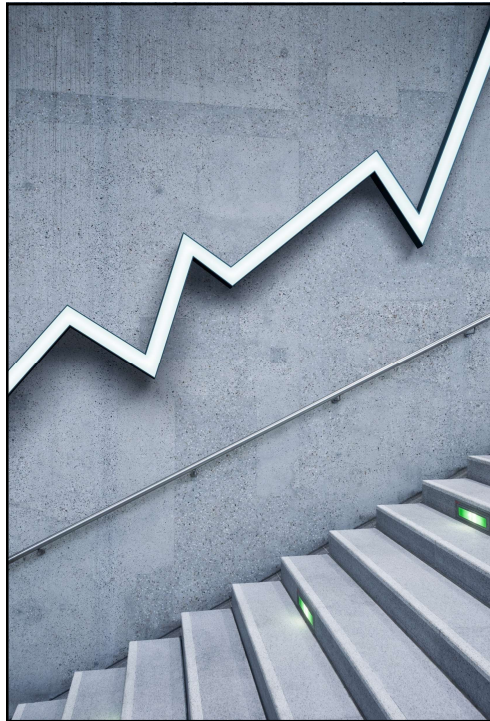




# Act and By Law Review Consultation

SEPTEMBER 28 AND 29 2026

1

*Purpose of this consultation is to seek comments on the proposed changes to the Engineering Profession Act and our By Laws.*

## INTRODUCTION

2

*Introduction – Libby Osgood*

*Agenda and Background – Libby Osgood*

*Review of Proposed Changes to Engineering Profession Act – Jim Landrigan*

*Accept Comments on Proposed Changes to Act – Libby Osgood*

*Review of Proposed Changes to the By Laws and Code of Ethics – Jim Landrigan*

*Receive Comments on Proposed Changes to By Laws – Libby Osgood*

*Next Steps – Libby Osgood*

## AGENDA

3

*Chair:*

*Justin Dunn, FEC, P.Eng*

*Members:*

*Greg Clayton, FEC, P.Eng.*

*Geoff Connolly, K.C., FEC, P.Eng.*

*Peter Joostema, FEC, P.Eng.*

*Jason Lindsay, FEC, P.Eng.*

*Libby Osgood, P.Eng.*

*Ed Power, FEC, P.Eng.*

*Nick Reddin, P.Eng.*

*Jim Landrigan, FEC, P.Eng.*

*65 Meetings since 2015*

## ACT REVIEW COMMITTEE

4

*Engineers Canada – Evelyn Spense (Legal) at the start of the review*

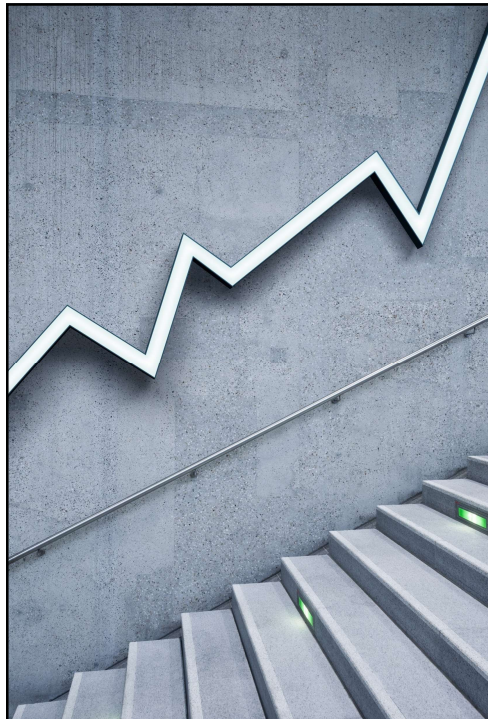
*Construction and Consulting Committee  
Preparation of exemptions document*

*Council Review of Act and By Law revisions  
June 22 and August 10 2026*

*Other Stakeholder review  
Province of PEI, Technical Services and Standards Division*

ASSISTANCE AND/OR REVIEW PROVIDED BY

5



# Engineers PEI Act Review Summary

SEPTEMBER 2026 CONSULTATION

6

*This document is intended to provide a high level, summarized view of proposed key changes to the Engineering Profession Act.*

## NOTICE

7

1. Updated language in several areas to provide more flexibility to certificate types as defined in the by-laws by replacing language of “member of the association” to “certificate of registration”, “person authorized to practice engineering”, or “holders of a certificate as prescribed in the by-laws”.
2. Update gendered language throughout, specifically searching on the terms “he” “his” “him” “chairman” to make gender neutral “them” “their” “chair”

## GENERAL

8

**SUMMARY OF CHANGES**

1. *Improved linkage and clarity of terms “certificate of registration” and “professional engineer” to best reflect current and potentially new certificates which may be issued under the Act as detailed in section 5 (2).*
2. *Added definitions for “certificate” and “Code of Ethics”, the first for clarity throughout the document and the latter for clarity to reflect best practice in today’s professional environment.*

**SECTION 1 – DEFINITIONS**

9

*No Changes***SECTION 2 – THE ASSOCIATION**

10

## **SUMMARY OF CHANGES**

*Updated section to reinforce the “principal object of the Association are to serve and protect public interest”*

### **SECTION 3 – OBJECTS OF THE ASSOCIATION**

11

## **SUMMARY OF CHANGES**

1. *Modernized language in 4(r) to reflect that Engineers PEI “may enter into agreements with similar associations of professional engineers and technical societies”, that may include national and international bodies. The existing language limited such agreements only with Canadian engineering associations or technical societies.*
2. *Reinforced in 4(t) our Members role is not only to be useful to the public but also to protect them in our work.*
3. *Added 4(u) that clearly articulates that Engineers PEI will “administer the Act, including its enforcement”.*

### **SECTION 4 – POWERS OF THE ASSOCIATION**

12

## **SUMMARY OF CHANGES**

1. *Adopt a best practice and modernize 5 (11) to allow more control, while maintaining rigor to refuse to issue a certificate to any person where Council is of the opinion upon reasonable grounds that the past conduct of the person will not practice engineering in accordance with the law and in a manner to provide good service to the public.*
2. *Existing language in the Act requires Council of Engineers PEI to consider both reasonable and probable grounds which is a more confining standard, and language that other Associations have changed through the years.*

*(cont.)*

## **SECTION 5 – QUALIFICATIONS FOR REGISTRATION, LICENSE, ENROLLMENT**

13

## **SUMMARY OF CHANGES**

*(cont. 2 of 2)*

3. *Add section 5 (12) to instruct an Engineers PEI certificate holder to inform Council if the individual receives any disciplinary action against them from another Canadian professional engineering body or jurisdiction outside of Canada. Council would have the ability to refer the matter to the discipline committee, who in turn may issue one or more orders that it considers equivalent to the order made in the other province or other jurisdiction outside Canada. If an order were issued by the discipline committee it would follow section 20 of the Act.*

## **SECTION 5 – QUALIFICATIONS FOR REGISTRATION, LICENSE, ENROLLMENT**

14

*1) When ‘incompetence’ is mentioned, added ‘unskilled practice’.*

## **SECTION 6 – PARTNERSHIPS AND COMPANIES**

15

### **SUMMARY OF CHANGES**

*Simplified language in 7.(1) to “holders of a certificate”, instead of a prescriptive listing of certificate types.*

## **SECTION 7 – REGISTRATION**

16

## **SUMMARY OF CHANGES**

1. Clarified that an engineer would not be required if a person was “engaging the practice of engineering to a project on his own property” for their sole use, and “does not involve the safety of the general public”.
2. Remove reference to project value and replace with the scope of the project is exempt as prescribed in the Bylaws which references a document approved by council to prescribe exemptions based on building code classification, etc.
3. Standardize existing language such as “practice of engineering” to better coincide with the defined terms in Section 1 of the Act.

## **SECTION 8 – EXEMPTED PERSONS**

17

*No Changes*

## **SECTION 9 – ANNUAL DUES**

18

## **SUMMARY OF CHANGES**

*Added electronic ballots as an acceptable method to vote for applicable certificate holders as described in the by-laws.*

## **SECTION 10 – MEETINGS OF THE ASSOCIATION**

19

## **SUMMARY OF CHANGES**

1. *Recommendation to add a Public Councillor as selected by the Council to provide transparency to our governance.*
2. *Ability to appoint additional councillors, public councillor(s), observers as deemed necessary for the effective administration of the Association.*
3. *Council may appoint other officers and establish committees as necessary for carrying out the provisions of the Act and by-laws.*
4. *Added a new section 11. (16) whereby Council may delegate to a committee any power, authority, and/or decision as though it was the act or decision of the Council.*

## **SECTION 11 – ADMINISTRATION**

20

### **SUMMARY OF CHANGES**

*Recommend that the fee paid by candidates for examination be set by Council instead of in by-laws.*

## **SECTION 12 – ENGINEERING QUALIFICATIONS COMMITTEE**

21

### **SUMMARY OF CHANGES**

1. *Added that a holder of a certificate shall not breach the Act, By-Laws, or Code of Ethics.*
2. *Added a detailed mechanism in 13.3 where, under urgent and compelling circumstances, and in the interest of the public, a holder of a certificate may be immediately suspended, or restrictions imposed on a temporary basis. This section details communication responsibilities, and the process that would be followed in such an event.*

## **SECTION 13 – DISCIPLINE**

22

**SUMMARY OF CHANGES**

*Updating that the Act Enforcement Committee is to be composed of at least three members of the Association and additional person(s) as appointed by Council.*

**SECTION 14 – ACT ENFORCEMENT COMMITTEE**

23

*No Changes*

**SECTION 15 – ACT ENFORCEMENT OFFICER**

24

## **SUMMARY OF CHANGES**

1. *After review, the Act Enforcement Committee may dismiss a complaint if it determines that the complaint is frivolous or vexatious or not advanced in good faith or advanced for an extraneous or improper purpose.*
2. *Expanded section 16.4 so that in the absence of a written complaint, or if Council or the Executive Director become aware of an issue, they can initiate a detailed written request to the Act Enforcement Committee to conduct an investigation pursuant to the Act. This section has been broadened to include scenarios that may not just directly include Members.*

## **SECTION 16 – ACT ENFORCEMENTS**

25

- 1) *Includes addition of one public person who is not an engineer.*

## **SECTION 17 – DISCIPLINE COMMITTEE**

26

## **SUMMARY OF CHANGES**

1. *Provide more clarity in section 18.1 (b) to better link with the Code of Ethics.*
2. *Improved language in 18.2 (a) to include all holders of a certificate, instead of just a “professional engineer” and added ‘unskilled practice’..*

## **SECTION 18 – PROFESSIONAL MISCONDUCT AND INCOMPETENCE**

27

## **SUMMARY OF CHANGES**

1. *In 19.8 Hearings of the Discipline Committee shall be moved from traditionally closed to open to the public unless under certain conditions, such as public security or other matters (financial or personal matters) that may warrant the hearing(s) be open to the public.*
2. *Specify that a person served with a summons shall produce to the Discipline Committee all records, reports or other documents referred to in the summons and that are under their custody or control. Previously the Act inferred that the person would have to produce all records, reports, or documents under their control which was not always reasonable or required.*

## **SECTION 19 – HEARINGS**

28

**SUMMARY OF CHANGES**

1. *In section 20.2 (a) clarification of titles to expand beyond only hearings involving “the right to practice professional engineering...” to include right to practise professional engineering and/or the designation of the person or holder of certificate of authorization...”*
2. *In 20.(h) added a section to have the ability to impose a fine payable to the association on the person or holder of certificate of authorization of up to \$25,000.*
3. *Added a timeline of one month, unless extended by Council, for the Discipline Committee to give its written decision, with rationale to Council following the completion of the hearing.*

*(cont.)***SECTION 20 – PROCEDURE FOLLOWING HEARING**

29

**SUMMARY OF CHANGES***(cont. 2 of 3)*

4. *Added a timeline of five working days from the rendering the Discipline Committee’s decision for the relevant documentation and decision to be delivered to the complainant and the person complained against.*
5. *Section 20.6 (a) clarifies that as per the direction of Council notice of any resolution reprimanding and censuring a person complained of may be published in such form and in such manner as Council deem appropriate.*
6. *Clarified language to allow Act Enforcement and/or the Discipline Committee to secure legal or other services as per the nature of their casework as required.*

**SECTION 20 – PROCEDURE FOLLOWING HEARING**

30

### **SUMMARY OF CHANGES**

*(cont. 3 of 3)*

*7. Language clarified in 20.10 regarding that under the direction of Council the Association may be reimbursed for all costs and expenses associated with the hearing should that person, partnership, association of persons or corporation be proven guilty of the offence alleged in the complaint laid under Section 19.*

## **SECTION 20 – PROCEDURE FOLLOWING HEARING**

31

### **SUMMARY OF CHANGES**

*Should the courts direct the Association to take specific action steps, allowed the Discipline Committee to respond, who have the expertise and depth of knowledge on the file(s) being appealed.*

## **SECTION 21 – APPEALS**

32

## **SUMMARY OF CHANGES**

*Added section 22.3 for clarification: Where a notice or document under this Act or the regulations is sent to a person by mail addressed to the person at the last address of the person in the records of the Association, there is a rebuttable presumption that the notice or document is delivered to the person on the tenth day after the day of mailing.*

## **SECTION 22 – NOTICE**

33

## **SUMMARY OF CHANGES**

*Significant changes have been made to this section to increase the fine values, providing the ability to recuperate costs to the Association, and detail an administrative penalty process.*

## **SECTION 23 – PENALTIES**

34

*No Change*

## SECTION 24 – LIMITATION OF ACTIONS

35

### **SUMMARY OF CHANGES**

- 1. Updated section to add that a member's registration number will be contained on their seal.*
- 2. Allow greater flexibility to seal design consideration with Council approval.*

## SECTION 25 – SEALS

36

*No Changes*

**SECTION 26 – INJUNCTION**

37

*No Changes*

**SECTION 27 – RECOVERY OF CHARGES FOR  
PROFESSIONAL ENGINEERING SERVICES**

38

## **SUMMARY OF CHANGES**

1. *Updated language to allow greater inclusion of all holders of certificates.*
2. *Added a new section to allow the Association to create by-laws regarding “the classification of membership categories based upon engineering disciplines and necessary qualifications to engage in the practice of that discipline.”*
3. *Updated Section 28.3 of the Act whereby changes to administrative sections do not require approval from the Lieutenant Governor in Council .*

## **SECTION 28 – BY-LAWS**

39

*No Changes*

## **SECTION 29 – TRANSITIONAL**

40

*No Changes*

## **SECTION 30 – REPEAL**

41

### **SUMMARY OF CHANGES**

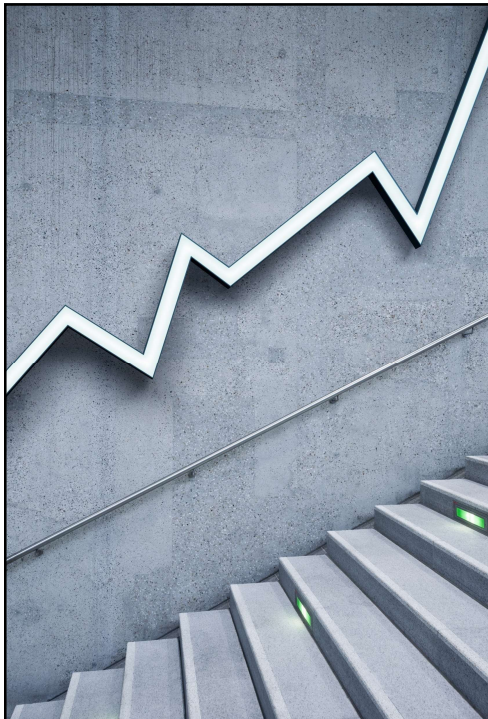
*1. NEW SECTION – This section addresses how information pertaining to the confidentiality of information and records obtained or provided under this Act and by-laws is addressed. It details how and when information may be shared under certain circumstances.*

## **SECTION 31 – PROTECTION OF PRIVACY**

42

## COMMENTS ON ACT UPDATES

43



## Engineers PEI By-Law Review Summary

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SEPTEMBER 2026 CONSULTATION

44

*This document is intended to provide a high level, summarized view of proposed key changes to the Engineers PEI By-Laws and Code of Ethics.*

## NOTICE

45

*1) Updated language to coincide with revisions to the Act. Provide greater transparency through the addition of a Council appointed Public Councillor, and observers as required. Added section 15 to provide greater clarity on the Certificates of Authorization.*

*2) Update gendered language throughout, specifically searching on the terms “he” “his” “him” “chairman” to make gender neutral “them” “their” “chair”*

## GENERAL

46

### **SUMMARY OF CHANGES**

1. *Detailed how to easily find the most current list of certificates and summons formats pointing to Appendices.*

## **SECTION 1 – INTERPRETATION**

47

### **SUMMARY OF CHANGES**

1. *Ability for Council to issue a certificate of registration, with conditions and limitations to a candidate who does not satisfy specific requirements of the Act (Section 5.2 (b)).*
2. *Add in flexibility for council to revise the number of years of work experience to harmonize with other Canadian jurisdictions as the Competency Based Assessment program is strengthened and number of years of experience can be reduced pointing to the Manual of Admissions.*
3. *Remove outdated language in the section 2.4.5 that would allow for “persons not registered...may apply the practice of engineering ...to a project” of \$250,000 or less and that does not involve the safety of other persons. (cont)*

## **SECTION 2 – MEMBERSHIP**

48

### SUMMARY OF CHANGES (continued)

4) *Persons not registered, licensed to practise, or enrolled under the provisions of this Act may apply the practice of engineering to a project where such engineering does not involve the safety of other persons **and** the scope of the project is exempt under the Policy for Engaging Engineering Services as approved by council.*

5) *In retired section, removed language ‘and has no employment income from any source’*

## SECTION 2 – MEMBERSHIP

49

## Policy for Engaging Engineering Services- Sect 2.1 Exemptions

### 2.1 Professional Engineering Exemptions

The exemptions identified in this Policy apply only where all listed conditions are satisfied and **Public Safety is not affected**. Failure to satisfy any condition removes the exemption and professional engineering services shall be engaged as required by the Engineering Profession Act.

For work within the jurisdiction of the Province of Prince Edward Island, a person may omit the services of a Professional Member as follows:

50

# Policy for Engaging Engineering Services- Sect 2.2.1 Exemptions

## 2.2.1 Buildings Exemptions

The preparation or provision of a design for the construction of a Building or part of a Building as specified in the following major occupancies and **Public Safety is not affected** and subject the provisions herein described:

- a) in Group C: Residential Occupancy,
  - i) a Building that is not more than 3 stories in height, where the Building Area does not exceed 600m<sup>2</sup>.
- b) in Group D: Business and Personal Services Occupancy,
  - i) a Building that is not more than 3 stories in height and not more than 600m<sup>2</sup> of Building Area.
- c) in Group E: Mercantile Occupancy,
  - i) a Building that is not more than 3 stories in height and not more than 600m<sup>2</sup> of Building Area.
- d) in Group F-2: Medium-hazard Occupancy,
  - i) a Building that is not more than 3 stories in height and not more than 600m<sup>2</sup> of Building Area.
- e) in Group F-3: Low-hazard Occupancy,
  - i) a Building that is not more than 3 stories in height and not more than 600m<sup>2</sup> of Building Area.

51

# Policy for Engaging Engineering Services- Sect 2.21 Exemptions

## 2.2.1 Buildings Exemptions (continued)

- f) in Group F-3: Low-hazard Occupancy,
  - i) a Building that is not more than 3 stories in height and not more than 600m<sup>2</sup> of Building Area.
- g) a Farm Building (Group G – Agricultural occupancy), as defined in the National Building Code of Canada, with a Building Area not exceeding 600m<sup>2</sup> and not normally occupied by more than one person at any given time.
- h) interior alterations or renovations of
  - i) residential occupancies specified in sentences (a)(i), (ii) and (iii), where there is no expected or intended adverse effect on the structural integrity or building safety as determined by the Authority Having Jurisdiction,
  - ii) Buildings specified in subclauses (b), (c), (d), (e), and (f) above where there are no expected or intended adverse effects on any of the following:
    - fire safety or suppression systems or fire separations;
    - structural integrity of the Building or the surroundings;
    - electrical service retrofits or upgrades which are compliant with section 2.2.2 Electrical Exemptions below;

52

# Policy for Engaging Engineering Services- Sect 2.2.2 Exemptions

## 2.2.2 Electrical Exemptions

For Electrical work within the jurisdiction of the Province of Prince Edward Island, a person may omit the services of a Professional Member where **each** of the following conditions and **Public Safety is not affected** are met;

- a) Maximum service entrances are less than or equal to the following ratings:
  - i) Single phase service and/or sub-service: 400 amperes;
  - ii) Three phase service and/or sub-service: 200 amperes;
  - iii) All temporary services and/or subservices: 400 amperes;
  - iv) All services and/or subservices: 600 Volts;
- b) Power Generation equipment that does not exceed service ratings described above in 2.2.2 (a);
- c) Consumer owned power generating and storage equipment that is operating in parallel with the local Utility must comply with the following sections of the Canadian Electrical Code:
  - i) Section 28 – Motors and Generators;
  - ii) Section 46 – Emergency power supply, unit equipment, exit signs, and life safety systems;
  - iii) Section 64 - Renewable Energy Systems, energy production systems, energy storage systems and batteries;

53

# Policy for Engaging Engineering Services- Sect 2.2.2 Exemptions

## 2.2.2 Electrical Exemptions (continued)

- d) Electrical installations on any site are not classified as “hazardous electrical location(s)” per Sections 18 and 20 of the Canadian Electrical Code at the discretion of the Authority Having Jurisdiction;
- e) No Utility protection or coordination study is required AND,
- f) No arc flash analysis is required.

54

*No Changes*

## SECTION 3 – LICENSING

55

*No Changes*

## SECTION 4 – PRACTICE BY FIRMS

56

### **SUMMARY OF CHANGES**

1. *Addition of late payment fee for renewals*

## **SECTION 5 – FEES AND DUES**

57

### **SUMMARY OF CHANGES**

*Updated the duties of the Registrar, specifically what information is retained for every holder of a certificate, and providing consistent language to provide a stronger linkage between the Act and By-Laws.*

## **SECTION 6 – MANAGEMENT**

58

### **SUMMARY OF CHANGES**

1. *Specified that council meetings operate under Robert's Rules of Order.*
2. *EIT's who reside in PEI granted permission to vote at a meeting of the Association.*
3. *At the AGM Council would be given the ability to adjust the order of items presented.*

## **SECTION 7 – MEETINGS OF COUNCIL**

59

### **SUMMARY OF CHANGES**

1. *Council to move from seven individuals to eight. Council could appoint additional councillors, or observer(s) as it determines necessary.*
2. *One Public Councillor to be appointed by Council for a term of three years, and to receive an honorarium of \$75/meeting attended.*

## **SECTION 8 – COUNCIL**

60

## **SUMMARY OF CHANGES**

1. *Allow the Public Councillor to sit on Act Enforcement Committee*
2. *Added use of summons form for Discipline Committee*
3. *Added 3 year term limit (renewable) for Engineering Qualifications Committee and appeal process for applicants.*
4. *Added the ability to appoint non member to other committees as deemed necessary by council*

## **SECTION 9 – COMMITTEES**

61

## **SUMMARY OF CHANGES**

1. *Updated to specify the administrative sections do not require approval from the Lieutenant Governor in council*

## **SECTION 10 – AMENDMENTS TO THE B-LAWS**

62

## **SECTIONS**

- 11. COOPERATION WITH OTHER ORGANIZATIONS
- 12. PROTECTION OF OFFICERS
- 13. STANDARDS OF PRACTICE

**NO CHANGES**

**SECTION 11 – 13**

63

## **SUMMARY OF CHANGES**

*Small change to reflect that Engineers shall only work in areas where they are “competent to perform by virtue of their training and experience, **and shall carry out such work in compliance with applicable legislation.**”*

**SECTION 14 – CODE OF ETHICS**

64

**SUMMARY OF CHANGES**

*New section that references the acknowledged certificates of the Association.*

**SECTION 15 – CERTIFICATES**

65

**COMMENTS ON BY LAW UPDATES**

66

*Receive comments until Oct 5*

*Act Review Committee will consider comments*

*Any required updates to Council for Oct 19, 2026, meeting*

*The updates to the Engineering Profession Act will be sent to the Province for approval.*

*By Laws will be sent out for approval by Members (electronic voting) following the Oct 19, 2026 council meeting subject to government approval of the changes to the Act*

## NEXT STEPS

67



*Thanks for your participation*

## THANKS

68