

ASET PROPOSALS NOT SUPPORTED BY APEGA & APEGA PROPOSALS NOT SUPPORTED BY ASET

Proposed Changes to the *Engineering and Geoscience Professions Act, General Regulation, ASET Regulation, and P.Tech. Regulation*

POLICY DEVELOPMENT DOCUMENT - PART B

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B (1)	<p>Currently there is no definition or description for engineering or geoscience technology.</p> <p>There is however a proposed amendment to exemption EGP Act s.2.4(b) that specifically exempts CET.s and others engaged in the practice of engineering under appropriate supervision. (Reference Row 37 of Part A - February 2019 – Joint Submission)</p> <p>There is a similar proposed amendment to exemption 5(2)(b) for geoscience.</p>	<p>It is proposed that a definition of practice be added to the ASET Regulation for engineering and geoscience technologists.</p> <p>“Practice of engineering technology” means: Within the practice of engineering, the provision of services by a certified engineering technologist as part of the engineering team, in accordance with generally accepted practice and procedures within established codes and standards, and performed under appropriate supervision by and responsibility of a licensed professional.</p> <p>“Practice of geoscience technology” means: Within the practice of geoscience, the provision of services by a certified geoscience</p>	<p>The definition identifies engineering technology as a subset of engineering practice, limits the practice to certified engineering technologist with the necessary qualifications to perform safely and competently within codes and standards, and identifies supervision of a licensed professional where appropriate.</p> <p>The definition identifies geoscience technology as a subset of geoscience practice, limits the practice to certified geoscience technologists with the necessary qualifications to perform safely and competently within codes and standards, and identifies supervision of a licensed professional where appropriate.</p> <p>Most professions in Alberta have a legislated scope of practice. Most scopes of practice, and specifically the</p>	<p>The occupation of engineering technology means the provision of services by a certified engineering technologist as part of the engineering team in accordance with:</p> <ul style="list-style-type: none"> • their academic qualification, learning and experience • generally accepted practice and procedures within accepted codes and standards, and • the ASET code of ethics, and <p>must be performed under the appropriate supervision and responsibility of a licensed professional.</p> <p>The occupation of geoscience technology means the provision of services by a certified geoscience technologist as part of the geoscience team in accordance with:</p> <ul style="list-style-type: none"> • their academic qualification, learning and experience 	<p>APEGA is committed to continued conversation with ASET on this and more consultation is required.</p> <p>APEGA agrees that certified engineering and geoscience technologists are entitled to engage in the practice of engineering or geoscience under appropriate supervision as determined by the permit holder employer and licensed professional taking responsibility for the professional practice (Reference Row 37 of Part A - February 2018 – Joint Submission – Act exemptions s. 2(4)(b) & 5(2)(b)).</p> <p>APEGA is concerned that including the word “practice” in a definition for engineering or geoscience technology implies an independent scope of practice for technologists and this could be misleading</p>

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		<p>technologist as part of the engineering team, in accordance with generally accepted practice and procedures within established codes and standards, and performed under the appropriate supervision and responsibility of a licensed professional.</p> <p>In addition to the definitions proposed for the ASET Regulation, the existing exemptions in the <i>EGP Act</i> (Part 1 – Scope of Practice – 2(4)(b) and 5(2)(b)), for people being supervised under the control of a professional engineer, professional licensee or professional technologists would be amended to specify certified engineering technologists and certified geoscience technologists.</p>	<p>scopes of practice for other regulated technologists, do not include sign off authority.</p> <p>Every health and non-health profession whose duties and responsibilities impact the public has their practice set in legislation. Every technologist has a clearly defined scope of practice set in legislation, with the exception of engineering and geoscience technologists. The importance and utility of engineering technologists has grown considerably over the past fifty years.</p> <p>Most jurisdictions have moved toward assigning specific tasks to specific professions in codes, standards and regulations. Engineering and geoscience technologist graduates from post-secondary programs require additional certification as the global trend toward more regulation, certification and</p>	<ul style="list-style-type: none"> generally accepted practice and procedures within accepted codes and standards, and the ASET code of ethics, and <p>must be performed under the appropriate supervision and responsibility of a licensed professional.</p>	<p>to the public and contrary to guiding principle laid out in proposed Act s.2(4)(b) and 5(2)(b).</p> <p>Engineering and geoscience technologists work within the definitions of the practice of engineering and geoscience; definitions already established within the <i>EGP Act</i>.</p> <p>The work is not a sub-set of engineering or geoscience nor a separate “practice”, it is work performed within the engineering or geoscience team.</p> <p>The difficulty in separating practice areas for engineering technology and engineering is the challenge of the immense scopes of practices across multiple disciplines (64 and growing). This make enforceable prescriptive definition of practice areas through legislation nearly impossible. Engineering is not, for</p>

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			standards grow for various forms of infrastructure.		<p>example, a health profession where a single list of restricted activities may be used to limit practice.</p> <p>The value a C.E.T. (C.G.T.) brings to the team is not defined by a definition but lays within the certification itself by holding the individual to specified admission requirements, a code of ethics and the requirement for continuous professional development.</p> <p>APEGA is committed to ongoing conversation with ASET on this, and other stakeholder consultation in conjunction with APEGA Council and membership would be necessary.</p>
B (2)	Administration of the P.Tech. joint boards and committees	The administration of the professional technologist process should be the full responsibility of ASET. The membership for the boards will remain split between engineers and technologists, but ASET will be fully responsible for recruitment,	ASET supports a single designated administrator for the professional technologist designation and is committed to engaging in ongoing discussion with APEGA on this matter, following consultation with ASET	<p>APEGA supports maintaining current joint committees and joint regulation of P.Tech.s.</p> <p>APEGA is committed to ongoing conversation with ASET on this and believes that an MOU and an agreed</p>	The administration and regulation of P.Techs. needs to remain a joint effort. APEGA is the regulator for engineering and geoscience and needs to remain involved in the regulation of individuals and companies

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		<p>training and orientation of the committee members.</p>	<p>Council and membership. APEGA’s assistance was needed to set up the initial application process. However, there have been significant delays from APEGA to fill vacancies and establish the legally required joint boards. Establishing a non-legislative solution has proven to be not a viable solution.</p>	<p>to confidentiality agreement for joint committee members can be developed to establish a framework to govern operation of the joint committees.</p> <p>Legislation changes are not required.</p>	<p>engaged in the practice of engineering and geoscience.</p> <p>P.Tech.s are licensed to independently practice engineering and geoscience within restricted scopes. As the scope of practice for P.Tech.s involves the practice of engineering and geoscience, APEGA needs to be involved in regulating P.Tech.s, as it does for any individuals engaged in the independent practice of engineering or geoscience.</p> <p>APEGA believes an MOU and an agreed to confidentiality agreement can be developed to resolve operational issues of the joint committees including appointments of joint committee members</p> <p>There may be an alternative available for APEGA to become the sole regulator for all licensed professionals.</p>

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					APEGA has committed to continued conversation and stated that more consultation is required, and this could take a year or more.
B(3)	<p><i>EGP Act</i> Division 3 – P.Tech Scope of practice</p> <p>There was not an opportunity to discuss this during the mediation</p>	The scope of practice for professional technologist should be modernized to allow members to practice outside codes and standards, but within their scope of practice	<p>ASET supports modernizing the scope of practice for the professional technologist designation and is committed to engaging in ongoing discussion with APEGA on this matter, following consultation with ASET Council and Membership.</p> <p>The proposed change would align professional technologists with professional licensees. There are over 800 P.Tech.s in Alberta and they have demonstrated competence and a focus on public safety.</p>	APEGA is proposing that professional technologists can obtain an expanded scope through APEGA’s limited license which is being renamed to professional limited licensee (P.L.L.). The P.L.L. will provide a pathway for P.Tech.s to obtain a scope of practice involving complex problem solving using complex methodologies.	<p>APEGA does not support this but is committed to engaging in ongoing discussion with ASET on this matter.</p> <p>There is an existing pathway for an engineering or geoscience technologist to gain a scope of practice outside of codes and standards and that pathway is the Professional Licensee.</p> <p>APEGA supports giving qualified P.Tech.s a pathway to the new proposed APEGA professional limited licensee designation and scope of practice.</p> <p>APEGA is proposing that professional technologists can obtain an expanded scope through APEGA’s limited license which is being renamed to</p>

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					professional limited licensee (P.L.L.) to recognize both the limited license and professional aspects of the designation. The P.L.L. will provide a pathway for P.Tech.s to obtain a scope of practice involving complex problem solving using complex methodologies.
B (4)	<p><i>P.Tech. scope of practice - EGP Act</i> section 90.1(3) uses permissive language for the Joint Board of Examiners –</p> <p>This is a new item that is tied in with the P.Tech scope of practice B(3) above. There was not an opportunity to discuss this during the mediation.</p>			Amend s. 90.1(3) as follows: s. 90.1(3) For the purposes of subsection (2), the joint Registration Committee Board of Examiners may shall <ul style="list-style-type: none"> (a) define or describe “routine application” (b) define or describe “industry recognized” (c) specify or describe the codes, standards, procedures and practices applicable (d) define or describe all or any of the following terms: “engineering or 	<p>This is a new item that is tied in with the P.Tech scope of practice. APEGA had hoped to raise this during the mediation but there was not an opportunity to do so as the P.Tech scope of practice item was not discussed.</p> <p>APEGA is committed to having conversation with ASET on this.</p> <p>APEGA believes the “may” in s. 90.1(3) should be changed to “shall” so that the restricted scopes issued by the joint registration committee are clear to the public and define the exact codes and standards to</p>

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				<p>applied science geoscience principles” and “methods of problem solving”.</p>	<p>which the P.Tech. is qualified to work independently.</p> <p>APEGA believes this proposed amendment will better protect the public by more clearly delineating the areas within which professional technologists are licensed to independently practice.</p> <p>In s. 90.1(3)(d) the words “applied science” should be removed and replaced with “geoscience” to be consistent with other similar proposed changes (Reference Rows R38 and R39 of Part A – and Row B(6) and B(8) in Part B - March 2019 – Joint Submission).</p>
B (5)	<p>Currently there are no Public Member appointments to ASET’s Registration, Practice Review, and Appeal Committees.</p>	<p>It is proposed that the ASET regulation be amended so that Public Member appointment be added to ASET’s Registration Committee, Practice Review Committee, and Appeal Committee</p>	<p>It is proposed that these appointments would improve public representation</p>	<p>This requires clarification from the government.</p>	<p>This may have been a drafting oversight in 2009? Or it may be that appointments of public members to ASET committees was viewed similarly to those professions within POARA and that public member</p>

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					<p>appointments are not necessary.</p> <p>The government should clarify its intent. (See Part A row 82)</p>
B (6)	<p>ASET Regulation 14 (1)</p> <p>Also see Section 13(1) in Row B(8)</p>		<p>This is a proposal requiring clarification from the government. In 2009, ASET was advised by government that the A.Sc.T. and C.C.I.T. designations should no longer be issued given the transition of ASET to the EGP Act. This is problematic as ASET also registers professionals in applied science fields, such as architectural technology, bioscience, chemical science and so forth. ASET proposes reinstatement of the A.Sc.T. designation for individuals registered in these disciplines. This does not require a legislative change as ASET retains title protections of the A.Sc.T. in ASET Regulation s14(2)(c).</p> <p>ASET does not agree to this proposed change until</p>	<p>14(1) A person who meets the requirements for registration under section 13 and is entitled to be registered as a regulated member shall be granted one of the following designations as determined by the ASET Board of Examiners:</p> <ul style="list-style-type: none"> (a) certified technician; (b) certified engineering technologist; (c) Certified geoscience technologist (c) applied science technologist; (d) certified computer information technologist. 	<p>APEGA agrees this needs clarification from the government. ASET's protected titles under <i>EGPA</i> should be for certified engineering and geoscience technologists (C.E.T. and C.G.T.). These designations should only be given to qualified individuals in engineering and geoscience technology. Any other technologists (biology, architecture, etc) are outside the <i>EGP Act</i>.</p> <p>As a result, the applied science technologist (A.Sc.T.) and certified computer information technologist (C.C.I.T.) designations should be removed from the ASET Regulation because the regulation is pursuant to the <i>EGP Act</i> and these other</p>

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			<p>further consultation can be carried out with ASET members and with Government. Removal of applied science and information technology from the regulations limits ASET’s ability to regulate members who practice in these areas and to protect against title misuse. This has the potential to further complicate and confuse the professional landscape in Alberta. It may also create national mobility issues given that some provinces only issue the A.Sc.T. designation to engineering and geoscience technologists (e.g., both ASTTBC and SASTT in our neighbouring provinces). ASET has committed to continued conversation and stated that more consultation is required, and this could take a year or more.</p> <p>If APEGA would like to propose these changes rather than await</p>	<p>(2) Only those regulated members who are granted one of the designations as set out in subsection (1), and whose registration has not been cancelled or suspended, may use such designation or the following abbreviations:</p> <ul style="list-style-type: none"> (a) C. Tech; (b) C.E.T.; (c) C.G.T. (c) A.Sc.T.; (d) C.C.I.T. 	<p>individuals do not fall within the ambit of the EGP legislation.</p> <p>In addition, these other individuals should not fall within the definition of “regulated member” within the ASET regulation s14 because “regulated member” should be reserved for those in engineering and geoscience fields within the overarching framework of the EGP legislation.</p> <p>National mobility should not be an issue for ASCTs transferring into Alberta from other provinces because if they are qualified for registration as a CET or CGT in Alberta they can be given that designation rather than the ASCT designation. What matters is whether the designation from the other province is equivalent to the CET/CGT designation, not</p>

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			consultation with ASET members and Government, R39 must be moved to the Part B document.		<p>what it is called in the other province.</p> <p>Applied Science and Information Technology membership categories and rights and privileges can be addressed in the ASET Bylaws. This is similar to the protection of other titles under the Societies Act, and can be regulated in the same way.</p> <p>APEGA will await discussions with the Government on these items as well as B(8)</p>
B (7)	ASET Regulation Part 6 General Use of stamps and seals issued to members 49(1)		ASET does not agree to these proposed revisions. ASET wishes to reserve the ability to issue a stamp to regulated members. This is not for the purposes of authentication; rather, a stamp of quality assurance or authorship. Any stamp issued to a regulated member must be accompanied by the stamp of a licensed professional for authentication purposes.	ASET Regulation Part 6 General Use of stamps and seals issued to members 49(1) A stamp or seal issued to a regulated member Registered Engineering Technologist (R.E.T.) must at all times remain under that person's direct control and must be applied by the regulated member or by a person acting under the regulated member	<p>The proposed revision is to correct a drafting error from the 2009 regulations.</p> <p>Prior to 2009, RET's were contained in the General Regulation AR 37/2003 at sections 63 to 72. Section 70 addressed the issuing of stamps and seals to RETs by ASET. Section 64 addressed the use of stamps and seals by RETs. There was no mention of stamps or seals</p>

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				<p>Registered Engineering Technologist (R.E.T.) immediate and direct control to all final plans, specifications, reports or documents of a professional nature</p> <p>(a) that were prepared by the regulated member Registered Engineering Technologist (R.E.T.) or under the regulated member Registered Engineering Technologist (R.E.T.) supervision and control, or</p> <p>(b) that were prepared by another person in circumstances where the regulated member has thoroughly reviewed them and accepted professional responsibility for them.</p> <p>(2) No person shall permit a stamp or seal to be physically located in a manner that would allow its use by a person other than the regulated member Registered Engineering</p>	<p>issued to other ASET members.</p> <p>In 2009 the General Regulation was amended to repeal sections 64 to 72 (AR 281/2009 s.6). At the same time, ASET Regulation 282/2009 was created and included current s.49.</p> <p>There is no mention in either the current EGP Act, the General Regulation, or the P.Tech Regulation of ASET issuing stamps to Regulated Members. Prior to 2009 there was also no mention of ASET issuing stamps to their members other than RETs.</p> <p>The only ASET members to whom stamps or seals have been issued under the legislation are the grandfathered RETs. The RET designation is retired and as such no such further designations or stamps were issued since 2009. APEGA would like to see that</p>

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				<p>Technologist (R.E.T.) to whom it was issued.</p> <p>(3) When a stamp or seal is applied, the regulated member Registered Engineering Technologist (R.E.T.) to whom it was issued shall ensure that the stamp or seal is accompanied with that person’s signature and the date on which the stamp or seal is applied.</p> <p>(4) A stamp or seal may be applied to the cover page or final page of reports or documents in a manner that clearly indicates acceptance of professional responsibility for the reports or documents, without being applied to each page.</p> <p>(5) A regulated member Registered Engineering Technologist (R.E.T.) shall not acquire a stamp or seal from any source other than the ASET Registrar.</p>	<p>clarification in the ASET Regulation.</p> <p>Section 49 of the ASET Regulation should be revised to reflect this.</p> <p>APEGA does not agree with ASET that they should have the authority to issue stamps to regulated members.</p> <p>The issuing of stamps to Regulated Members is confusing to the public and would mislead the public into thinking that a Regulated Member has a scope of practice and/or is authenticating and taking responsibility for the work.</p> <p>Part A Row 79 is specifically addressing authentication and refers to licensed professionals only. APEGA does believe that ASET Regulation 49(1) was a drafting error and all we seek to do is to correct it to</p>

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				<p>(6) A regulated member Registered Engineering Technologist (R.E.T.) shall only use a stamp or seal while that person is registered pursuant to this Regulation.</p> <p>(7) Stamps and seals are the property of ASET and a person in possession of a stamp or seal shall surrender it to ASET on demand.</p> <p>(8) A regulated member Registered Engineering Technologist (R.E.T.) may, with the approval of the ASET Registrar, apply a computer-generated facsimile of the stamp or seal if that person otherwise meets the requirements of the Act and this Regulation.</p> <p>(9) A stamp or seal of an R.E.T. is not considered in any way as authentication of a professional document.</p>	<p>ensure it references grandfathered RETs. (see Part A row 79 and 80 – Stamps are reserved for Licensed Professionals only.)</p>
B (8)	ASET Regulation 13 (1)		ASET does not agree to this proposed change until further consultation can be	13(1) A person who meets the following requirements and applies to the ASET	13(1) a - see Part A Row R 19

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	Also see Section 14(1) in Row B(6)		<p>carried out with ASET members and with Government. Removal of applied science and information technology from the regulations limits ASET’s ability to regulate members who practice in these areas and to protect against title misuse. This has the potential to further complicate and confuse the professional landscape in Alberta. It may also create national mobility issues given that some provinces only issue the A.Sc.T. designation to engineering and geoscience technologists (e.g., both ASTTBC and SASTT in our neighbouring provinces).</p> <p>ASET does not agree to eliminate the reference to the practice of technology.</p>	<p>Registrar for registration is entitled to be registered as a regulated member:</p> <p>(a) the applicant is a Canadian citizen or is lawfully entitled to work in Canada;</p> <p>(b) the applicant is of good character and reputation;</p> <p>(c) the applicant has a knowledge of the Act and the regulations under the Act, and general knowledge related to the practice of engineering and geoscience applied science, information or engineering of applied science, information or engineering-technology; which has been demonstrated by passing an examination that is prescribed by the ASET Board of Examiners Registration Committee;</p> <p>(d) the applicant demonstrates to the ASET Board of Examiners Registration Committee that the applicant has a proficiency in the English</p>	<p>APEGA agrees that further clarification from the government is required as APEGA does not believe it was the intent of the government to regulate applied science and computer technology under the Engineering and Geoscience act.</p> <p>APEGA is of the view that “applied science and information technology” should be removed from ASET Regulation 13. Similarly, the designations “applied science technologist (AScT)” and “certified computer information technologist (CCIT)” should be removed from ASET Regulation 14. The reason is that the EGP legislation is for regulation of the practice of engineering and geoscience; it is not for other areas such as biology, architecture, or computer/IT fields.</p>

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				<p>language that is sufficient to enable the applicant to responsibly practice work within the profession of applied science, information or engineering technology.</p> <p>(e) the applicant meets one of the following requirements:</p> <p>(i) the applicant has obtained at least 2 years of experience in work of an applied science, information or engineering technology nature that is a graduate of a recognized post-secondary program or has demonstrated academic equivalency acceptable to the ASET Board of Examiners Registration Committee;</p> <p>(ii) the applicant is admitted as an examination candidate and</p>	<p>As such, ASET’s protected titles under <i>EGPA</i> should be for certified engineering and geoscience technologists (C.E.T. and C.G.T.). These designations should only be given to qualified individuals in engineering and geoscience technology. Any other technologists (biology, architecture, computer, etc) are outside the ambit of the <i>EGP Act</i> and should not be within Regulations under the <i>EGP Act</i>.</p> <p>National mobility should not be an issue for ASCTs transferring into Alberta from other provinces because if they are qualified for registration as a CET or CGT in Alberta they can be given that designation rather than the ASCT designation. What matters is whether the designation from the other province is equivalent to the CET/CGT designation, not what it is called in the other province.</p>

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				<p>(A) has completed the educational upgrading, examinations or other assessment activities referred to in section 8(b), and (B) has obtained at least 2 years of experience in work of an applied science, information or engineering technology nature that is acceptable to the ASET Board of Examiners; has obtained at least 2 years of experience in work of an applied science, information or engineering or geoscience technology nature that is acceptable to the ASET Board of Examiners</p>	<p>Applied Science and Information Technology membership categories and rights and privileges can be addressed in the ASET Bylaws. This is similar to the protection of other titles under the Societies Act, and can be regulated in the same way.</p> <p>Also engineering or geoscience technology is work within the definition of the practice of engineering or geoscience. It is not a sub-set.</p>

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				<p>Registration Committee; and (iii) the applicant has, in the opinion of the ASET Board of Examiners Registration Committee, through a combination of academic qualification and experience demonstrated the competence demonstrated the competency required for registration as a regulated member.</p>	
B(9)	<p>Development and approval of practice standards for ASET Regulated Members</p> <p>EGP Act s. 19(1)(i), 87.3(1)(i), 88.5(1)(j)</p> <p>EGP Act s. 16(1)(a)(ii), 88.1(1)(a)(ii), 93.5(1)(a)(ii)</p>		<p>ASET does not agree to limit the ASET Practice Review Board to the development of practice guidelines. The ASET Practice Review Board should retain authority to develop practice standards specific to Regulated Members. ASET supports the limitation to practice guidelines for the Joint Practice Review Board as Professional Technologists</p>	<p>ASET Regulated Members should adhere to the practice standards published by APEGA. In this way, the same standards apply to all persons working across the spectrum of engineering and geoscience practice.</p> <p>(see Part A see row 17 (i). 66 and 67)</p>	<p>APEGA is of the view that ASET Regulated Members work within the definition of the practice of engineering (and geoscience). The updated proposal for EGP Act section 2(4)(b) and 5(2)(b) recognizes this and allows for a gradation and different degrees of supervision in different circumstances. APEGA recognizes that what constitutes appropriate supervision varies</p>

ASET PROPOSALS NOT SUPPORTED BY APEGA & APEGA PROPOSALS NOT SUPPORTED BY ASET

Proposed Changes to the *Engineering and Geoscience Professions Act, General Regulation, ASET Regulation, and P.Tech. Regulation*

POLICY DEVELOPMENT DOCUMENT - PART B

Row	Current	ASET Proposed	ASET Rational/Comment	APEGA Proposed	APEGA Rational/Comment
			<p>are practicing engineering/geoscience and should adhere to the standards published by APEGA.</p>		<p>depending on the circumstances and that ASET CETS (and CGTs) and regulated members can work under indirect supervision as determined by the permit holder employer and licensed professional taking responsibility. Regardless of the level of supervision, the individual is still working within the definition of the practice of engineering (and geoscience) and the same practice standard(s) should apply to all individuals engaged in the practice of engineering (and geoscience).</p> <p>As a result, ASET Regulated Members and permit holders should adhere to the practice standards published by APEGA. In this way, the same standards apply to all persons working across the spectrum of engineering and geoscience practice. Allowing ASET to issue separate practice</p>

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					<p>standards for CETs/RETs could result in scenarios with them saying they can't do what the Licensed Professional taking responsibility says because it's contrary to ASET's practice standard.</p> <p>The ASET Practice Review Committee should have the authority to make practice guidelines specific to Regulated Members, that do not conflict with APEGA practice standards, guidelines and bulletins. These could include ASET guidelines in areas such as CPD Guideline for Regulated Members and Guideline for Ethical Practice for Regulated Members.</p>