



LEGISLATIVE review

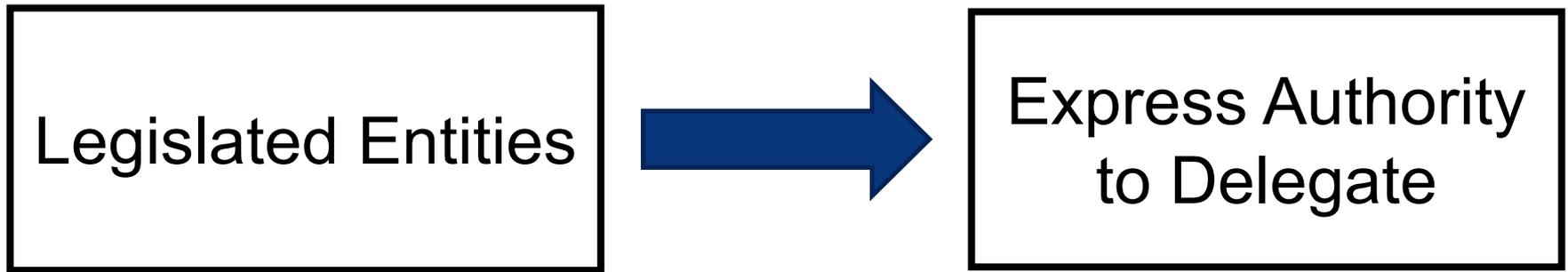
**SHAPING THE FUTURE OF OUR PROFESSIONS
SPRING 2015**



The Association of Professional
Engineers and Geoscientists of Alberta

Authority to Delegate

Express Authority to Delegate



Current Legislation

- Does not expressly give APEGA's Council, Registrar, statutory boards (Board of Examiners, Practice Review Board, Appeal Board, Discipline Committee and Investigative Committee) or CEO the authority to delegate their authority and duties to others.
- There is an implied authority to delegate administrative functions but not legislative enactment functions or judicial functions unless the legislation expressly authorizes.



Proposed Change



Mark Tokarik, P.Eng., LL.B., FEC, FGC (Hon.)
Deputy Registrar

- The *EGP Act* be amended to expressly authorize APEGA's Council, the Registrar, statutory boards (Board of Examiners, Practice Review Board, Appeal Board, Discipline Committee and Investigative Committee) and CEO to delegate their authority and duties, as appropriate.

Rationale

- Would bring clarity to the legislation and would establish clear lines of authority.
- Would empower the appropriate body with the proper authority and would eliminate the need to interpret whether there is an implied authority to delegate.



Rationale

- Would maintain flexibility and the discretion to impose conditions and to revoke any delegation of authority.
- Would modernize the legislation and bring it in line with other professional associations in Alberta and other jurisdictions in Canada.

