

Enforcement Review Committee

Improved Regulatory Effectiveness and Efficiency



To better protect the public, APEGA needs appropriate tools to effectively and efficiently address unauthorized practice and title violations by unlicensed individuals and companies.



- One of APEGA's regulatory responsibilities is to protect the public from unlicensed individuals and companies, who are illegally practising engineering or geoscience, or are using titles or presenting themselves as being qualified to practise when they are not licensed to practise.
- The current *Engineering and Geoscience Professions Act (EGP Act)* allows APEGA Council to apply to the court for an injunction order to enjoin anyone from doing anything that contravenes the title and practice prohibitions.



- The current *EGP Act* also allows the court to order fines and possible imprisonment against violators.
- APEGA Council has established an Enforcement Review Committee through the *EGP General Regulation*, and has delegated matters respecting enforcement activities against unlicensed practice and title use.

Why is this Important?



APEGA's authority to undertake enforcement activities is clearly established in the *EGP Act*. These enforcement activities can be carried out effectively and efficiently as an administrative function of APEGA, with advice and support from a team of Professional Member subject-matter-expert volunteers, as needed, to consider issues related to scope of practice and title, to determine whether there is a violation, and whether enforcement action is warranted.

Why is this Important? (continued)



As part of streamlining, simplifying and modernizing the *General Regulation*, the Enforcement Review Committee can be removed from the *General Regulation* and instead be established through a Terms of Reference approved by Council.

Proposed Legislative Change



It is recommended the legislation be amended to remove the establishment of the Enforcement Review Committee from the *General Regulation*.

Effects of Proposed Changes



- APEGA's authority to take enforcement action related to title and practice violations will not change.
- The current committee will continue to be available and will be constituted through terms of reference approved by Council.
- This will align with other constituent associations in Canada and professional associations in Alberta in how they manage enforcement issues