



**A P E G S**

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*Association of Professional Engineers  
& Geoscientists of Saskatchewan*

## **Proposed Changes to**

### ***The Engineering and Geoscience Professions Act***

### ***The Engineering and Geoscience Professions Regulatory Bylaws***

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**September 2025**

# Proposed changes are in the following areas:

- Definition of practice of professional geoscience
- Duties and objects
- Definition of firms
- Bylaw creation
- Professional liability insurance
- Registration framework simplification
- Recognition and protection of titles
- Appeal committee
- Professional incompetence (fitness to practice)
- Investigation processes
- Temporary or preliminary suspension
- Revoking licence or registration – fraudulent
- Modernizing terminology
- Exceptions to Scope of Practice

# Definition of Practice of Professional Geoscience

## Current:

**2(n)**...means the application of principles of geoscience that include, but are not limited to, principles of geology, geophysics and geochemistry, to any act of acquiring or processing data, advising, evaluating, examining, interpreting, reporting, sampling or geoscientific surveying, that is directed toward:

- i. The discovery or development of oil, natural gas, coal, metallic or non-metallic minerals, precious stones, water or other natural resources; or
- ii. The investigation of surface or sub-surface geological conditions.

## Proposed:

...means any act of documenting, analysing, evaluating, interpreting or reporting on the earth's materials or on resources, forms or processes, or managing any of the foregoing, that requires the application of the principles of geology, geophysics or geochemistry and that concerns the **safeguarding of life, health, property, economic interests, the public interest or the environment.**

# Definition of Practice of Professional Geoscience

- More encompassing of today's practice.
- Safeguarding of life, health, property, economic interests, the public interest or the environment.
- Clear definition for transparency and accountability to the public.

## Impact to Me:

No change day to day but covers broader range of practice.

## Overall Impact:

Modernize to encompass the practice of the profession and highlight safeguards.

# Duties and Objects

## Current:

- 5 The objects of the association are the following:
- a) to ensure the proficiency and competency of members in the practice of professional engineering or the practice of professional geoscience in order to safeguard the public;
  - b) to regulate the practice of professional engineering and the practice of professional geoscience by members in accordance with this Act and the bylaws;
  - c) to promote and improve the proficiency and competency of members;
  - d) to foster the practice of professional engineering and the practice of professional geoscience by members in a manner that is in the public interest.

## Proposed:

It is the duty of the association at all times:

- a) to serve and protect the public; and
- b) to exercise its powers and discharge its responsibilities in the public interest

The objects of the association are:

- a) to regulate the practice of the professions and to govern the registrants in accordance with this Act and the bylaws; and
- b) to assure the public of the knowledge, skills, proficiency, and competency of registrants in the practice of professional engineering and the practice of professional geoscience.

# Duties and Objects

## **Impact to Me:**

No change day to day.

## **Overall Impact:**

Simpler language to describe and understand APEGS' role as a regulator.

- Simpler language to enhance the public's understanding of APEGS' duties and objects.
- Maintain the core themes of our current objects.

# Definition of Firms

## Current:

**22(2)** Every partnership, association of persons or corporation that engages in the practice of professional engineering or the practice of professional geoscience as its principal or customary function shall obtain a certificate of authorization.

## Proposed:

...means any of the following that provides or provide, through one or more individuals, directly or through another person, professional engineering or professional geoscience services to or on behalf of the public:

- a sole proprietorship;
- two or more individuals holding themselves out as practising in association;
- a partnership;
- a corporation, including Crown corporations;
- Government agencies or ministries
- educational institutions
- any other business entity.

# Definition of Firms

- Help corporate organizations create business practices that support good professional practice.
- APEGS to review professional practice of firms through Audits and Practice Reviews
- Investigate and discipline business entities to remove inconsistencies between individuals and firms.

## Impact to Me:

No change day to day for individual members, but there will be additional requirements for corporate members.

## Overall Impact:

Expands the regulatory framework to support all firms undertaking engineering and geoscience work in upholding professional standards.



# Bylaw Creation

## Current:

**15(1)** The council, with the approval of not less than three-quarters of the councillors, may make bylaws for any purpose set out in section 16.

**(2)** A bylaw made by the council pursuant to subsection (1) has effect only until the next annual or special meeting of the association and, unless confirmed or varied by the members in accordance with subsection (3), ceases to have any effect after that time.

**(3)** With the approval of a two-thirds majority of those members who vote at an annual meeting or special meeting, the association may:

- a) make bylaws for any purpose set out in section 16
- b) confirm, vary or revoke any bylaw made by the council pursuant to subsection (1)

## Proposed:

**(1)** The board, with the approval of not less than three-quarters majority of the board members, may make bylaws for any purpose set out in section 16....

**(2)** The registrar shall notify each registrant of each bylaw made pursuant to subsection (1) within 150 days after the bylaw is made.

**(3)** Failure to comply with subsection (2) does not invalidate a bylaw.

**(4)** No regulatory bylaw made by the board comes into force until it is:  
(a) approved by the minister pursuant to section 17; and  
(b) published in the Gazette.

**(5)** Subject to subsection (6) an administrative bylaw comes into force on the date specified in the bylaw, which shall not be earlier than the date on which the bylaw is passed by the board.

**(6)** If an administrative bylaw does not specify the date on which it becomes into force, the bylaw comes into force on the date on which it is passed by the board.

# Bylaw Creation

## Impact to Me:

Council, elected by APEGS members, are empowered to make bylaw decisions.

## Overall Impact:

Maintaining self-regulation which focuses on serving and protecting the public.

- **Council, as elected representatives of members, hold a fiduciary responsibility to act in the best interest of the public.**
- Self-regulate in a more flexible way to serve and protect the public.
- Process is considered in a Pan Canadian context and throughout other professions.

# Professional Liability Insurance

## Current: (Regulatory Bylaws)

**28** Prior to providing professional engineering or professional geoscience services, a member or holder of a certificate of authorization shall notify the client in writing, whether or not the member or holder has professional liability insurance that applies to those services.

## Proposed:

The association may require its registrants to have insurance with respect to professional liability claims, as outlined in the bylaws.

If authorized by the bylaws to do so, the association may provide all or any of its registrants with insurance with respect to professional liability claims.

# Professional Liability Insurance

- Secondary Professional Liability Insurance is not valid unless you have Primary Professional Liability Insurance
- Protect professionals and clients
- Alignment with other professional regulators.

## Impact to Me:

Obtain insurance with respect to professional liability claims if not provided by their firm of employment.

## Overall Impact:

Protect professionals and clients in claims for errors or omission.

# Registration Framework Simplification

## Practising

- Professional
- Licensee
- Firm

**Issued a licence or certificate of authorization**

## Non-Practising

- Professional (waiver)
- Licensee (waiver)
- Firm
- Intern (member-in-training)
- Retired (life-member)

**No licence is issued**

# Registration Framework Simplification

## **Impact to Me:**

Clearer registration categories and procedures.

## **Overall Impact:**

Transparency to the public on who can practise and flexibility, while confirming competencies for public protection.

- Simplify to provide clarity to the public on who holds a licence and is authorized to practise.
- Clear registration categories and procedures.
- More comprehensively defined in the Regulatory Bylaws.

# Recognition and Protection of Titles

Recognition and protection of title for:

- Engineering Licensee (Eng.L.)
- Geoscience Licensee (Geo.L.)
- Intern Engineer
- Intern Geoscientist
- Improves public safety

## **Impact to Me:**

Use of standard titles and abbreviations to titles

## **Overall Impact:**

Enforcement on the use of these titles without registration

# Appeal Committee

## Current:

### Appeal heard **by Council**

- Decision of the Registrar;
- Decision of the Investigation Committee that no further action be taken

Second level of appeal to Court of Kings Bench.

## Proposed:

### Appeal heard by **Appeal Committee**

- Decision of the Registrar;
- Decision of the Investigation Committee that no further action be taken

Second level of appeal to Court of Kings Bench.



# Appeal Committee

## Impact to Me:

No changes day to day

## Overall Impact:

Removes potential conflict of interest in appeals processes and provides greater public representation, transparency, and accountability.

- A new statutory committee, independent of Council, to remove actual or perceived conflict of interest from Council.
- Greater public representation, transparency, and accountability.
- Public representation from public assigned to the committee by APEGS.

# Professional Incompetence (Fitness to Practice)

## Current:

**29** Professional incompetence is a question of fact, but the display by a member of:

- a) a lack of knowledge, skill or judgement; or
- b) a disregard for the welfare of members of the public served by the profession;

of a nature or to an extent that demonstrates that the member is unfit to continue in the practice of the profession, is professional incompetence within the meaning of this Act.

## Proposed:

Professional incompetence is a question of fact, but the display by a registrant of:

- a) a lack of knowledge, skill or judgement; or
- b) a disregard for the welfare of a member of the public served by the profession; or
- c) **an incapacity or impairment that prevents the registrant from engaging in the practice of professional engineering or professional geoscience with reasonable skill, competence, and safety to the public** of a nature or to an extent that demonstrates that the registrant is unfit to continue in the practice of the profession, **or provide one or more services ordinarily provided as part of the practice of the profession**, is professional incompetence within the meaning of this Act.

# Professional Incompetence (Fitness to Practice)

- Public expectation that you need to be fit to practice the profession.
- Fitness to practice is more known and accepted throughout the professions in Canada.
- Allows APEGS to support members with registration options.

## Impact to Me:

No changes day to day.

## Overall Impact:

Increased protection of the public by ensuring individual members and firms are fit to practice.

# Investigation Processes

## Current:

- Registrar cannot be a complainant in the investigation process.
- Investigate only matters related to original complaint (i.e., if other instances come up during the investigation, it is a separate investigation).

## Proposed:

- Registrar can be a complainant within the investigation process.
- Investigate other matters related to professional misconduct or professional incompetence that arise under the course of an investigation.
- Investigate instances where there is evidence of unlicensed practices of individual member or firms (i.e., practising outside the boundaries of their licence)

# Investigation Processes

## **Impact to Me:**

No changes day to day.

## **Overall Impact:**

Efficiency in the investigation process to reduce the number of investigations and increased transparency in processes for public protection.

- Increased public protection from unlicensed practice.
- Create efficiencies in the investigation process
- Incorporate best practices from other jurisdictions

# Temporary or Preliminary Suspension

## Current:

Where it appears that any person is acting or is likely to act in contravention of this Act or the bylaws, the association may apply to the court for an injunction.

## Proposed:

Council may temporarily suspend the licence of a member or firm, who is under investigation, while it goes through the process of applying for a court injunction.

Used for exceptional circumstances where there is imminent cause for concern for the health and safety of the public and protection of the environment.

# Temporary or Preliminary Suspension

- Public protection.
- Court injunctions take time, posing a risk to public safety.
- More immediate action to address the concern while the court injunction process takes place.

## Impact to Me:

None, unless you are the individual member or firm under investigation.

## Overall Impact:

Take immediate action to protect the health and safety of the public and environment from unethical practice.

# Revoking Licence or Registration - Fraudulent

## Current:

If a licence or registration is obtained on a fraudulent basis, the case must go through the investigation and discipline process.

## Proposed:

Council to revoke licence or registration if there is sufficient evidence that it was obtained on a fraudulent basis, without going through the investigation or discipline process.



# Revoking Licence or Registration - Fraudulent

- In the public's interest that individuals or firms who obtained their credential fraudulently, do not practise.
- Efficiency and timeliness in process to remove individuals or firms that do not adhere to ethical standards.

## Impact to Me:

No changes day to day.

## Overall Impact:

Mitigate unethical practice by acting efficiently in the public's interest

# Modernizing Terminology

## Current:

### Governing People and Groups

- Council
- President
- Executive Director

### Operating Name

Association of Professional Engineers  
and Geoscientists of Saskatchewan

## Proposed:

### Governing People and Groups

- Board
- Chair
- CEO

### Operating Name

To be determined

# Modernizing Terminology

- Effectively communicate APEGS' role as a regulator.
- Clarify the organizational structure and governance of APEGS
- Aligns with other regulators across Saskatchewan and Canada.

## Impact to Me:

No change day to day

## Overall Impact:

Removes collegial references and reflects APEGS' role as a regulator.

# Exceptions to Scope of Practice

## Current:

**28(1)(a)** a person from engaging in the execution or supervision of the construction maintenance, operation or inspection of any process, system, work, structure or building in the capacity of the contractor, superintendent, foreperson or inspector, in in any similar capacity, when the process, system, work, structure or building is designed by, and the execution or supervision is carried out under the direct supervision and control of a professional engineer.

**(b)** a person from engaging in the execution or supervision of the construction maintenance.....the direct supervision and control of a professional geoscientist.

**(c)** a person form working under the general supervision of a professional engineer or professional geoscientists.

**(d)** an individual working **on property or premises owned or occupied by that person**, if the work is for the sole use of the domestic establishment of that person.

**(l)** a person from designing, constructing, or installing appliances, works or plants of a **total value not exceeding \$30,000**.

## Proposed:

Merge intent of original (a), (b), (c):

a person from performing engineering or geoscience work under the direct supervision and control of a professional engineer, professional geoscientist, engineering licensee or geoscience licensee;

Remove (d) and (l)

(Note: Retained provisions (e) to (k) and (m), which list the professions that have overlapping scope of practice with engineering or geoscience)

# Exceptions to Scope of Practice

- Enhance public protection
- All engineering and geoscience work in Saskatchewan must be performed by or under the direct supervision of a professional or licensee, regardless of whether it occurs on personal property, scale, or value of the work.
- Member's duty to protect the public.

## **Impact to Me:**

No change day to day

## **Overall Impact:**

Ensuring exceptions reflect modernized practices and there is a clear understanding of exceptions to scope of practice.



**A P E G S**

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