



A P E G S

*Association of Professional Engineers
& Geoscientists of Saskatchewan*

**Regulating the
professions.
Protecting the
public.**

Proposed Bylaw Amendment – Permission to Consult

26-01 Bylaw Amendment to *The Engineering and Geoscience Professions Regulatory Bylaws, 1997*

BE IT RESOLVED THAT *The Engineering and Geoscience Professions Regulatory Bylaws, 1997* be amended by

- Repealing subsection 14(4) in its entirety.
- Repealing section 17 in its entirety.
- Amending subsection 18(1) by adding “apply” and by adding “in the manner required by the Association”

so that subsection 18(1) reads:

A partnership, association of persons or corporation described in subsection 22(2) of the Act that wishes to apply for a certificate of authorization shall **apply to the Association in the manner required by the Association**, together with the prescribed fee.

- Repealing Appendix 1 in its entirety.
- Amending Appendix 2 to delete “Permission to Consult held by:” from the Certificate of Approval seal and adding “Member Responsible:”.

(Note: This motion requires a 2/3 majority of votes cast to pass in accordance with s. 15 of The Engineering and Geoscience Professions Act)

Rationale:

These Bylaw changes will remove the requirement for APEGS members providing consulting engineering or geoscience services to first obtain Permission to Consult (PtoC) from APEGS. Instead, a partnership, association of persons or a corporation, including unincorporated sole proprietors who seek to practice engineering or geoscience services in Saskatchewan shall apply for the Certificate of Authorization (CofA) and annual renewal in the manner required by APEGS. Unincorporated sole proprietors will be required to register through the CofA program but with no fee during a transition period.

APEGS established the requirement to obtain permission to consult in the 1980s to ensure members applying to provide consulting services had adequate training and knowledge in their declared area of practice. Members who were approved obtained a 5-year licence to provide consulting services in their declared area of practice. In 2015, a regulatory bylaw amendment

removed the 5-year licence requirement in favour of annually renewed permission to consult acknowledged by the Registrar. Members were to apply through a Notice of Intent to provide consulting services that was then reviewed and acknowledged by the Registrar. Fees were removed from the application. Over the years, the need to exercise this control over the profession became a bottleneck to expedient approvals. The process was not sustainable and the notice of intent to consult were handled internally by APEGS and not by committee.

As Saskatchewan is the only jurisdiction in Canada that requires PtoC, PtoC has become a barrier to free movement of people and organizations across Canada. Many engineering and geoscience organizations resident outside of Saskatchewan do not realize that obtaining a PtoC is a requirement for their Members Responsible, which often delays the expedient approval of their CofA while Members Responsible obtain their PtoC. For large organizations, this can be a significant delay.

The use of “consult” in sections 14(4) and 17 of *The Engineering and Geoscience Professions Regulatory Bylaws, 1997* have led to difficulties with many not understanding that the CofA is required regardless of whether the organization is offering consulting services or not. Even the seal, which refers to “Permission to Consult held by:”, has left many wondering where and when it needs to be applied if not consulting. This confusion is something that will be cleared up with the amendments.

Right-touch regulation principles of proportionate, consistent, targeted, transparent, accountable, and agile were considered when looking at these changes. ([Professional Standards Authority, \(October 2025\) Right-touch Regulation 2025](#)) In this case, it was identified that PtoC was going beyond regulating only what is necessary, and was creating unintended consequences of confusion and non-compliance. APEGS determined that PtoC no longer protects the public and creates confusion for applicants, members, and the extended public. The requirement to declare an area of practice is embedded in Continuing Professional Development and applies to all members, not just members providing consulting services.

Bylaw Amendment – Permission to Consult 26-01	For: Against:	CD DEF	%
--	------------------------------------	----------------------	----------



A P E G S

*Association of Professional Engineers
& Geoscientists of Saskatchewan*

**Regulating the
professions.
Protecting the
public.**

Current	Proposed Change	Rationale
<p>Annual licence</p> <p>14(1) An annual licence is available to a member-in-training, a professional engineer or a professional geoscientist.</p> <p>(2) An annual licence provided to a member-in-training entitles the member to practise professional engineering or professional geoscience, as the case may be, in accordance with the Act and the bylaws.</p> <p>(3) An annual licence provided to a professional member entitles the member to practise professional engineering or professional geoscience, as the case may be, in accordance with the Act and the bylaws.</p> <p>(4) No annual licence permits a member-in-training or professional member to engage in consulting activities for which a permission to consult is required in accordance with section 17.</p>	<p>Annual licence</p> <p>14(1) No changes proposed</p> <p>14(2) No changes proposed</p> <p>14(3) No changes proposed</p> <p>14(4) Repealed</p>	<p>Key Removed Added</p> <p>Repeal of 14(4) as it refers to permission to consult which is no longer required.</p>

<p>Permission to consult</p> <p>17(1) In this section:</p> <p>(a) “consulting engineering or geoscience services” means engineering or geoscience services provided by a member to be used by persons other than the employer of that member.</p> <p>(b) “eligible member” means:</p> <p>(i) a professional member who is a licensee;</p> <p>(ii) an engineering or geoscience licensee who has obtained a license pursuant to subsection 18(2)(b) of the Act; or</p> <p>(iii) a holder of a temporary licence.</p> <p>(2) A member shall not provide or offer to provide consulting engineering or geoscience services, directly or indirectly, without first obtaining permission to consult.</p> <p>(3) An eligible member who wishes to offer consulting engineering or geoscience services shall obtain permission to consult by notifying the Registrar of his or her intent to do so and the area of practice in which he or she proposes to offer consulting engineering or geoscience services on the firm provided by the Association.</p> <p>(4) A holder of permission to consult shall not offer consulting engineering or geoscience</p>	<p>Permission to consult</p> <p>17 Repealed</p>	<p>Repeal the section in its entirety.</p> <p>Permission to Consult (PtoC) is an impediment to free mobility between the jurisdictions for organizations who wish to provide consulting services in Saskatchewan. Employees of the organizations are required to first obtain their PtoC if consulting in Saskatchewan. Then, the organization applies for the PtoC. For large organizations, this can be a significant effort. Saskatchewan is the only jurisdiction who requires a PtoC.</p> <p>PtoC causes confusion with membership as they believe if they are not consulting, they do not need a PtoC nor a Certificate of Authorization (CofA). This understanding is not correct.</p> <p>Many organizations request that members obtain their PtoC whether they are providing consulting services or not. APEGS has inconsistently applied the bylaw regarding non-consulting firms with members who have PtoC. If a member applies for their PtoC, they are granted that designation if they qualify, whether the member is required to have it or not.</p> <p>Companies outside of Saskatchewan are providing services within the province and thus require the PtoC for their Official Representative (OR) and Members Responsible (MR) (Licensees on the application form). The individual must apply for the PtoC which creates delays in processing CofA applications, as all designated OR and MR must have their PtoC before</p>
--	---	---

<p>services, nor supervise any professional activities, in an area of practice other than that for which the permission to consult was acknowledged by the Registrar.</p> <p>(5) A holder of permission to consult wishing to amend the area of practice shall notify the Registrar of the amended area of practice prior to providing or offering to provide consulting engineering or geoscience services in the amended area of practice.</p> <p>(6) Every holder of a permission to consult shall place his or her signature and registration number on all documents that have been prepared under his or her supervision within the certificate of authorization seal appearing on the document.</p> <p>(7) Permission to consult acknowledged by the Registrar, including one that is amended in accordance with subsection 5, expires on December 31 of the year in which it was acknowledged and shall be renewed annually in accordance with subsection (3).</p> <p>(8) Notwithstanding subsections (2) and (3), an eligible member who holds a valid licence for permission to consult shall not be required to provide notice of his or her intention to provide consulting engineering or geoscience services until December 31 of the year of the expiry of his</p>		<p>the CofA application will be processed. APEGS expends a significant number of staff, supervisory and Registrar effort handling these applications which have no fees attached to them. Last year, conservatively \$65,000 was spent on PtoC applications.</p>
---	--	--

<p>or her licence for permission to consult, or until the area of practice is amended</p>		
<p>Certificate of authorization 18(1) A partnership, association of persons or corporation described in subsection 22(2) of the Act that wishes to apply for a certificate of authorization shall submit an application to the Association on the form prescribed in Appendix 1, together with the prescribed fee.</p> <p>(2) Every holder of a certificate of authorization shall place its seal or equivalent on all documents that have been prepared by a licensee on its behalf.</p>	<p>Certificate of authorization 18(1) A partnership, association of persons or corporation described in subsection 22(2) of the Act that wishes to apply for a certificate of authorization shall apply to the Association in the manner required by the Association, together with the prescribed fee.</p> <p>(2) No changes proposed</p>	<p>Remove the reference to Appendix 1 and change the wording as proposed. Removing the form from the bylaws will allow for changes, as required, and be consistent in that no other forms are in bylaw.</p> <p>Unincorporated sole proprietors will be registered with APEGS through the Certificate of Authorization program, but at no fee. Currently, they use the PtoC application process which has no associated fee for them. Processing time for these applicants will still be an expense for APEGS. However, if we do not include them in the CofA program, they will not be tracked.</p> <p>Section 22 of the Act states: Corporations, partnerships, etc. 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.</p>
<p>APPENDIX 1 Application Form Certificate of Authorization (Section 18)</p>	<p>Appendix 1 Repealed</p>	<p>Repeal the appendix in its entirety. Application forms do not need to be in a bylaw. Changes to the form require a bylaw amendment and no other forms are in bylaw.</p>
<p>APPENDIX 2 Forms of Seals (Section 24)</p>	<p>Schedule 1: Forms of Seals (Section 27) [Removal of reference to Permission to Consult on the Certificate of Authorization seal]</p>	

<p>Association of Professional Engineers & Geoscientists of Saskatchewan</p> <p>CERTIFICATE OF AUTHORIZATION John DXX Inc. Number C000</p> <p>Permission to Consult held by:</p> <table><thead><tr><th>Discipline</th><th>Sk. Reg. No.</th><th>Signature</th></tr></thead><tbody><tr><td>_____</td><td>_____</td><td>_____</td></tr><tr><td>_____</td><td>_____</td><td>_____</td></tr></tbody></table>	Discipline	Sk. Reg. No.	Signature	_____	_____	_____	_____	_____	_____	<p>Association of Professional Engineers & Geoscientists of Saskatchewan</p> <p>CERTIFICATE OF AUTHORIZATION John DXX Inc. Number C000</p> <p>Member responsible:</p> <table><thead><tr><th>Discipline</th><th>Sk. Reg. No.</th><th>Signature</th></tr></thead><tbody><tr><td>_____</td><td>_____</td><td>_____</td></tr><tr><td>_____</td><td>_____</td><td>_____</td></tr></tbody></table>	Discipline	Sk. Reg. No.	Signature	_____	_____	_____	_____	_____	_____	
Discipline	Sk. Reg. No.	Signature																		
_____	_____	_____																		
_____	_____	_____																		
Discipline	Sk. Reg. No.	Signature																		
_____	_____	_____																		
_____	_____	_____																		