

P.A. Lapp

Remarks to Regional Congresses, Toronto, October 23, 1982

It is a great pleasure to be with you today and to extend to you personal and formal greetings on behalf of APEO. Last week for the first time in the Association's history, Council met in Northern Ontario, at Sault Ste. Marie, where the Northern Congress also foregathered. And today, of course, the other four Congresses are meeting here in Toronto.

Thus in the space of a week I have had the opportunity of exchanging views with all five Congresses. I attach a great deal of importance to that since communication is vitally important to an organization as large as APEO. It is very easy to lose touch with each other and to forget what our basic objectives are.

The Congresses are the regional spokesmen for the Chapters, and meetings such as this provide a forum for your views to be aired. The Congresses and Chapters are an integral part of APEO. In my view, the Association could not function as effectively as it does without the grassroots feedback and input you supply. Together with the Committee of Officers, our boards and committees and our permanent staff, you facilitate the work of Council in making decisions and setting policy.

.../2

In this connection, I am reminded of the story of the captain and his chief engineer who constantly argued about which of them was more important to his ship. Failing to agree, they decided to swap places one day.

The chief mounted the bridge and the captain descended to the engine room. After a short while, the captain suddenly appeared on deck covered with oil.

"Chief," he yelled, wildly waving a wrench, "you'll have to come down here. I can't make her go."

"Of course, you can't," replied the chief engineer. "I've run her aground."

The moral to be drawn from this story is that each of us is important to the smooth running and successful operation of APEO. We all have a part to play, which I think you will appreciate in view of what I want to talk mainly about today -- and that is where things stand with regard to changes in the Professional Engineers Act.

*(long time in comm) 26 yrs.*  
The first point to note is that this has been a long and time-consuming exercise -- an incredible number of hours of Council, staff and committee time has been devoted to it. However, we believe we can now see light at the end of the tunnel and, we feel certain, not the headlight of an oncoming train.

Allen Seal  
Alex Corry  
Stephen deLia

To recap briefly, the exercise began as long ago as April, 1976, with the decision of the Attorney General to review statutes governing four of the professions, including ours. The terms of reference given by Mr. McMurtry to the Ontario Law Reform Commission at that time were subsequently transferred to a ministerial committee, known as the Professional Organizations Committee.

In January, 1979, a staff research directorate, set up by the POC, produced a report entitled Professional Regulation and a series of working papers. A number of preliminary briefs were presented to the staff study group by professional and paraprofessional associations and other interested parties. APEO, of course, prepared and presented its own brief.

The preliminary POC report raised some serious misgivings, as far as we were concerned. However, after its appearance we were invited to respond with a final brief and also to put our point of view more forcibly at the public hearings held in May, 1979.

The second shoe dropped in April, 1980, just before our annual meeting, with the release of the report of the three-member POC itself. As a result largely of the representations we had made, based on Council, committee, staff and membership input, the final report proved to be a document we felt that with some modifications we could live with. Basically, it gave us a clean bill of health and endorsed the system of self-regulation and discipline that has served us so well.

Jan 79  
Staff  
Report  
POC + Assoc  
in brief

Industrial  
regulation  
negotiation  
Person  
200 brief  
10/1/79

Apr 80  
Brief  
what work  
some work  
could have  
with

Now Sterling  
Secretary for legal  
Affairs

However, there were areas in which we pressed for changes that would reflect our views. Since April 1980 we have maintained a constant dialogue with the policy development branch of the Attorney General's ministry, and those discussions are still going on.

A draft architects bill has already appeared -- in fact, several versions. We have had a look at these, and have had a Council workshop on the first draft. Our legislation will parallel the architects in certain general areas in matters which affect all the professions -- public accountability, appeals, complaints, and the like. Some years ago the Legislature passed a Health Disciplines Act which ~~in the features I have mentioned~~ was designed to serve as a model for subsequent regulation of the professions and paraprofessions.

We have had our say on those proposals, but the government's ultimate wishes in these matters will inevitably be included in any new statutes for the self-governing professions. In the main, it would seem that our self-governing powers will not be eroded and in that respect we will be able to continue to operate much as in the past, with stronger emphasis on the protection of the public interest.

Our main concern, naturally, has been with revisions of the act that might adversely affect the practice of engineering, though we have been able to achieve some desired changes in other areas following submissions we made on the first draft of the architects act.

AG  
16

AG

AG

These include such items as: the composition of Council; broadened objects; a Complaints Review Councillor (rather than a Lay Observer); removal of practice inspection programs; transfer of fee matters to the bylaws; revisions to the powers of the Joint Practice Board (made up equally of engineers and architects); replacement of unlimited shareholders liability by compulsory liability insurance; and the constitution of the Complaints and Disciplines Committees.

Finally, to bring this status report up to date, last month we received a discussion draft of the act from the Attorney General's people, which was the subject of a Council workshop at Jackson's Point, also in September. Staff prepared a discussion paper covering nine major points: definition of the practice of engineering; the architect/engineer interface; registration procedures; ratification of bylaws and vote by proxy; election of Officers of the Association; definitions; objects of the Association; provision of services; and registers.

We also explored some other areas. At the Jackson's Point two-day workshop we weren't trying to reach a consensus or to rewrite the act, but to have a free-wheeling general discussion and exchange of views. Our aim was to provide general direction for staff in their meetings with legislative draftsmen to revise the discussion draft. These talks are going on currently.

I am not sure when we will see a draft bill -- possibly before Christmas, possibly in the new year. I don't know. When we do, you will get a copy of it. In fact, we will try to ensure all members know what's in it -- perhaps through Dimensions, even a special number, or some other means.

Then, of course, we will want your reaction, your feedback.

I have given you a general review and an up-to-date picture of how things now stand, as it would be difficult to go into every section, subsection, clause and paragraph of the discussion draft.

For example, there is a reference to the Association having the capacity and the powers of "a natural person" in carrying out its objects. The term "a natural person" baffled some of us at Jackson's Point. Eric Burke has taken this expression under advisement and is preparing a position paper on it.

However, if you have any general questions about the proposed legislation, I will try to answer them.

Moreover, I would like to refer to one particular subsection of the discussion draft we saw because it is one to which I attach a great deal of importance, namely, the objects of the Association, because that is what the profession is all about.

As proposed in the discussion draft, subsection 2(2) reads as follows:

"(2) The objects of the Association are,

- (a) to regulate the practice of professional engineering and to govern its members and holders of certificates of authorization and temporary licences in accordance with this Act, the regulations and the by-laws;
- (b) to establish, maintain and develop standards of knowledge and skill among its members;
- (c) to establish, maintain and develop standards of qualification and practice for the practice of professional engineering;
- (d) to establish, maintain and develop standards of professional ethics among its members;
- (e) to promote public knowledge and appreciation of professional engineering and the allied sciences;
- (f) to establish, develop and support activities that contribute to the effective utilization of the professional skills of members;
- (g) to perform such other duties and exercise such other powers as are imposed or conferred on the Association by or under any Act,

in order that the public interest may be served and protected."

These objects are an enlargement of what is in our present act and should be read in the context of what is already in legislation. These revised objects are in accordance with the concepts APEO has already adopted through the Long Range Planning Committee. Your views on them are welcomed.

To sum up, we are nearing the end of more than six years work. We are reaching the moment of truth. There are areas in which we do not yet have a firm membership consensus. Membership in a professional organization such as ours confers certain rights, most notably the right to practise one's profession; it also imposes responsibilities <sup>and accountabilitys to the public</sup> -- and the time to exercise these is upon us.

Some of you here today have already made a considerable contribution to the work of revising the act and I thank you for your efforts. They are much appreciated.

The Regional Congresses are meeting here today by happy coincidence on the afternoon of our Awards Dinner. That is the occasion on which we honour the outstanding achievements of members of our profession in the pursuit of their practice and in service to their communities and to the Association itself. It is a recognition of the excellence which is the hallmark of our profession and one to which we all should aspire.

That is the message I would like to leave with you.

*And may I leave a little touch on a wall contact  
in my healthily on your agendas for the Congresses  
this afternoon -*



## Regions (Ingraves and Suddbury)

- Subject probably appear on Feb 19th agenda

- at S.S. Marie Council meeting on Oct 15th Council approved a recommendation by the Council of Officers that paid Chapter attendance to the Suddbury Annual meeting would be limited to one Chapter representative and his spouse - presumably the Chapter chairman.

• I would like to look a moment to explain the reason

- In these difficult economic times I have attempted to exercise restraint in the expenditure of association funds

- As you know, I have advocated that the position at March 6-5

- In the past 2 years, region congresses of 2 delegates in each Chapter and their spouses have been held concurrent with the annual meeting

- This has added considerably to the cost of annual meetings and last year was a new high

- In March, annual meetings started for 2010 have to do around 1 recommendation for 2 of the regions - East coast & West coast - from a meeting in Suddbury

- Based on attendance of 78 delegates