



EngGeoMB Act Change Project Objectives Aims

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Consistent with the approach of engineering and geoscience regulators across Canada, EngGeoMB has engaged in a thorough review of its constituting legislation and concluded that several legislative changes are required. The changes are broadly grouped into the following categories:

Regulatory Instruments and Structural Issues

- Harmonizing terminology with that of other western regulators. Drafting in gender-neutral terminology, consistent with current drafting practices.
- More clearly delineating and allocating powers between the Act, by-laws, standards of practice, the code of ethics, and guidelines and regulation.

Technological Change and Delineation of Practice Scope

- Adding provisions to the Act that:
 - Prohibit AI from engaging in the independent practices of professional engineering or geoscience and reserve those practices for natural persons;
 - Disallow advertising or otherwise holding AI out as capable of practicing professional engineering or geoscience and empower EngGeoMB to regulate such acts;
 - Allow authorized members or licensees to use AI in their practice provided it is used under their direct, personal supervision; and,
 - Empower EngGeoMB to promote the responsible use of technology in professional engineering and geoscience, including through by-laws, standards of practice, or guidelines.
- Updating the delineation between reserved acts for engineers and geoscience as compared to technicians and technologists. This will also require certain acts to be deemed as the practice of engineering or geoscience.
- Updating the requirement for issuing manual seals so that this it is no longer a requirement and moving this topic into by-laws.

Registration of Members

- Broadening the existing reinstatement provision so that in addition to having a process for reinstatement of members after cancellation of their registration by EngGeoMB, there is a process for reinstatement after voluntary withdrawal of registration by a member.
- Including a provision to be able to cancel a registration that was issued in error.
- Adding a clearer set of criteria for when a Certificate of Authorization is required.
- Broadening the concept of “practice of engineering or geoscience” to include teaching, consistent with the guidance of Engineers Canada.

Engineers Geoscientists Manitoba Act Change Project Objective Aims

- Broadening delegatory power to allow limited sub-delegation by committees to the registrar or staff, particularly in regards to administration decisions for applications for registration.
- Clarifying the types of applications that are delegated to the Registrar, and adding provisions for the Registrar to refer applications to the Registration Committee for ultimate approval.
- Providing Council with authority to appoint a Deputy Registrar or Assistant Registrar to assist the Registrar with carrying out their function, including duties with respect to considering and approving applications for registration.

Oversight, Investigations, and Discipline

- Broadening investigative powers and disciplinary procedures of EngGeoMB to include the following measures:
 - Instituting professional practice management plans for firm registrants.
 - Adopting proactive professional standards monitoring through measures such as audits and practice reviews.
 - Providing access to alternative resolution measures, such as mediation and compliance agreements, in cases of dispute or referral to a disciplinary hearing.
 - Authority for the Registrar or a committee of Council to dismiss frivolous or vexatious complaints.
 - An increase to the fine cap available to the Discipline Committee. A higher penalty for corporations than individuals.
 - An increase to the fine cap available under current section 65(1) for violations of Part 12 (Prohibitions) of the Act.
 - Authority to publish decisions of the discipline committee during the appeal period, with a notification as to whether the decision has been appealed.
 - Authority to consider mental health and wellness issues in disciplinary proceedings, with confidentiality provisions surrounding mental health.
- Updating the timeframe in which EngGeoMB may address a complaint against a former member (s. 31(4)).
- Requiring employers to ensure that employees performing engineering and geoscience services are licensed.
- Including a duty for registrants to report known or suspected professional misconduct, incapacity, or fitness concerns to EngGeoMB.
- Requiring EngGeoMB to report known or suspected criminal behaviour.
- Providing EngGeoMB with explicit jurisdiction to regulate professional advertising by members and to prohibit misleading, false, or unprofessional claims.
- Broadening the insurance provision in the Act to provide EngGeoMB with flexibility to determine insurance requirements, including exemptions for specific activities and the use of non-traditional insurance models.

Governance

- Clarifying the scope of EngGeoMB's mandate to advocate, to ensure EngGeoMB is empowered to engage in public education and technical awareness initiatives that are in the public interest, while affirming that its regulatory function remains its paramount responsibility.

Engineers Geoscientists Manitoba Act Change Project Objective Aims

- Updating and making more flexible governance provisions stipulating composition and representation on statutory committees. Including a provision to ensure that a member involved in a regulatory proceeding when their term expires remains entitled to see the proceeding to completion.
- Requiring Councillors to take an oath of office.
- Authority for EngGeoMB to remove Councillors for misconduct, breach of fiduciary duty, or conflict of interest, with an internal appeal mechanism against such removal.
- Requiring for the committee responsible for selecting appointed councillors to have geoscientific representation.
- Requiring EngGeoMB to provide an annual report to the Minister, reflecting that engineering and geoscience are self-regulating professions operating under provincial authority.

Web Presence, Confidentiality, and Privacy

- Requiring EngGeoMB to maintain a website.
- Clarifying what mandatory information must be included on EngGeoMB's register.
- Authorize EngGeoMB to provide more detailed profiles of registrants, setting out educational attainments, qualifications, and contact information.

Reconciliation and Representation

- Empower EngGeoMB to consider principles of truth and reconciliation and of equity, diversity, and inclusion when forming its decision-making bodies and drafting or amending its by-laws, guidelines, practice standards, code of ethics, professional development requirements, committees, investigations/discipline procedures, or penalty frameworks.