



MANDATORY PERMIT TO PRACTICE

(Effective January 1, 2003)

GENERAL INFORMATION

The Association of Professional Engineers of Yukon is an organization constituted by Territorial Statute for the regulation of the practice of engineering. As steward of the Engineering Professions Act it is the Association's responsibility to register only qualified persons and to control the quality of the professional services that they provide.

The Engineering Professions Act also requires that the partnerships, corporations and other such entities, which practice engineering, have a Permit to Practice. The requirements concerning Permit to Practice are described in Articles 14 through 24 and in Regulation 14 through 19.

HISTORY

Enabling legislation under the Engineering Professions Act (1995) and accompanying Regulations, allows APEY to issue a Permit to Practice. After first receiving direction and formal consent from its members at the APEY 2002 Annual General Meeting as well as at a Special Meeting of members, Council began a regulatory provision that all partnerships, corporations and other such entities, practicing engineering in the Yukon first obtain a Permit to Practice. The purpose of the Engineering Professions Act and that of APEY is to protect the public. If engineering work fails, public safety is at risk, whether a consultant(s), employee(s) of a company or of government, designed it.

WHO REQUIRES A PERMIT TO PRACTICE?

Beginning, January 1st, 2003, partnerships, corporations and other such entities, which practice the profession of engineering, require a Permit to Practice. The Engineering Professions Act does not differentiate between size of an organization or whether the organization is practicing for internal or external reasons. It is straightforward; if you are practicing engineering you require a Permit to Practice.

WHY IS A PERMIT TO PRACTICE REQUIRED?

The main purpose of the Permit to Practice is to regulate the practice of engineering for the protection of the public. It is an instrument of quality control through which the Association exercises its mandate under the Engineering Professions Act to influence the

quality of professional practice conducted within the organizational structure of an organization. The Permit Holder is a corporate member of APEY bound by the same Code of Ethics as individual professional members of the Association.

Given that ‘employer’ interests may be inconsistent with Professional Ethics, individual members may find themselves in a situation where their duty to their employer conflicts with their duty to the profession and the public interest. The Permit to Practice is intended to address this potential conflict by making employers corporately responsible for the engineering work that they carry out.

RESPONSIBILITY

The organization holding a Permit to Practice must have a Responsible Member or Members who are registered members of APEY and who are either an employee or a member of the firm. The Responsible Member declares on the Permit to Practice application form that he or she is a professional member or licensee of APEY and, as a full-time employee or member of the firm, undertakes to provide responsible direction to that portion of the professional practice performed by the organization as described on the application form. Upon approval of the Permit to Practice application a Permit Number is assigned to the company.

THE LICENSE NUMBER IS A COMMITMENT THAT

- a) The organization maintains a structure that fosters professional practice;
- b) The work is carried out by skilled professionals, qualified by virtue of training and experience to practice in the field of the professions contained in the documents;
- c) The business of the organization is carried out in accordance with the Code of Ethics;
- d) Sufficient quality control procedures are in place to deduce errors or omissions in the technical content resulting in a complete and accurate document; and
- e) The organization is professionally responsible for the integrity of all stamped documents generated from completed work.

POLICIES

1. It is recognized in the Act and Regulations that effective control of the quality of professional practice in partnerships, corporations and other such entities requires that the employer of professionals provide the atmosphere and organizational structure necessary for the proper practice of the professions. This involves three distinct levels and/or types of responsibility:
 - **Management**
The responsible manager undertakes to maintain an organization in which the practice of the profession can be conducted in accordance with the intent of the Act.

- **Member Assuming Responsibility for the Professional Practice**
Full time employees of the organization undertake to provide responsible direction and personal supervision of the professional practice of the organization.
 - **Members Supervising or Performing the Work**
The individual APEY member in accordance with the Code of Ethics, undertakes only such work as he or she is competent to perform or supervise by virtue of his or her training and experience.
2. An individual who is a professional member or licensee of APEY who engages in the practice of engineering in his or her own name does not require a Permit to Practice. Their personal registration is in effect their Permit to Practice. If this same individual practices through a company then the company requires a Permit to Practice even though the member is the only employee.
 3. If a parent company or joint venture group holds a Permit to Practice any subsidiary of that company that engages in the practice of engineering must also hold a permit if the subsidiary is a separate entity with a different name.
 4. The association will issue a Permit to Practice to any partnership, corporation or other entity provided at least one full time employee or member of the firm who is also a member or licensee of APEY undertakes to direct and accept responsibility for the professional practice of the Permit Holder. The member(s) who assume responsibility for the professional practice must be qualified by training and experience in the fields of engineering in which the firm provides services and must be available to the full extent necessary to direct the day to day activities engaged in by the Permit Holder.

Larger organizations with more than one functional division which are spread geographically over several operating centers (including those outside the Yukon) are encouraged to name as many professional members as necessary to provide responsible direction and personal supervision to the professional practice engaged in. The number of members selected to assume that responsibility for the organization will vary according to the type of organizational, operational and/or management style of the organization.

5. The Association will give its consent to the incorporation of a company and/or to the registration of extra-territorial companies pursuant to the laws of Yukon, where the name of the company includes the word “engineering” or any variation thereof provided the company undertakes to maintain a valid Permit to Practice from the Association. A written request for consent is required in order for the Association to give consent for such incorporation.

If the Permit to Practice is canceled, lapses, is revoked, or for any reason becomes invalid, approval by APEY to use the words engineering or any form thereof in the firm’s name is automatically withdrawn.

6. Permit Holders whose registration is cancelled by APEY due to nonpayment of annual dues or for any other reason are assessed an administrative fee (equal to the application fee) when applying for reinstatement. Permit Holders who request in writing to the APEY Registrar that their Permit to Practice be cancelled will not be assessed the administrative fee when they apply for reinstatement.
7. Permit Holders are issued a permit number. All final plans, specifications, reports or documents of a professional engineering nature must show the permit number.
8. A permit stamp is mandatory, and must be obtained from APEY. The permit stamp must be under the control of the professional member or licensee assuming responsibility of the professional practice in which the Permit Holder is engaged. The permit stamp must be signed and dated by a person authorized to take professional responsibility for the Permit.

It is the intent that details regarding permit stamp custody and specific signing authority within the organization are matters to be addressed by the Chief Operating Officer (or equivalent) or designate who signs the Application for Permit to Practice on behalf of the Permit Holder.

PROCEDURES

1. An application for a Permit to Practice is made by completing the form entitled Application For A Permit to Practice. In completing the form it is the responsibility of the applicant's Chief Operating Officer (or equivalent) or designate to ensure that the members selected to be responsible for the professional practices are qualified and have organizational authority to direct and control the overall quality of services being provided.
2. Approved applications are acknowledged by letter and the Permit Holder is assigned a permit number and issued one certificate. Permit stamps are mandatory and must be purchased from APEY.
3. Application fees must accompany the application.

FEES

Application Fee

Same as Professional Engineer application fee.

Annual Dues

Same as Professional Engineer annual fee.

A Permit Holder is exempt from application fees and annual dues if the Permit Holder has only one employee; and that employee is a registered Professional engineer with APEY.

REINSTATEMENT

Should cancellation of a Permit to Practice occur due to non payment of annual dues or failure to complete the Annual Report contained in the annual renewal form, a \$90.00 (plus tax) reinstatement fee is payable in addition to any other outstanding dues.

MAILING ADDRESS

All applications must be forwarded to:

Association of Professional Engineers of Yukon
312B Hanson Street
Whitehorse, Yukon
Canada, Y1A 1Y6



Association of Professional Engineers of Yukon

312B Hanson Street
Whitehorse, Yukon, Y1A 1Y6
www.apey.yk.ca

Telephone (867) 667-6727
Fax (867) 668-2142
Email: staff@apey.yk.ca

APPLICATION FOR A PERMIT TO PRACTICE AS A PARTNER, CORPORATION OR OTHER ENTITY

Legal Name of Organization

Mailing Address:

Postal Code _____ Telephone Number _____

Email _____ Fax _____

Webpage: _____

Engineering Discipline (check all applicable)

<input type="checkbox"/> Municipal	<input type="checkbox"/> Chemical	<input type="checkbox"/> Mechanical	<input type="checkbox"/> Electrical
<input type="checkbox"/> Structural	<input type="checkbox"/> Civil	<input type="checkbox"/> Mining	<input type="checkbox"/> Industrial
<input type="checkbox"/> Computer	<input type="checkbox"/> Geological	<input type="checkbox"/> Petroleum	<input type="checkbox"/> Other

Other occupations. Please specify:

Industry of Professional Practice: Consulting Non-Consulting

Description of Company's or Organization's principal activities:

Branch Offices (including those outside the Yukon) located at:

Declaration by Chief Operating Officer or (equivalent) or Authorized Designate (Note: in the case of an Authorized Designate, a letter of authorization signed by the Chief Operating Officer, or equivalent, must be submitted with the application).

I _____ occupy the position of _____
In the applicant's organization and in that position have authority and undertake to maintain an organization in which the practice of the professions indicated above can be conducted in accordance with requirements described in the Engineering Professions Act.

I further undertake:

- (a) To notify the Registrar in writing forthwith if the professional members or licensees of APEY who have assumed responsibility for the professional practice cease to be full time employees or shareholders of the applicant.
- (b) To surrender permit stamps and certificates to the Registrar in circumstances where there are not members or licensees of APEY assuming responsibility for the professional practice of the applicant.
- (c) To report on an annual basis the names of:
 - I. Chief Operating Officer (or equivalent) or designate taking corporate responsibility for the applicant.
 - II. APEY members or licensees assuming responsibility for direction of the professional practice of the applicant.

Signature Date

Enclosed is the (non refundable) application fee of \$78.75 including GST. Payment by cheque can be made payable to APEY. If you wish to pay by Visa or Mastercard a 2.75% processing fee will be added to the payment.

Please note – A permit holder is exempt from the application fee and annual dues if the Permit Holder has only one employee, and that employee is a Professional Engineer in Yukon.

(For office use only)		
License No. _____	Fee: \$ _____	Approved: _____
		Registrar

Declaration by Members for Licensees Assuming Responsibility for the Professional Practice

I, the undersigned, am a professional member or licensee of APEY and as a full time employee or member of the firm undertake to provide responsible direction and personal supervision to that portion of the applicant’s professional practice performed by the organizational unit described below.

I have read the relevant sections of the Engineering Professions Act and the Regulations reproduced herein and I agree to conduct the professional practice for which I have assumed responsibility in strict accordance with the requirements of relevant legislation and regulations.

I further confirm that I will notify the Registrar of APEY in writing if I cease to accept the responsibility indicated below and will advise the reason(s) for relinquishing that responsibility.

Name and Professional Designation	Member #	Office	Organizational Group (Discipline or Operation)
			<div style="text-align: center;"> ----- _____ Signature </div>
			<div style="text-align: center;"> ----- _____ Signature </div>
			<div style="text-align: center;"> ----- _____ Signature </div>
			<div style="text-align: center;"> ----- _____ Signature </div>
			<div style="text-align: center;"> ----- _____ Signature </div>

REGULATIONS

PERMIT HOLDERS

14. Any partnership, corporation, firm or association of persons that wishes to practice in its own name may apply to be a permit holder.
15. Any partnership, corporation, firm or association of persons who is accepted as a permit holder of the Association may:
 - (a) practice engineering in its own name in the Yukon Territory;
 - (b) use any of the terms “engineer”, “engineering” or a derivative thereof in its corporate name.
16. When the practice of engineering is carried on by a permit holder all final plans, specifications, reports or documents produced shall:
 - (a) be signed by, dated and sealed by the professional member or licensee of the Association who is responsible for them and who supervised their preparation;
and
 - (b) be dated and stamped with the seal issued to the permit holder pursuant to these Regulations.
17. A permit holder shall keep the Association advised of the name of the professional member or licensee of the Association who is a permanent employee or member of the firm, partnership, corporation or association of persons and is directly and personally supervising the practice and assuming responsibility therefore.
18. The professional member or licensee accepting responsibility for the practice of the permit holder shall, on relinquishing that responsibility for any reason, forthwith advise the Registrar to that effect.
19. A seal issued to a permit holder shall at all times be under the control of and only used by the professional members or licensees assuming direct supervision and responsibility for the professional practice in which the permit holder engages.