



ENGINEERS &  
GEOSCIENTISTS  
BRITISH COLUMBIA

# REGULATION OF FIRMS OVERVIEW: MINERAL EXPLORATION AND MINING INDUSTRY

The *Professional Governance Act* – new governing legislation for Engineers and Geoscientists BC and its registrants – came into force on February 5, 2021. The legislation sets standards for ethical principles, duties and responsibilities, and governance structures, and introduces new regulatory tools, processes, and requirements – including the requirement for Engineers and Geoscientists BC to regulate all firms that engage in the practice of Professional Engineering or Professional Geoscience. Engineers and Geoscientists BC has developed a regulatory model that ensures this legislative requirement can be met without undue administrative burden on firms, while supporting the shared goal of enhancing protection of the public and the environment.

This change will bring Engineers and Geoscientists BC in line with other professional regulators across Canada. Engineers and Geoscientists BC’s model for regulating firms builds on the success of our voluntary Organizational Quality Management Program (the “OQM Program”) established in 2012 and is based on three pillars of professional practice: quality management, continuing education, and ethics.

Regulation of Firms applies to all engineering and geoscience entities in the private and public sector that engage in the practice of professional engineering or professional geoscience for external or internal consumption. This will include firms in the mineral exploration and mining industry.

## PREVIOUS EXEMPTIONS

The now repealed *Engineers and Geoscientists Act* contained an exemption for work conducted on mineral titles that allowed prospectors in BC to continue conducting mineral exploration activities without having to register as a Professional Geoscientist or Professional Engineer. Activities carried out by prospectors typically involve simple techniques and smaller scopes that pose minimal risk to the public interest and environment. The policy intention of the former exemption is consistent with the framework of regulated/reserved practice under the *Professional Governance Act*, and no longer needs to be articulated as a specific exemption as it was in the now repealed *Engineers and Geoscientists Act*.

## REGULATED PRACTICE

It is important to be aware of the definitions of the practice of Professional Geoscience and Professional Engineering in order to avoid misconceptions regarding what constitutes professional practice under the PGA. All activities that fall within the scope of “practice of professional geoscience” or “practice of professional engineering” (as set out below), constitute professional practice and require the individual and Firm to register with Engineers and Geoscientists BC. This includes mineral exploration and mining activities. Individuals and firms that are engaged in these activities are required to register with Engineers and Geoscientists BC unless otherwise exempted.

## PROFESSIONAL GEOSCIENCE

As defined in section 6 of the Engineers and Geoscientists Regulation, the **practice of professional geoscience** means the provision of

- (a) advice or services that
  - (i) are based on environmental geoscience, geology, geophysics or geochemistry, and
  - (ii) relate to the discovery or development of oil, natural gas, coal, metallic or non-metallic minerals, precious stones, other natural resources or water or the investigation of surface or subsurface geological conditions;
- (b) advice or services that are ancillary to those described in paragraph (a).

## PROFESSIONAL ENGINEERING

As defined in section 2 of the Engineers and Geoscientists Regulation, the **practice of professional engineering** means the provision of

- (a) advice or services that are based on an engineering discipline, or
- (b) advice or services that are ancillary to those described in paragraph (a).

“**engineering discipline**” means agricultural, biomedical, bioresource, biosystems, building, chemical, civil, computer, electrical, environmental, food, forest, geological, geomatics, industrial, marine, mechanical, mechatronics, metallurgical, mining, naval architecture, nuclear, petroleum, software and structural engineering and engineering physics.

## KEY STEPS FOR FIRMS

Mandatory firm regulation will begin **July 2, 2021**. Firms must apply with Engineers and Geoscientists BC **before September 30, 2021** for a Permit to Practice. A Permit to Practice grants firms the legal authority to engage in the practice of professional engineering or geoscience in B.C.

Within 12 months of registering with Engineers and Geoscientists BC, firms will be required to:

- Designate a Responsible Officer, who will be responsible for ensuring that the firm meets its obligations under the *Act* and the Bylaws

- Have a representative of the firm designated as the Responsible Registrant complete mandatory training.
- Have documented policies and procedures in place that indicate how the firm meets quality management, ethics, and continuing education requirements – collectively, these policies and procedures will form the firm’s Professional Practice Management Plan (PPMP).
- Ensure all staff are aware of and are following the policies and procedures contained in their PPMP.

## APPLYING FOR YOUR PERMIT TO PRACTICE

Here’s how firms can prepare to meet these new requirements.

Date	Key Steps
<p><b>January - June, 2021</b></p>	<p><b>Begin compiling your application information.</b></p> <ol style="list-style-type: none"> <li> <p><b>1. Identify a Responsible Registrant for your firm.</b></p> <p>The Responsible Registrant is an engineering or geoscience professional(s) who will be responsible for ensuring that the firm’s practice meets ethical, quality management and continuing education requirements. They will serve as a point of contact for practice reviews, audits and investigations. Firms can identify more than one Responsible Registrant (<i>e.g.: a large firm with multiple lines of business might designate a different Responsible Registrant for each area of practice</i>).</p> </li> <li> <p><b>2. Identify a Responsible Officer for your firm.</b></p> <p>The Responsible Officer is your firm’s executive lead. This person does not need to be a registered engineering or geoscience professional but must have the authority to make binding decisions on behalf of the firm.</p> </li> <li> <p><b>3. Build your firm’s Roster.</b></p> <p>Identify all staff (including contract staff) who are registered with Engineers and Geoscientists BC, including P.Eng., P.Geo., Eng.L., Geo.L., EIT, and GIT. During the application process, you will need to provide their names and Engineers and Geoscientists BC ID numbers.</p> </li> <li> <p><b>4. Confirm your firm’s areas of practice.</b></p> <p>Identify all areas of practice for which the firm offers services.</p> </li> </ol>
<p><b>July 2 to September 30, 2021</b></p>	<p><b>Complete your application and receive your Permit to Practice.</b></p> <p><b>Register your firm with Engineers and Geoscientists BC using our online application portal.</b></p> <p>To complete your application, you will need:</p> <ul style="list-style-type: none"> <li>• Firm business name</li> </ul>

Date	Key Steps
	<ul style="list-style-type: none"> <li>• Names and business contact information for your firm’s Responsible Officer and Responsible Registrant(s)</li> <li>• If you have identified multiple Responsible Registrants, the areas of practice each individual is responsible for</li> <li>• Your firm’s industry and area(s) of practice</li> <li>• Addresses of your firm’s main office and business locations in B.C.</li> <li>• Your firm’s Roster of registrants.</li> </ul> <p><b>2. Pay your firm’s registration and application fees.</b></p> <p>Your firm’s annual registration fee is calculated using the following formula: <math>\sqrt{N} \times \\$500</math>, where N is the number of Engineers and Geoscientists BC registrants on staff. Sole practitioners will get a 50% resulting in a flat rate of \$250 annually.</p> <p>A one-time application fee of \$350.00 is also required.</p> <p><b>3. Complete your firm’s declarations.</b></p> <p>The Responsible Registrant(s) and Responsible Officer will be emailed a unique link to review the terms of their respective role and to accept (or decline) the responsibility.</p> <p><b>4. Receive your Permit to Practice.</b></p> <p>Upon completing the steps above, you will receive your firm’s Permit to Practice. This is provided in the form of a permit number. The Permit Number must appear on all professional documents issued by the firm.</p>
<p><b>July 2021 to July 2022</b></p>	<p>Complete the mandatory training and document your firm’s policies and procedures.</p> <p><b>1. Attend a training session.</b></p> <p>Responsible Registrant(s) attend an eight-hour training session (online options will be available). One seat is provided free of charge; additional seats will be available for purchase.</p> <p><i>(Training sessions will be available beginning in March 2021; firms can attend training before or after they apply but must attend within 12 months of applying.)</i></p> <p><b>2. Document your firm’s policies and procedures in a Professional Practice Management Plan (PPMP).</b></p> <p>Firms will be required to have a Professional Practice Management Plan (PPMP) that address the policies and procedures the firm has in place to meet ethics, quality management, and continuing education requirements.</p>

Date	Key Steps
	<p>Firms may use existing policies and procedures, develop new policies and procedures from scratch, or use templates made available by Engineers and Geoscientists BC.</p> <p><b>3. Implement your firm's PPMP.</b></p> <p>Ensure staff are aware of and following the requirements in the PPMP.</p>
<b>Beginning July 2022</b>	Twelve months after receiving a permit firms are eligible for audit by Engineers and Geoscientists BC.

## MAINTAINING YOUR PERMIT TO PRACTICE

Here's how firms can maintain their Permit to Practice.

Date	Key Steps
<b>July 2022 onward</b>	<p><b>1. Keep your firm's information up to date.</b></p> <p>By March 31 each year, verify your firm's registration information:</p> <ul style="list-style-type: none"> <li>• Firm business name</li> <li>• The names and business contact information for your firm's Responsible Officer and Responsible Registrant(s);</li> <li>• If you have identified multiple Responsible Registrants, the areas of practice each individual is responsible for;</li> <li>• Your firm's industry and area(s) of practice and an organizational chart</li> <li>• The addresses of your firm's main office and business locations B.C.; and</li> <li>• Your firm's Roster of registrants.</li> </ul> <p><i>You must also update the information above within 30 days of a change.</i></p> <p><b>2. Pay an annual fee.</b></p> <p>By June 30 each year, pay your annual fee to maintain your Permit to Practice.</p> <p><b>3. Review your PPMP and keep it up to date.</b></p> <p>Ensure your PPMP is maintained and updated on an annual basis.</p>

	<p><b>4. Comply with regular audits.</b></p>
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Twelve months after receiving your Permit to Practice, your firm will become eligible for a compliance audit. The purpose of the audit is to assess the firm's compliance with the *Professional Governance Act*, regulations, bylaws, guidelines, practice advisories and policies of Engineers and Geoscientists BC including quality management, continuing education and ethics standards. Engineers and Geoscientists BC will notify Responsible Officers when your firm will be audited.

## MORE INFORMATION

For more information about the Regulation of Firms, visit [egbc.ca/firms](http://egbc.ca/firms).