



PERMIT TO PRACTICE

GENERAL INFORMATION

The Northwest Territories and Nunavut Association of Professional Engineers and Geoscientists (NAPEG) is the corporate body authorized, under the *Engineering and Geoscience Professions Act* of the Northwest Territories and the *Consolidation of Engineers and Geoscientists Act* of Nunavut, to regulate the practices of engineering and geoscience and to govern the professions in accordance with the Acts and Bylaws; and to establish and maintain standards of knowledge, skill, care and professional ethics among its members and licensees, in order that the interests of the public may be served and protected. As regulator of the Acts, it is NAPEG's responsibility to register only qualified individuals and firms, and to promote the competent and ethical practice of the professional services that they provide.

WHO REQUIRES A PERMIT TO PRACTICE?

The Acts require that firms (*defined as partnerships, corporations, and associations of persons*) practicing engineering and/or geoscience in the Northwest Territories and/or Nunavut must have a Permit to Practice. The requirements concerning Permits to Practice are described in Sections 11 and 23 of the NWT Act and Sections 3 and 5 of the Nunavut Act. A sole proprietor (*who is not incorporated and not practicing through a firm*) is not required to hold a Permit to Practice.

THE PERMIT TO PRACTICE SIGNIFIES THAT

- a) The organization maintains a structure that fosters professional practice;
- b) The work is carried out by skilled licensed professionals, qualified by virtue of training and experience and certified by NAPEG to practice;
- 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 produce complete and accurate documents free of substantial technical errors or omissions;
- e) The organization is professionally responsible for the integrity of all stamped documents generated in its practice.

WHY IS A PERMIT TO PRACTICE REQUIRED?

The Permit to Practice is an instrument of quality control through which NAPEG exercises its mandate under the Act to influence the quality of professional practice conducted within the organizational structure of a company. The Permit Holder is a corporate member of NAPEG bound by the same Code of Ethics as individual practitioners. Given that 'employer' interests may sometimes be inconsistent with Professional Ethics, individual practitioners 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 and geoscience work that they carry out. The Permit Holder, whether a person, partnership,

corporation or other association of persons, is bound by legislation, including the Code of Ethics, and is subject to the NAPEG disciplinary process.

PERMIT REQUIREMENTS

1. It is recognized in the Act 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:
 - **Corporate Management**
The Chief Operating Officer of a company undertakes to *maintain an organization* in which the practice of the professions can be conducted in accordance with the intent of the Act.
 - **Member Assuming Responsibility for the Professional Practice**
Full time employees or members of the firms undertake to *provide responsible direction and personal supervision* of the professional practice engaged in.
 - **Member Supervising or Performing the Work**
The individual NAPEG member/licensee, in accordance with the Code of Ethics, *undertakes only such work that they are competent to perform or supervise* by virtue of their training and experience.
2. An individual, who is a professional member or licensee of NAPEG, who engages in the practice of engineering or geoscience in his/her own name (not incorporated), does not require a Permit to Practice. Their individual registration is, in effect, their Permit to Practice. If this same individual practices through an incorporated 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 or geoscience 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 NAPEG, undertakes to direct and accept responsibility for the professional practice of the Permit Holder. The registrant(s) who assume responsibility for the professional practice must be qualified by training and experience in the fields of engineering or geoscience 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 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 registrants selected to assume that responsibility for the organization should complement the organization structure and will vary according to the type of operation and management style of the organization.

Reference in the Act to a full time employee or member of the firm is interpreted to mean that the relationship between the NAPEG registrant and the firm is an ongoing and continuous one as distinguished from one that does not have the depth or responsibility normally associated with a full-time employee relationship.

5. Permit Holders whose registration is cancelled by NAPEG due to non-payment of annual dues or for any other reason will be assessed an application fee, in addition to annual dues payments, when applying for reinstatement. Permit Holders, who are not currently practicing in the NWT and/or Nunavut, may request in writing to NAPEG that their Permit to Practice be cancelled. In this situation, the Permit Holder will not be assessed the application fee when they apply for reinstatement if the request is within two years of cancellation.
6. All Permit Holders are issued a permit stamp. The current bylaws require that the custodian of the permit stamp must be an officer or employee authorized to control its use. The permit stamp shall be signed only after the professional or professionals taking responsibility have affixed their personal stamp/s. The officer or employee (responsible member), so authorized by the Permit Holder, shall sign across the imprint of the stamp and indicate the date of the signature.

PROCEDURES

1. An application is made by completing the application form entitled *Application for Permit to Practice*. In completing the form, it is the responsibility of the applicant's Chief Operating Officer or his/her designate to ensure that the members selected to be responsible for the respective professional practices are qualified and have organizational authority to direct and control the overall quality of services being provided.

On page three of the application, special attention is drawn to the requirement for an organizational breakdown that corresponds to the professional responsibility of each member name. Following are examples to illustrate:

Name and Professional Designation	Member #	Office	Organizational Group Discipline/Operation
ONE MEMBER RESPONSIBLE FOR TOTAL PROFESSIONAL PRACTICE			
J. D. Doe, P. Eng.	L4000	Calgary	Total Company
SEVERAL REGISTRANTS NAMED TO ASSUME RESPONSIBILITY FOR PROFESSIONAL PRACTICE BY OFFICE LOCATION AND DISCIPLINE			
W. D. Smith, P. Eng.	3501	Yellowknife	Structural
C. A. Jones, P. Eng.	4444	Yellowknife	Mechanical
L. T. Brown, P. Eng.	3956	Yellowknife	Electrical
O. R. White, P. Eng.	2527	Ft. Smith	Structural
S.A. Black, P. Eng.	L4591	Edmonton	Structural
SEVERAL MEMBERS NAMED TO ASSUME RESPONSIBILITY FOR PROFESSIONAL PRACTICE BY OFFICE LOCATION AND OPERATING DIVISION			
A. S. Green, P. Geo.	4446	Yellowknife	Exploration Division
L. T. Adams, P. Eng.	5982	Lac de Gras	Mining Division

2. Approval

Applications are reviewed by the Membership and Enforcement Committee and approved by Council. A letter will acknowledge approval and the Permit Holder is assigned a number and issued a certificate. The rubber permit stamp is issued upon payment. There is an expedited (Executive Director/Registrar) process for approval of a Permit to Practice and for individual practitioners, if required.

Additional certificates and permit stamps to a maximum of one for each permanent office may be obtained for a minimal cost. When the name of a permit holder is legally changed, the Permit Holder must complete an updated application form and provide a copy of the legal confirmation documentation. A new certificate will be issued, when the change is approved, and a new stamp will be ordered. The Permit Holder will be invoiced for the new stamp.

The certificates and stamps remain the property of the Association and must be returned to NAPEG on demand.

3. Renewal

Permits expire on December 31st of each year and must be renewed annually. When a permit is to be renewed the Chief Operating Officer or their designate is required to report on an annual basis the names of (i) Chief Operating Officer or his designate taking corporate responsibility for the applicant; and (ii) NAPEG members or licensees assuming responsibility for direction of the professional practice of the Permit.

4. Schedule of Fees for Permit Holders

The registration fee must accompany the application. Annual dues are invoiced on a prorated basis, when the Permit to Practice is approved. Thereafter, Permit Holders are invoiced annually prior to the end of the calendar year with payment due January 1 each year.

5. Revisions to the Permit

Changing the Name of the Permit Holder

A written declaration to state that the name has changed must be filed by the Chief Operating Officer or their authorized designate by way of completing a new application form. Along with the form the following is required:

- a copy of the Certificate of Amendment/Amalgamation, Certificate of Incorporation, or other official (legal) document that shows the old name and new name;
- payment of the new permit stamp. The new certificate and stamp will be mailed once payment is received.

Changing the name of a Permit to Practice does not automatically update the employer name for the individual NAPEG members who are employed by the company. Individual members must update their personal information.

Changing the Name of the Chief Operating Officer or Authorized Designate

The Authorized Signing Officer is the person who signed the application for the Permit to Practice and declaration to maintain an organization where the practice of the professions would be conducted in accordance with requirements of legislation. Therefore, if that person who is the Authorized Signing Officer changes, the new *Authorized Signing Officer* must make the same declaration. The revision is done by completing and signing page one (1) and page three (3) of the Application Form. Under this circumstance, payment of the Registration Fee is not required.

Changing the Name of a Professional Responsible for the Permit

If there is a change in the professional/s responsible for professional practice of the firm, NAPEG must be notified immediately. The *Authorized Signing Authority* for the Permit undertook “*To notify the Registrar in writing forthwith if the professional members or licensees of NAPEG who have assumed responsibility for the professional practice cease to be full-time employee, partner or officer of the applicant.*” If it is a deletion of a name, a letter signed by the Authorized Signing Authority is sufficient notice.

If a responsible professional is being added to the Permit, then a new Application Form is required. The *Authorized Signing Authority* must sign the form to confirm approval of the addition of the individual. The individual also signs the form to confirm that they accept professional responsibility.

In the case of changing names of responsible professionals, new certificates will be issued.

No Professional Representative

A Permit holder must have at least one NAPEG member or licensee in order for a Permit to Practice to remain active. If a Permit holder no longer has a responsible professional, then the Permit to Practice is not valid and will be revoked until there is a responsible person in place. The permit holder must surrender their permit stamps and certificates when there is no member or licensee to assume responsibility for the professional practice of the applicant.

If your Permit is no longer valid, the firm cannot practice engineering or geoscience in the NWT or Nunavut until the firm has met all requirements under the Act.