

**ONTARIO REGULATION 61/25**  
made under the  
**PROFESSIONAL ENGINEERS ACT**

Made: February 21, 2025  
Approved: May 15, 2025  
Filed: May 15, 2025  
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Amending Reg. 941 of R.R.O. 1990  
(GENERAL)

**1. Regulation 941 of the Revised Regulations of Ontario, 1990 is amended by adding the following sections:**

**Eligibility – election to Council**

**9.1** A Member is not eligible for election to the Council unless the Member meets the following criteria:

1. The Member has completed an orientation course approved by the Council.
2. The Member has membership in good standing with the Association.
3. There has been no finding of professional misconduct, incompetence or incapacity by the Association or by any regulatory body in Canada with respect to the Member.
4. At the time of seeking a nomination for election, the Member,
  - i. is not incapable of managing property under the *Substitute Decisions Act, 1992* or under the *Mental Health Act*,
  - ii. is not incapable of personal care under the *Substitute Decisions Act, 1992*, or
  - iii. is not the subject of a finding of incapacity by a court in Canada.
5. The Member is not an undischarged bankrupt.
6. The Member has not been disqualified from sitting on the Council in the past three years.
7. The Member is not an adverse party in a civil action for damages against the Association.
8. The Member is not a director of the Ontario Society of Professional Engineers.
9. The Member is not the spouse, parent, grandparent, child or grandchild of an employee of the Association.
10. The Member has not been convicted of an offence as an adult under the *Criminal Code* (Canada) or under the *Controlled Drugs and Substances Act* (Canada) or any comparable legislation of any jurisdiction, excluding offences for which a record suspension was granted.
11. There is no charge pending against the Member under the *Criminal Code* (Canada) or under the *Controlled Drugs and Substances Act* (Canada) or any comparable legislation of any jurisdiction.
12. The Member has not been convicted, in the last 10 years, of an offence under any provincial statute of any jurisdiction where the conviction resulted in imprisonment.

. . . . .

**Disqualification from Council**

**10.1** A member of Council is disqualified from sitting on the Council if,

- (a) the member fails to maintain a membership in good standing with the Association, in the case of a member who is also a member of the Association;
- (b) the member is found guilty of professional misconduct or is found to be incompetent or incapacitated by the Association, in the case of a member who is also a member of the Association, but only after all rights of appeal have expired or been exhausted;
- (c) the member is,
  - (i) incapable of managing property under the *Substitute Decisions Act, 1992* or under the *Mental Health Act*,
  - (ii) incapable of personal care under the *Substitute Decisions Act, 1992*, or

- (iii) the subject of a finding of incapacity by a court in Canada;
- (d) the member becomes an undischarged bankrupt;
- (e) the member is an adverse party in a civil action for damages against the Association;
- (f) the member applies to become an employee of the Association; or
- (g) the member fails to perform any of the duties set out in the Council's Code of Conduct, as approved by the Council on September 27, 2024 and available on the website of the Association, if the Council determines that the seriousness of the failure to perform necessitates disqualifying the member in order to serve and protect the public interest.

#### **Interpretation**

**10.2** For the purposes of sections 9.1 and 10.1, a membership in good standing with the Association means that the Member's licence is not under suspension or that it has not been cancelled or revoked.

#### **Commencement**

**2. This Regulation comes into force on the day it is filed.**

Made by:  
Pris par :

COUNCIL OF THE ASSOCIATION OF PROFESSIONAL ENGINEERS OF ONTARIO:  
LE CONSEIL DE L'ORDRE DES INGÉNIEURS DE L'ONTARIO :

GREGORY P. WOWCHUCK  
*President*

JENNIFER QUAGLIETTA  
*CEO / Registrar*

Date made: February 21, 2025  
Pris le : 21 février 2025

Français

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