



Practice Guideline for Authenticating Professional Documents

June 16, 2016

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Forward

PEGNL publishes practice standards and guidelines for the purpose of educating its license holders and the public about matters of professional practice. In general, PEGNL produces these documents to:

- assist PEGNL license holders in performing their professional roles in accordance with the *Act Respecting the Practice of Engineering and Geoscience* (revised in 2008) and the *Engineers and Geoscientists Regulations* under that Act (updated in 2011), and
- help the public understand the role of PEGNL license holders and the responsibilities license holders have when performing their professional services.

This Practice Standard for Authenticating Professional Documents (Practice Standard) is a revision of a previous document published in September, 1993. This revised Practice Standard reflects updated requirements for authenticating professional documents, stamping procedures and managing engineering and geoscience documents according to the *Act* and *Regulations*, and also presents information on digital document certification.

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1.0 Overview

1.1 Purpose

The *Act Respecting the Practice of Engineering and Geoscience* and the *Engineers and Geoscientists Regulations* under that Act govern the practice of engineering and geoscience in the Province of Newfoundland and Labrador. The Association of Professional Engineers and Geoscientists of Newfoundland and Labrador (PEGNL) is the authority administering that legislation, including matters concerning the use of professional license holders' stamps.

Newfoundland and Labrador law requires every professional license holder who performs a task that is within the practice of engineering or geoscience to *authenticate* (i.e., stamp, sign and date) all final (i.e., end of task) documents prepared or reviewed by the license holder before the documents are issued. This requirement applies equally to an employee working for an employer or to a consultant working for a client.

A stamp is issued only to an individual qualified to practice engineering or geoscience in some recognized capacity under the *Act* and *Regulations*. Authentication signifies that a professional license holder of PEGNL has overtly accepted responsibility for the engineering or geoscience work presented within the authenticated document.

1.2 Scope

This Practice Standard describes the use of a PEGNL professional stamp when authenticating engineering or geoscience documents. These procedures apply equally to documents prepared by professional license holders for use by their in-house employers and to documents prepared by professional license holders or permit holders for external client or authorities.

As a practice *standard* (rather than a guideline), the requirements presented here are enforceable under the *Act* and *Regulations*.

1.3 Definitions

Act

The legislation entitled *An Act Respecting the Practice of Engineering and Geoscience* and the *Engineers and Geoscientists Regulations* (Statutes of Newfoundland and Labrador, 2008; Chapter E-12.1; Assented to December 18, 2008).

Association

The Association of Professional Engineers and Geoscientists of Newfoundland and Labrador (PEGNL).

As-built

A document reflecting the installed, fabricated, constructed or commissioned condition of an item or project based on information provided by another party and *not verified by a professional license holder*.

Authentication

Process of applying a license holder`s stamp, signing and dating a document. Authentication may be physical (e.g., using a rubber stamp and ink pad) or electronic (transferring an electronic file image of a stamp impression, signature and date to a document).

Certification (of a document)

Process of attaching a *digital certification tag* to an electronic document file to verify that it is an original and unaltered version of a final document. Certification is a document control measure and is independent of the professional authentication process. It is **not** the same as applying an electronic authentication to a document.

Digital Signature

A digital attachment or augmentation to an electronic file that is coded with a password. It binds encrypted information that uniquely identifies the sender.

Discipline

A specific field of practice within a profession (e.g., civil engineering, electrical engineering, geophysics, hydrogeology, etc.).

Engineering document

A document that expresses engineering work as defined in the *Act* (Section 14, *Exclusive Scope of the Practice of Engineering*).

Final document

A professional document at the end of a task issued to another party on which that party can rely for the intended purpose of that document (e.g., a tender document might be considered final for tendering purposes, but not complete for construction purposes). Documents provided for review or comments are not considered to be final documents.

Geoscience document

A document that expresses geoscience work as defined in the *Act* (Section 16, *Exclusive Scope of the Practice of Geoscience*).

Integrity (of professional documents)

A characteristic of a document concerning whether or not the document has been changed since it was authenticated, and that the medium used provides stability and required longevity of the information.

Issued (or Issuing)

Process of providing a document to an intended user that a professional license holder has authenticated (stamped, signed and dated).

Member in Responsible Charge

An employee of an organization who is a practicing licensed professional of PEGNL and who undertakes to provide responsible direction and personal oversight in a specific discipline of professional practice in which the licensee is personally competent .

Permit Holder

A corporation or association of persons that holds a permit to practice under the *Act*. A permit holder is issued a *permit number* by PEGNL to engage in the practice of engineering or geoscience.

Person

An individual, as well as a corporation, company, association, firm, partnership, society or other organization.

Professional document

A document in any medium (e.g., paper, electronic or other) that contains or presents engineering or geoscience work as defined under the *Act*.

Professional license holder

A professional engineer, professional geoscientist, limited licensee (engineering), or limited licensee (geoscience) entitled to engage in the practice of engineering or geoscience under the *Act*.

Record drawing

A professional document prepared by a professional license holder to record initial design or design changes for which that license holder accepts responsibility and which represents the final design of the task or project for a specified purpose.

Regulations

The legislation entitled *Engineers and Geoscientists Regulations, 2011* (Newfoundland and Labrador Regulation 43/11; Filed May 3, 2011)

Signature

The freehand written name or personal mark used by a license holder in authenticating documents. It may be in physical (ink on paper) or electronic form (a digital image of the normal professional signature used by a license holder). When attached to an electronic document, an electronic signature represents the equivalent of a physical signature.

Stamp*

A rubber stamp issued by the Association to a professional license holder or permit holder. A stamp *impression* may be physical (i.e., wet ink on paper) or electronic (i.e., an electronic image of the stamp impression). When attached to an electronic document, an electronic impression represents the equivalent of a physical impression.

*Note: The term *seal* is dropped in this professional standard for two reasons: 1) physical embossing seals are not issued by PEGNL, and 2) to avoid confusion over what is a stamp (or stamping) versus a seal (or sealing). This is important because the phrase *electronic sealing* is used in other jurisdictions in some cases to mean *digital certification* (a document control measure unrelated to authentication as defined here) and in other cases to mean inserting an electronic image of the authentication (stamp, signature and date) into a document.

1.4 Guiding Principles of Authentication

Authentication is essentially *a professional mark of reliance*, not a warranty or guarantee of accuracy. Professional engineers and geoscientists are bound by PEGNL's Code of Ethics and are responsible for all of their work. *Professional liability and resulting public protection are in place whether or not a document is authenticated*. Authentication is selectively required, but professional accountability is universal.

2.0 Regulations and Professional Responsibility**2.1 Requirements of the Act, Regulations and By-laws**

Appendix A contains extracts from the Act, its Regulations and PEGNL By-laws that pertain to Authentication. The sections that relate to authentication are:

Act

- Section 15 (Exclusive use of name engineer), (2),c,i,ii,iii
- Section 17 (Exclusive use of name geoscientist), (2),c,i,ii,iii
- Section 38 (Regulations), (1),j
- Section 39 (Use of stamp), (1),(2)

Regulations

Part I – Registration of Professional License holders

- Section 8 (Control and use of stamp and seals), (1),(2),(3),(4),(5),(6)

Part II – Registration of Permit Holders

- Section 12 (Control and use of stamps and seals), (1),(2),(3),(4),(5)

By-laws*

By-law No.1 – Administrative

- Section 9.1 (Use of Seals)

By-law No.3 – Code of Ethics

- Section 5.6 (Rules Respecting Advertising for Professional Engineers and Geoscientists)

*PEGNL by-laws still use the terms “seal” or “stamp/seal”. For purposes of this professional standard, these are taken to mean “stamp” as defined here.

2.2 Responsibilities of Professional License holders and Permit Holders

Professional license holders and permit holders are responsible for practicing in accordance with the Act, Regulations, By-laws and PEGNL Code of Ethics.

Professional license holders shall only apply their stamp to professional documents they prepared or to professional documents prepared under their supervision and control. In the case of professional documents prepared by someone else, professional license holders shall only apply their stamp to the documents after thoroughly reviewing the documents at an appropriate level of detail *and accepting professional responsibility for them*. Professional license holders shall maintain custody and control over their stamps at all times, and apply their stamps personally or only allow it to be applied by others acting under their direct control. A professional license holder shall personally sign and date documents to which their stamp is applied. Details of acceptable ways to stamp and sign documents are presented in Section 3.

A permit holder is corporately responsible for the integrity of its projects. A permit holder is responsible to put in place a system enabling engineering or geoscience practice to be carried out by professionals with training and experience in the fields of practice contained in a professional document. A permit holder is also responsible to put sufficient quality control procedures in place with an aim to preclude errors and omissions in a professional document. The Permit Holder shall maintain custody and control over their stamp. The Member in Responsible Charge (MIRC) for the permit holder, where possible shall sign the stamp, when the stamp is applied to professional documents. In instances where the MIRC is unable to sign the permit stamp, the member number of the MIRC should be inserted in the signature space on the permit stamp. Either the MIRC signature or member number shall appear on each and every application of the permit to practice stamp.

Authentication should be taken seriously, as a hallmark of one’s professional reputation. Improper or inappropriate authentication contravenes requirements of the Act and Regulations, and may be cause for discipline or a professional license holder’s or permit

holder's registration to be suspended, cancelled or renewal withheld (as per Regulations, Part VII, Section 33 (5)).

2.3 Liability

Liability can be defined as a legal responsibility for some harm or loss caused to another person. PEGNL has no authority to determine legal liability; jurisdiction to resolve disputes concerning liability rests with the courts. However, PEGNL does have jurisdiction and responsibility to administer the Act and Regulations, including the process of authentication. Not authenticating a professional document may contravene the requirements of the Act and Regulations and could lead to discipline. In addition, the lack of authentication on a professional document does not relieve a professional license holder or permit holder from any legal liability that may arise resulting from work contained in a document prepared and issued by a professional license holder. *A court could find a professional license holder, a permit holder, or both, liable whether or not such a document was authenticated.* Authentication serves to identify the professional license holder and permit holder who overtly accepted responsibility for the document.

3.0 Tools for Document Authentication

3.1 Types of Stamps

3.1.1 License Holder Stamps

Each PEGNL professional license holder who authenticates documents is required to acquire a rubber stamp issued by PEGNL with spaces for signature and date identifying him/her as a professional engineer, professional geoscientist, limited licensee engineer or limited licensee geoscientist. In August, 2015, a new version of rubber stamp was developed by PEGNL which also includes the license holder's registration number (to avoid confusion between license holders with similar or identical names). Either the old or the new version of stamp can be used and shall be applied in a manner consistent with this guideline.

3.1.2 Permit Holder Stamps

Each permit to practice holder in PEGNL that authenticates documents is required to acquire a rubber stamp issued by PEGNL, with a space for signature (or Member in Responsible Charge (MIRC) member number), identifying them as a permit holder and showing their practicing business name and PEGNL permit number. The permit to practice stamp shall be applied by the permit holder to all documents requiring professional authentication that are issued to an external entity. The signature or PEGNL member number of the MIRC taking responsibility for the discipline under which the document is issued shall be included on the permit stamp.

3.2 Stamp Impressions

3.2.1 Physical Impression

For a professional license holder, a physical stamp impression should be made with the rubber stamp and black ink, and placed in an appropriate location on a professional document (e.g., centered over one's name on a signature block, or in a designated stamp box on a drawing). Permit holder stamps should be placed in white space immediately below the signature blocks, or in a duly designated location on a professional document. All stamp impressions should be dark and of high contrast so that all parts of the stamp are clearly visible.

3.2.2 Electronic Impression

An electronic stamp impression can be made by scanning or otherwise creating a digital file image of a physical stamp impression. The electronic impression should be identical in size, appearance and presentation of information as the stamp issued by PEGNL. To afford responsible professionals the least liability exposure for electronic documents, it is recommended that the signature and date not be part of the computer generated image but rather that the stamp be signed and dated by hand by the licensee. The stamp image should be placed in the same location on a professional document as a physical impression.

3.3 Signature and Date

3.3.1 Physical Signature and Date

When using a professional license holder stamp, one should sign in one's normal business signature freehand on the signature line and write the date unambiguously on the date line. For a date when days and months might be confused, the month should be wholly or partly written out (e.g., 6 May 15 or Aug. 8, 2015).

For permit holders, the signature or PEGNL member number of the Member in Responsible Charge shall appear along the horizontal line (under the company name).

3.3.2 Electronic Image of Signature and Date

If an electronic impression is to be used, an electronic image should be created of the blank stamp and this image file transferred into the professional document for signature and dating by the professional license holder. Similarly an electronic image of the blank permit stamp may be created and the image file transferred into the document for signature by or insertion of the member number of the Member in Responsible Charge for the applicable discipline.

3.4 Document Certification

3.4.1 Digital Signature

A *digital signature* is an encrypted alphanumeric data set used as personal electronic identifying information that people attach to a document to permanently associate themselves with the document. It is not an electronic copy of a handwritten signature obtained by scanning or by using an electronic pen. Digital certification primarily serves to identify the sender and securely confirm that a document has not been changed or altered. A digital certification tag may be applied to an authenticated *or to an unauthenticated document* depending on the user's needs for document tracking and control.

Digital certificate tags for professional documents are being investigated by PEGNL. This guideline will be updated as necessary to reflect any policy changes.

3.4.2 Difference between Certification and Authentication

Digital certification is an elective step for document management, tracking and control, and is independent from the authentication process described in this Practice Standard. Digital certification is not the same as inserting an electronic image of an authentication (stamp, signature and date), as described in Sections 3.2.2 and 3.3.2 above. Unfortunately, commercial service providers of digital certification have used the terms “digital signature” or “electronic signature” for their document tagging process. These terms are not to be confused with an electronic image of a physical signature, described here as an option in the PEGNL authentication process.

4.0 Authentication Process

4.1 Triggers for Authentication

As a general rule of thumb, it is appropriate to authenticate any document that contains professional interpretation, evaluation, judgement, technical advice or direction, design aspects conclusions or recommendations. Purely factual information need not be authenticated.

For example, a document merely reporting factual results need not be authenticated. However, if interpretation and recommendations are added, authentication is triggered.

- “The arsenic concentration in the water sample was 0.6 mg/L. This exceeds the applicable water quality standard.” - authentication not needed
- “The arsenic concentration in the water sample was 0.6 mg/L. This exceeds the applicable water quality standard and water treatment steps should be implemented.” – authentication needed

4.2 What to Stamp and What Not to Stamp

4.2.1 Summary Table of Authentication for Common Documents

The table below summarizes PEGNL's requirements for authenticating common documents in the practice of engineering and geoscience. In each case a professional license holder stamp is required. Depending on the circumstances a permit holder stamp may also be required.

Document Type	Authentication Required (Y/N)	Details
Single discipline documents	Y (at least 1)	Preferably by license holder serving as task leader or supervisor
Multi-discipline documents	Y (at least 2)	By license holders accepting responsibility for each discipline (clearly indicated)
As-built drawings	N	Drawings marked up by others to show on-site conditions not shown on original design drawings, unless specifically required by contract with client and for which the license holder can verify as built condition
Record drawings	Y	Drawings by a license holder showing a design or design change for-which they take responsibility
As-acquired documents	N	Third-party representation of field information (e.g., seismic program results)
Field change orders, directives, field instructions	Y (may be time-delayed)	Those that affect authenticated docs should be authenticated in a timely fashion.
Design notes, calculations and graphic interpretations	N	Those kept as a license holder's work file for reference need not be authenticated
Emails (If external and containing professional content beyond factual information)	Y (via electronic signature block, or authenticate emails later in timely manner; like change orders)	Though not advisable, such professional emails should be authenticated by inserting electronic authentication into the email signature block). Much better to issue standard report document.
Geoscience resource documents including interpretation/judgement	Y	Examples are resource/reserve reports, issued maps, exploratory drilling programs, seismic programs, mine plans, 43-101 reports, 51-101 reports

Manuals based on engineering or geoscience work	Y	Those prepared for direction or guidance of others
Preliminary documents (general)	N	Authentication is reserved for final documents
Preliminary documents (to be relied upon for a specific restricted purpose)	Y (but clearly identify purpose)	Those issued for restricted purpose where someone may rely on them. Clearly identify e.g., "Not for construction", "For tender purposes only".
Reports	Y	Reports beyond factual information; any format (covered report, letter, fax)
Business Correspondence	N	Letters of a business nature not containing technical opinion, interpretation, conclusion or recommendation
Reviewed documents (not prepared by reviewer)	Y	Authenticating reviewer should thoroughly review findings, calculations, interpretations, conclusions and recommendations before taking responsibility for document
Revised authenticated documents	Y	License holder shall re-authenticate to take responsibility for changes
Sets of plans, drawings, detailed drawings	Y	Each plan or drawing that could be used individually for its intended purpose shall be authenticated
Shop or fabricator drawings		
1. Fabricator general arrangement drawings	1. N	1. Fabricator info on structural members, connections, piping, mechanical etc. components that have previously been sized and authenticated by a license holder
2. Fabricator detailed drawings	2. N	2. Fabricator drawings for shop staff (not engineering design)
3. Fabricator design drawings	3. Y	3. License holder drawing of structural elements, special connections, mechanical, piping etc. components
4. Fabricator proprietary items	4. Y	4. License holder drawing of proprietary items
5. Standard connections	5. N	5. License holder shall authenticate specification calling for connection
6. Erector/assembler drawings	6. Y	6. Drawings or documents by erector/assembler

Software	Y	Those concerning the public interest and requiring in the development, the application of engineering or geoscience principles
Specifications	Y	Those containing engineering or geoscience decisions and not part of other authenticated document
Standard drawings	Up to license holder	Depends on use of drawing
Testing Laboratory Reports	Y	If reports contain more than just factual data (e.g., interpretation, professional judgement, plans or specifications)
Translated documents	Y	License holder should use certified translator with declaration that translation has identical meaning

4.2.2 Specific Comments on Common Document Types

Single Discipline Documents

The document shall be authenticated by at least one license holder, preferably the individual responsible for coordinating the work or task, or by a supervisory individual who is sufficiently involved in overseeing the work to take responsibility (i.e., at least one authentication). Where a professional document is prepared by more than one license holder, it may be authenticated by each of them and the scope of each authenticating professional identified. Where the documents are prepared under a PEGNL permit to practice the permit holder shall also authenticate. In the case of a set of drawings containing a drawing index sheet it is acceptable to authenticate the index sheet rather than each individual sheet provided that the scope of each authenticating professional is identified.

Multi-Disciplinary Documents

A professional document containing components prepared or reviewed by professional license holders of different disciplines shall be authenticated by a license holder able to accept responsibility for the work related to each discipline (i.e., at least two authentications). The responsibility of each professional license holder who authenticates the document shall be clearly indicated on the document (e.g., add below stamp impression: "Responsible for XXX practice component"). Where the documents are prepared under a PEGNL permit to practice the permit holder shall also authenticate. In the case of a set of drawings containing a drawing index sheet it is acceptable to authenticate the index sheet rather than each individual sheet provided that the scope of each authenticating professional is identified.

As-Built Drawings

As-built drawings as defined here are drawings prepared or marked up by someone other than the authoring license holder (e.g., a contractor), not under the direct supervision or control of the license holder. The drawings are intended to represent on-site conditions that are not shown on the original drawings, and may reflect changes to an original design by someone else to accommodate site conditions. The authoring license holder should not accept responsibility for the content of as-built drawings and should not authenticate them, unless the license holder has thoroughly reviewed and verified the content.

As-Acquired Documents

Typically applicable to geoscience practice (e.g., seismic programs), as-acquired information is another party's representation of what occurred in the field. A license holder should not authenticate as-acquired documents (e.g., a re-alignment of a seismic line by a geophysics contractor from that initially laid-out by the licensed geoscientist).

Change Orders, Directives, Field Instructions

Field-related changes and information may be small, numerous and may be issued verbally, but may affect the design in an authenticated document. Any such changes should be documented in writing and authenticated in a timely manner. Depending on field conditions and logistics, timely manner should be tailored to the context of the work being done. For example, the effects of several email instructions could be incorporated into an authenticated drawing revision, or a record drawing.

Design Notes, Calculations, Graphic Interpretations

Design notes, calculations or graphic interpretations (e.g., stratigraphic cross-sections or data plots) can be considered part of a license holder's work file and need not be authenticated. It is good practice that such items be prepared in a format that records the names of the responsible license holders, designers and checkers, and the dates of their work. If such items are to be issued to others, then authentication is required; title page or cover can be authenticated clearly identifying the responsible license holder without needing to authenticate each page.

Emails (with professional content beyond factual information)

External emails issued to clients, vendors or contractors and containing professional content beyond factual information that will not be authenticated separately in other documents constitute a version of a professional report and should be authenticated. This can be done by inserting an electronic authentication into the email body or signature block. It is better to produce a standard letter or report with authentication, and attach this to a covering email to the recipient. Another approach is to treat such emails as you would field change orders or field directives, with after-the-fact authentication in a timely manner.

Geoscience Resource Documents

The following types of professional geoscience resource documents in final form (as defined in this Standard) should be authenticated:

- Resource or reserve reports
- Maps representing geosciences interpretation (maps shall be individually authenticated if not part of a bound report)
- Final drilling programs or completion plans
- Seismic programs (including changes to such programs, field survey design documents, design assumptions, data processing parameters)
- Mine plans (including reclamation plans)

Manuals

Manuals based on engineering or geosciences work and prepared for direction or guidance shall be authenticated.

Preliminary Documents

Preliminary documents that will be subsequently issued at a later stage are not required to be authenticated.

In instances where authentication is required by a client or authority having jurisdiction and where such documents are issued for some restricted purpose and are to be relied upon by others for that purpose, those documents may be authenticated. The specific intended purpose shall be clearly noted on the documents (e.g., “For Tender Purposes Only”, “Not for Construction”, as appropriate).

Reports

A professional report with contents beyond factual information and of any size or format shall be authenticated either on the cover, title sheet or signature page (not necessary to authenticate each page).

Reviewed Documents

A license holder may authenticate a document representing engineering or geosciences work prepared by others under these conditions: the authenticating reviewer should thoroughly review findings, calculations, interpretations, conclusions and recommendations before taking responsibility for document.

Revised Authenticated Documents

Revising an authenticated professional documents constitutes professional practice and shall be re-authenticated by a license holder. The revisions should explicitly indicate the changes and the boundary of professional responsibility between the original and revised documents.

When a previously authenticated document (particularly a drawing) is used for a new project, the original document as the basis for the new work should be identified with a note, any changes from the original should be clearly indicated, and the new authentication should be applied (the original stamp and signature should not appear). The professional licence holder then takes responsibility for the full revised design (not just the specific changes).

Sets of Plans, Drawings, Detailed Drawings

Each drawing in a set of plans or drawings that could be used individually for its intended purpose shall be authenticated.

Shop or Fabricator Drawings

- Fabricator General Arrangement Drawings – do not need authentication. These specifically describe the location of structural members, connections and components to be supplied by the fabricator, and are not considered design drawings.
- Fabricator Detail Drawings – do not need authentication. These are produced by the fabricator to provide information for shop personnel to fabricate or assemble the items, and do not contain any engineering design.
- Fabricator Design Drawings – shall be authenticated. These contain structural, mechanical, piping etc. elements or special connections designed by a professional license holder for a fabricator.
- Fabricator Proprietary Items – shall be authenticated. These are drawings for proprietary items (i.e., open web steel joists) prepared by a professional license holder for a fabricator.
- Standard Connections – A professional license holder specifying standard connections from industry handbooks shall authenticate that specification.
- Erector/Assembler Drawings – shall be authenticated. Drawings or documents produced by the erector/assembler to address temporary loading, temporary bracing, falsework and erection or installation sequence instructions shall be authenticated.

Software

The following computer software should be authenticated:

- I. Software developed by a professional license holder for the practice of engineering or geosciences. These include controller software, applications, modelling or simulation programs. Spreadsheet and other similar electronic files used in the design process

need not be authenticated however such files that form part of the software solution do require authentication.

- II. Software which requires in its development the application of engineering principles and where there is a reasonable expectation that its failure or malfunction could be detrimental to public interest (life, health, property, economic interests, public welfare or the environment), it shall be authenticated.

Revisions to such software (either written or electronic) shall be authenticated.

Software shall include a license holder's professional stamp, signature and date in the "About" feature (or equivalent) on a "Help" tab in the software. Packaged software programs should also include the authentication on a separate sheet in the packaging showing the software name and version and authentication.

Specifications

Specifications containing engineering or geosciences decisions shall be authenticated (on cover, title page or signature page) if the specifications are not part of a drawing or other authenticated document. Not every page of an authenticated specification bundle is authenticated.

Standard Drawings

A professional license holder may be asked to prepare a design drawing that is intended to be used in more than one instance. It is up to the license holder to decide whether or not to authenticate such a standard or generic drawing. If it is not possible to sufficiently limit or specify the conditions under which the drawing can be used, the drawing should be left unauthenticated.

Testing Laboratory Reports

Reports issued by testing laboratories by or under the supervision of a professional license holder shall be authenticated when such reports go beyond factual data and include interpretation of data, express judgement or recommendations, or present design work (e.g., plans or specifications).

Translated Documents

A professional license holder may need to have a professional document translated into another language, but be unable to read the translation or determine whether the translator has correctly translated the document. Translation errors could possibly become construction errors. In such cases, the license holder should employ the services of a certified translator and obtain a written declaration that the translated text is identical in meaning to the original. If the translator is not certified by a recognized certification body, the translator's declaration

should be notarized. The professional license holder can then authenticate the original and translated documents.

4.3 Authentication Situations

4.3.1 Documents Created in Newfoundland and Labrador

If a document is created in Newfoundland and Labrador for construction or use in Newfoundland and Labrador, it shall be authenticated by a PEGNL licence holder (and permit holder if applicable) using PEGNL stamps.

If a document is created in Newfoundland and Labrador for construction or use in another jurisdiction, it shall be authenticated by a professional licensed in that other jurisdiction. If there is no similar process requiring authentication of documents in the other jurisdiction then the document should be authenticated by a PEGNL licence holder (and permit holder if applicable) using PEGNL stamps.

4.3.2 Documents Created outside Newfoundland and Labrador

If a document is created outside Newfoundland and Labrador but is to be constructed, modified, installed or used in Newfoundland and Labrador, it shall be authenticated by a PEGNL professional license holder (and permit holder if applicable) using PEGNL stamps.

4.3.3 Documents for Use outside 12-Mile Canadian Territorial Limit (“Offshore”)

Professional documents prepared in Canada for use outside the 12-mile Canadian Territorial Limit (i.e., in international waters), shall be authenticated by a professional license holder licensed in the Canadian jurisdiction where the engineering or geosciences practice was carried out. For example, if a device is designed by an engineering group or firm in Newfoundland for use in offshore oil development in international waters, then the design shall be authenticated by a professional license holder (and permit holder if applicable) using PEGNL stamps.

If the device is designed outside Newfoundland and Labrador for use in international waters but is brought to the Province for assembly, for incorporation into another assembly or for testing or commissioning, the documents detailing the assembly, incorporation, testing or commissioning shall be authenticated by a PEGNL professional license holder (and permit holder if applicable) using PEGNL stamps.

PEGNL authentication is required when a device intended for use outside the 12-mile Canadian Territorial limit meets any one of the following conditions:

- Designed in NL;
- Built in NL;
- Integrated into or installed in an assembly in NL; or
- Tested or commissioned in NL.

If the device intended for use in international waters meets none of these conditions, no PEGNL authentication is required.

4.3.4 Authentication as Part of a Specialized Equipment Procurement Process

When a professional license holder prepares documentation that specifies equipment, products or components that require engineering design and which are to be manufactured or fabricated out of the province for use on NL projects, such documentation shall be authenticated. The manufacturer or fabricator must certify that the equipment meets the specification but need not authenticate the fabrication or vendor drawings.

4.3.5 Misuse of Stamp and Authentication Process

It is an obligation of a professional license holder to authenticate documents as outlined in this Standard. This obligation is enforceable under the *Act* and *Regulations*. Misuse of the license holder's stamp or of the authentication process may be grounds for discipline, including suspension, cancellation or withheld renewal of a license holder's professional registration.

5.0 Document Management

5.1 Approving and Issuing Documents

Professional license holders should have a formal process for preparing, authenticating and issuing professional documents. The process should as a minimum include steps for:

- Checking that the document is complete and accurate for its intended purpose (i.e., some form of quality management system);
- Verifying that the document meets requirements expressed by codes, standards, PEGNL standards and contractual requirements;
- Approval and authentication by one or more professional license holders who accept responsibility for the document.

5.2 Document Control

Professional license holders responsible for authenticating documents should make sure their organizations have and implement a document control process that prevents the possibility of:

- Others altering authenticated documents without approval of the author;
- Removal, duplication or unauthorized use of the license holder's stamp; or
- Unauthorized use of authenticated documents.

5.3 Document Retention and Storage

It is good practice but not required that professional license holders retain originals or copies of authenticated documents (for reference purposes or defence against legal claims). License

holders who have professional liability insurance should also consult their insurers about their requirements for document retention.

Appendix A – Excerpts from the Act, Regulations and By-laws pertaining to Authentication**A. An Act Respecting The Practice of Engineering and Geoscience, 2008**

15. (2) A person, corporation, partnership or other association of persons, except a professional engineer or permit holder, shall not

(c) affix the stamp or seal of a professional engineer or permit holder, or allow that stamp or seal to be affixed to a plan, drawing, detail drawing, specification, other document or reproduction of either of them unless

(i) the plan, drawing, detail drawing, specification, other document or reproduction was prepared by or under the supervision and control of a professional engineer,

(ii) the stamp or seal is affixed with the knowledge and consent or in accordance with the direction of the professional engineer or permit holder to whom the stamp or seal was issued, and

(iii) a professional engineer signs the stamp or seal affixed.

17. (2) A person, corporation, partnership or other association of persons, except a professional geoscientist or permit holder, shall not

(c) affix the stamp or seal of a professional geoscientist or permit holder, or allow that stamp or seal to be affixed to a report or document, or a reproduction, unless

(i) the report or document or reproduction was prepared by or under the supervision and control of a professional geoscientist,

(ii) the stamp or seal is affixed with the knowledge and consent or under the direction of the professional geoscientist or the permit holder to whom the stamp or seal was issued, and

(iii) a professional geoscientist signs the stamp or seal.

38. (1) The board may, with the approval of the minister, make regulations

(j) respecting the use of stamps and seals;

39. (1) A professional member shall sign and stamp or seal and a permit holder shall stamp or seal all documents or records in accordance with the regulations.

(2) A person other than a professional member or permit holder shall not use a stamp or seal issued by the registrar under this Act.

B. Engineers and Geoscientists Regulations, 2011

8. (1) When a professional member is registered under the Act and the regulations, the registrar shall provide the professional member with a stamp or seal.

(2) A stamp or seal issued to a professional member shall at all times remain under the direct control of the professional member and shall be applied by that professional member or by another person acting under that professional member's immediate and direct control, to all plans, specifications, reports or documents of a professional nature which that person has authored or which have been prepared under that person's supervision and for which that person assumes professional responsibility.

(3) A stamp or seal shall not be physically located in a manner that would allow its use by a person other than the professional member to whom it was issued or a person under that professional member's immediate and direct control.

(4) A stamp or seal shall be accompanied by the signature of the professional member to whom it was issued and the date on which it is applied.

(5) A stamp or seal may be applied to the cover page or final page of reports and specifications in a manner which clearly indicates acceptance of professional responsibility for the reports and specifications without being applied to each page.

(6) The stamp or seal referred to in subsection (1) shall remain the property of the association and shall be surrendered to the association when demanded by the registrar.

12. (1) When a permit is issued under the Act and the regulations, the registrar shall provide the permit holder with a stamp or seal.

(2) A permit holder shall inscribe the stamp or seal issued to the permit holder with the year for which the permit is valid.

(3) The stamp or seal issued to the permit holder shall be under the control of and only used by the professional member in responsible charge of the professional practice in which the permit holder is engaged.

(4) When the practice of professional engineering or geoscience is carried on by a permit holder, all plans, specifications, reports and documents shall

(a) in the case of a sole proprietorship, be signed by and sealed with the stamp or seal of the professional member who is the sole proprietor and who is responsible for and has supervised their preparation;

(b) in the case of a partnership, limited partnership or other association of persons or a corporation, be signed by and sealed with the stamp or seal of the professional member who is responsible for and has supervised their preparation; and

(c) in all cases, carry the permit holder stamp or seal issued to the permit holder.

(5) The stamp or seal referred to in subsection (1) shall remain the property of the association and shall be surrendered to the association when demanded by the registrar.

C. By-law No. 1 – PEGNL Administrative By-law

9.1 Use of Seals

Use of seals by professional members and permit holders shall be in accordance with the Regulations and the latest edition of PEGNL's "Guidelines for Use of the Seal."

D. By-law No. 3 – PEGNL Code of Ethics By-law

5. Rules Respecting Advertising for Professional Engineers and Geoscientists

5.6

Professional stamps/seals or permit stamps shall not be displayed for advertising or commercial purposes.