

The following Guidelines were originally approved by Council in 1989 and updated in 1993.

DEFINITIONS

"Act" means The Engineers and Geoscientists Act.

"Approving Professional Member" means the professional engineer, or professional geoscientist, or licensee, under whose direct supervision the design and/or documents have been prepared.

"Direct Professional Supervision or Responsible Charge" means that the professional member or licensee providing such supervision shall have made the decisions on technical matters of policy and design and shall have exercised his or her professional judgment in all engineering matters that are embodied in the plans, specifications or other documents for which he or she accepts responsibility.

"Licensee" means a person who is licensed by PEG-NL to practice engineering or geoscience in the Province of Newfoundland & Labrador and who is not otherwise eligible for registration as a professional member due to his or her not meeting residency, citizenship, or some other requirement.

"Member-in-Training" means engineer-in-training or geoscientist-in-training who has not completed all the requirements for registration as a professional member.

"Permit holder" means a person, a partnership, or other association of persons or a corporation entitled to engage in the practice of engineering or geoscience, or both, by virtue of being granted a permit by the Council of PEG-NL.

"Professional Engineer" means a person who holds a certificate of registration to engage in the practice of engineering.

"Professional Geoscientist" means a person who holds a certificate of registration to engage in the practice of geoscience.

"Professional Member" means either a professional engineer or professional geoscientist who is registered as a member of PEG-NL under The Engineers and Geoscientists Act.

LEGAL REQUIREMENTS GOVERNING THE USE OF THE SEAL

The Engineers and Geoscientists Act

Section 55 states:

(1) A professional member or licensee shall sign and stamp or seal and a Permit Holder shall stamp or seal all documents or records in accordance with the Regulations.

(2) No person other than a professional member, Licensee or Permit Holder shall use a stamp or issued by the registrar under this Act.

The Engineers and Geoscientists Regulations

Section 10: Signing and Sealing of Documents

When the practice of professional engineering, or geoscience is carried on by a Permit Holder, all plans, specifications, reports or documents shall:

(a) be signed by and sealed with the stamp of the professional member or licensee who is responsible for and has supervised their preparation; and

(b) carry the Permit Holder stamp issued to the Permit Holder.

Section 13: Revocation of Permit

A permit issued under the Act may be revoked or its renewal withheld by the Council for failure of the Permit Holder to observe any of the requirements set forth in the Act or the Regulations, or where the Council has found that the Permit Holder has acted in a manner which constitutes unprofessional conduct or unskilled practice of the profession.

Section 15: Control and use of Permit Stamps and Seals

(1) The stamp or seal issued to the Permit Holder shall at all times be under the control of and only used by the professional member or licensee in responsible charge of the professional practice in which the Permit Holder is engaged.

(2) The stamp or seal issued to a Permit Holder shall be applied to all plans, specifications, reports and documents produced by the Permit Holder together with the stamp or seal and signature of the professional member or licensee who was in responsible charge of them.

(3) The stamp or seal issued to a Permit Holder shall be inscribed with its year of validity.

Section 49: Use of Stamps and Seals issued to Members

(1) A stamp or seal issued to a professional member or licensee shall at all times remain under the direct control of the professional member or licensee and shall be applied by that person or by another acting under that person'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.

(2) A stamp or seal shall not be physically located in a manner that would allow its use by other than the professional member or licensee to whom it was issued.

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

(4) 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.

(5) The stamp or seal issued to a licensee shall be inscribed with its year of validity.

Schedule A: Code of Ethics (Excerpts - full text available on request)

A professional engineer or geoscientist shall recognize that professional ethics are founded upon integrity, competence and devotion to service and to the advancement of human welfare. This concept shall guide the conduct of the professional engineer or geoscientist at all times.

A professional engineer or geoscientist shall undertake only such work as he or she is competent to perform by virtue of his or her education, training and experience.

A professional engineer or geoscientist shall sign and seal only such plans, documents or work as he or she has personally prepared or which have been prepared or carried out under his or her direct professional supervision.

By-Laws of PEG-NL

Section 11: Surrender of Seals, Stamps and Certificates

Professional Members, Licensees, Permit Holders and Certificate Holders shall surrender to the Registrar, forthwith upon the occurrence of any of the following events, any seals, stamps and certificates that have been issued to them:

(a) Resignation of the Professional Member, Licensee, Permit Holder or Certificate Holder from PEG-NL, or;

(b) The suspension or cancellation of the professional membership, License to Practice, Permit or Certificate.

DOCUMENTS NOT REQUIRING PROFESSIONAL ENGINEERS OR GEOSCIENTISTS SEAL OR STAMP

1. Preliminary Documents

In general, preliminary drawings, preliminary specifications and draft reports need not be sealed. Such documents must be clearly marked "Preliminary" or "Not for construction"

2. Correspondence

Correspondence signed by a professional member or licensee and bearing the P. Eng. or P. Geo. designation, need not be sealed.

DOCUMENTS REQUIRING PROFESSIONAL ENGINEERS OR GEOSCIENTISTS SEAL OR STAMP INCLUDES BUT NOT NECESSARILY LIMITED TO:

1. All final documents used for construction.

2. Final Drawings

(a) Covering a single discipline of engineering or geoscience shall be sealed, signed and dated by the professional member or licensee who did the design, and preferably also by the approving professional member or approving licensee.

(b) Covering more than one discipline of engineering or geoscience - shall be sealed, signed and dated by the professional member or licensee who did the design for each discipline, and preferably also by the approving professional member or approving licensee.

(c) Each sheet in a set of drawings shall be sealed.

3. Final Specifications

The cover sheet of specifications for each discipline shall be sealed, signed and dated by the professional member or licensee who prepared them.

4. All building drawings and specifications prepared in accordance with Part 4 of the *National Building Code*.

5. All municipal servicing drawings and specifications.

6. All civil drawings and specifications.

7. All structural drawings and specifications including shop drawings and connection drawings.

8. All electrical and/or mechanical drawings and specifications.

9. Sprinkler Drawings

Sprinkler drawings must be sealed, signed and dated by the designer or the professional member or licensee who assumes professional responsibility.

10. All engineering feasibility and technical reports.

11. All geophysical and geological technical reports and maps.

12. Letter Reports

Letter Reports, as distinct from letters or memos, shall be sealed, signed and dated by the professional member or licensee who authored them.

13. Revisions

(i) If a drawing is revised by the professional member or licensee who sealed the original drawing, each revision shall be noted on the drawing by a revision number, date, explicit revision description, name and signature of the professional member or licensee. A copy of the revised drawing shall be maintained as part of the record of drawings issued.

(ii) If the professional member or licensee making a revision did not prepare the original drawing, he or she shall complete the revision note as above and shall in addition seal, sign and date the drawing so as to clearly indicate responsibility for the revision.

14. Computer Aided Design Drawings (CADD)

(i) All drawings produced using computer aided design shall be sealed, signed and dated by the approving professional member(s), who is (are) taking professional responsibility for the design. Copies of these sealed drawings shall be retained on file.

(ii) Revised copies of the above drawings shall be sealed, signed and dated by the approving professional member(s), who is (are) taking the professional responsibility for the design. Revisions shall be made in accordance with Section 13. Revisions, above.

(iii) When drawings of a composite (layered) nature are produced, they shall be sealed, signed and dated by the approving professional member(s), who is (are) taking professional responsibility for the design(s). Copies of these sealed drawings shall be retained on file.

15. Design Notes

Design notes should be prepared in a format which records the names of the responsible professional member or licensee, designers and checkers, including the dates on which their work was performed. The cover sheet of the design notes should be sealed, signed and dated if they are issued for review or use of a client, employer or other consultant.

16. Those required by a Regulatory Authority.

REMOVAL OF THE SEAL FROM A DRAWING OR DOCUMENT

Seals should not be removed from a drawing or document except by the professional member or licensee who sealed, signed and dated them originally. When seals are removed, the professional member or licensee responsible for their removal has a duty to inform those who may be affected and also to withdraw the original drawing or document.

NOTES FOR CLARIFICATION

1. The application of the seal should be clear and legible on all copies of the sealed documents. The normal signature of the professional member or licensee and date of application shall be clearly shown. The use of initials without surname is not acceptable.
2. Stamps or Seals are the property of PEG-NL notwithstanding their issuance to professional members and licensees, and shall be returned to PEG-NL upon request.
3. The Permit Holder number must be inscribed on the stamp or seal together with the date the stamp or seal was applied.
4. When the Permit Holder stamp is not applied directly to documents the verbatim wording of the stamp, along with the permit number and year of validity, must be inscribed on documents. This use of wording in lieu of the stamp should be restricted to special cases for which prior authorization is given by PEG-NL.
5. Stamps or seals should only be applied electronically with the full permission of the professional member, licensee or permit holder. Use of electronic seals and stamps shall be in accordance with guidelines set out by Council. Electronically reproduced signatures shall not be used without prior approval of PEG-NL.

FOR MORE INFORMATION CONTACT:

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