

PROPOSAL 8 - BY-LAW 15.7.6 RECORDS AND CONFIDENTIALITY AND RELEASE OF INFORMATION

This change would allow for the Investigation Committee to discuss ongoing investigations with other regulators and authorities having jurisdiction in situations. This communication would be limited to instances where there is a potential serious risk to the public.

This helps to achieve the ends of the Association by protecting the public.

CURRENT WORDING	PROPOSED WORDING
<p>15.7.6 Records, Confidentiality and Release of Information</p> <p>Notwithstanding 15.7.3, if in the course of any investigation it comes to the attention of the investigation committee that any engineering or geoscientific work may be dangerous to persons or property, the investigation shall cause such work to be brought to the attention of the authority having jurisdiction, the person having professional responsibility and the owner.</p>	<p>15.7.6 Records, Confidentiality and Release of Information</p> <p>Notwithstanding 15.7.3, if in <u>during</u> the course of any investigation it comes to the attention of, the investigation committee <u>determines</u> that:</p> <p><u>(a) any engineering or geoscientific work may be dangerous to persons or property pose a serious risk to the public, the investigation committee shall cause such work to be brought to the attention of the authority having jurisdiction, the person having professional responsibility and the owner; or</u></p> <p><u>(b) the conduct of the investigated person might otherwise pose a serious risk to the public, the investigation committee may disclose such information it deems appropriate regarding the subject investigation to:</u></p> <p><u>(i) other provincial regulators of professional engineering and/or professional geoscience, provided such other provincial regulators of professional engineering and/or professional geoscience are signatories to a Memorandum of Understanding governing discipline and enforcement of regulatory activities, including the handling of such information and the maintenance of privacy in accordance with applicable legislation; and</u></p> <p><u>(ii) any governmental or law enforcement agencies who, in the opinion of the investigation committee, should receive such information in order to ensure the protection of the public.</u></p>