



## legislation and jurisprudence

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# STOPPING

# UNLAWFUL PRACTICE:

# HOW DOES THE OIQ DO IT?

**Our column in the March-April 2020 issue discussed how engineers can prevent unlawful practice. But the OIQ, and more specifically its Unlawful Practice Supervision Department (SSPI), also has a great deal of responsibility for preventing unlawful practice and it takes this responsibility very seriously.**

**T**he Unlawful Practice Supervision Department invests time and resources to make effective, thorough, significant and proactive efforts along these lines, in the interest of protecting the public. The OIQ must regularly intervene in situations where natural or legal persons commit offences against the *Engineers Act*. This is the legal component of the SSPI's activities. However, the SSPI team does more than just institute penal proceedings to accomplish its mission. This column discusses the many different actions taken by the OIQ to prevent unlawful practice.

## ENSURING THAT THE LAW IS ENFORCED

To determine whether the *Engineers Act* is being properly enforced, the OIQ has the authority to inspect sites where engineering work is carried out. This authority is granted to the OIQ under section 24(3) of the *Engineers Act*. According to this section, OIQ inspectors may enter the premises where engineering work is carried out at any time to ensure that the provisions of the Act are being respected. They may also obtain all relevant plans and specifications for



engineering work. Any offence uncovered during the inspection can result in inquiries and proceedings.

These site visits are of great benefit to public protection, because they ensure that engineering work is carried out properly under the supervision of engineers. At the same time, they raise the profile of the profession by highlighting how engineers work on and contribute to structures under development. Last but not least, these visits also benefit contractors, who learn about the content of the *Engineers Act* and best engineering practices in the industry.

Site visits also have a preventive effect, because the news spreads quickly when an OIQ inspector visits a site. Then, contractors naturally react by checking whether their plans are compliant.

In the last three years, our inspectors have made over 1200 site visits across Quebec.

## PREVENTING OFFENCES

Three years ago, the SSPI began developing and continuously enhancing its prevention efforts for members, the public, employers and project owners. For instance, the team holds awareness-raising meetings with municipalities, offers training activities for internationally trained professionals, tours businesses and universities, and participates in conferences

and working groups. The SSPI also answers requests for information from the public and members. The "Legislation and Jurisprudence" column published in each issue of *Plan* is another example of a prevention and awareness activity for members.

The goal of these activities is to inform and bring awareness to various stakeholders about the field of engineering, and create ties with them. Explaining the *Engineers Act* can prevent offences, but also teach people how to recognize illegal practices and correct or report them to the OIQ. Members also like that these activities are considered eligible for continuing education hours.

These types of activities have increased in the last three years, from a little over 100 sessions in 2017-2018 to nearly 165 and 2019-2020, and should continue to increase in the coming years. The SSPI has noticed that there is a lot of interest in them and continuously innovates to meet the needs of different audiences, such as by offering training activities by videoconference. ■



To hold a training activity at your organization, feel free to write to us at [pratill@oiq.qc.ca](mailto:pratill@oiq.qc.ca).