

# Establishing Time Frames for Notices and Discipline Matters

*Improved Public Interest*

*Improved Regulatory Effectiveness and Efficiency*



It is in the interest of the public, Members and Permit Holders that a complaint and discipline matters are addressed in a reasonable and consistent amount of time.



Under the current Engineers and Geoscience Professions Act (EGP Act)

- The time to reach a mediated settlement is 30 days.
- The Registrar shall “forthwith” send a notice to an investigated person the a preliminary investigation is being conducted.
- When a consent order is recommended to the Discipline committee there is not time frame specified in which to reach an agreement.
- The Registrar shall serve notice for a formal discipline hearing but no time frame is specified for this notice.

# Background (continued)



- When a consent order is recommended to the Discipline committee there is not time frame specified in which to reach an agreement.
- The Registrar shall serve notice for a formal discipline hearing but no time frame is specified for this notice.
- The Discipline Committee shall hold the hearing “forthwith” and shall “within a reasonable time” after the conclusion of the hearing, make a written decision on the matter.



- A matter is appealed to the Appeal Board, a notice shall be served on all relevant parties, but not time frame is specified.
- The Appeal Board shall hear the appeal “forthwith” and shall after the conclusion of the hear make a decision on the matter “forthwith”.

# Why is this Important?



- It is in the public interest, as well as the interest of fairness to Members and Permit Holders, the complaint and discipline processes proceed expeditiously and that decisions are rendered in a timely manner.
- Establishing set time frames provide clear expectations.

# Proposed Legislative Change



It is recommended the legislation be amended to specify certain time frames:

- To send notice of a preliminary investigation within 30 day of receiving a complaint.
- An investigated person must respond to the notice within 30 days or longer if agreed to.
- An investigative panel must render a decision within 90 days after the conclusion of a preliminary investigation.
- The time frame to reach a consent order is 90 days or longer if agreed to.



- The Registrar must within 90 days after receiving a referral to the Discipline Committee, set a date for the hearing and give all parties notice.
- All parties must, within 30 days of receipt of the notice of discipline hearing, respond to the Registrar confirming availability.
- A discipline panel must, within 120 days after conclusion of the discipline hearing render a written decision.



- The Registrar must within 90 days after receiving a a notice to appeal, set a date for the hearing and give all parties notice.
- All parties must, within 30 days of receipt of the notice of an appeal hearing, respond to the Registrar confirming availability.
- An appeal panel must, within 120 days after conclusion of the appeal hearing render a written decision.





## Time frame extensions

- If an investigative, discipline or appeal panel has not rendered a written decision within the required time frame, it must at the end of that period inform the parties, in writing, of the progress of the decision every 30 days

# Effects of Proposed Changes



- Time frames for various regulatory activities will be established for which presently there are none.
- The Registrar's office will coordinate the scheduling of hearing and issuance of notices within an established time frame.
- All information related to time frame expectations will be located in one part of the legislation.