



From the office of the Chief Executive Officer / Du cabinet du chef de la direction

June 18, 2018

Cheryl McNeil
Offshore Petroleum Management Division (OPMD)
Natural Resources Canada
580 Booth Street, 17-A2-1
Ottawa, Ontario
K1A 0E4

Re: Engineers Canada's Comments on the Frontier and Offshore Regulatory Renewal Initiative's (FORRI) Proposed Policy Intentions for Phase 3 of the Framework Regulations

Dear Ms. McNeil:

Thank you for the opportunity to provide comment on the Proposed Policy Intention Document for Phase 3 of the development of the *Framework Regulations*.

Engineers Canada is the national organization of the 12 provincial and territorial associations that regulate the practice of engineering in Canada and license the country's 290,000 professional engineers. Engineering is a regulated profession in Canada with engineering regulators being established through Acts of the provinces and territories. Engineers Canada exists to support the provincial and territorial engineering regulatory bodies, especially in coordinating their activities with the federal government. Together, we work to regulate engineering in the public interest.

Engineers from all engineering disciplines are integral to the exploration, discovery, testing, extraction, and distribution of offshore oil and gas. Engineering is a regulated profession, and engineers are licensed professionals, holding a license to practice engineering with one of Canada's 12 provincial or territorial engineering regulators. The self-regulation of the engineering profession in Canada ensures that engineers are held to high professional and ethical standards, and that they practice in the public interest.

The United Nations Convention on the Law of the Sea (UNCLOS), combined with the four principal federal Acts that govern Canadian offshore oil and gas activities, and the proposed Canadian Energy Regulator, make for complex regulatory structures managing oil and gas operations in Canada's offshore areas. However, these international and federal regulatory instruments do not provide for the regulation of engineering work that is done offshore, as provincial and territorial engineering Acts do for engineering work done on land. Infrastructure built or designed in Canada is subject to regulation by the provincial or territorial engineering regulator for the given jurisdiction. Yet as it currently stands, infrastructure to be used offshore that is designed and built outside of Canadian limits is not subject to that same Canadian engineering regulation.

The provincial and territorial engineering regulators believe that it is in the public interest that all infrastructure designed, built, or used within Canada—including in its offshore areas—must be regulated in a manner similar to that which is currently done by the provincial or territorial engineering regulators for engineering work on land. Regulation minimizes the risks to workers and the environment and ensures that these activities are conducted by engineers who are held to high professional and ethical standards that require them to work in the public interest.

Public safety is threatened and environmental, social, and economic impacts are not adequately addressed when engineers licensed in Canada are not directly involved in the design, review, implementation, and maintenance of projects that require the application of engineering principles. Engineering work, regardless of whether it is under federal or provincial jurisdiction, should require the involvement of a qualified engineer. These engineers must be licensed through their provincial or territorial engineering regulator.

The federal government must continue to engage with the engineering regulators as they consider better regulation for activities with engineering components performed outside of provincial jurisdiction but within federal control. The public interest is best served when such engineering work is regulated offshore to at least the standard to which it is regulated onshore.

Once again, we thank Natural Resources Canada and the Frontier and Offshore Regulatory Renewal Initiative team for the opportunity to provide feedback and we look forward to continued discussion on this important initiative. Should you have any questions or wish to discuss the issue further, representatives from our organization would be happy to speak with you. If you need more information regarding this submission or to schedule a meeting, please contact Joey Taylor, Manager of Public Affairs, at 613-232-2474 ext. 213 or at joey.taylor@engineerscanada.ca.

Sincerely,



Gerard McDonald, MBA., P.Eng.
Chief Executive Officer, Engineers Canada

cc: Jeanette M. Southwood, FCAE, FEC, LL.D. (h.c.), P.Eng., Vice President, Corporate Affairs and Strategic Partnerships
Joey Taylor, MSc., PMP, Manager, Public Affairs, Engineers Canada