



Use of the Professional Engineer's Seal A PEO Practice Guideline

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Agenda

Presentation is done in Q & A format and addresses:

- What should be sealed?
- What is an engineering document?
- Who should seal documents?
- Are engineers responsible for engineering work they prepare?
- Is there a legal requirement to use the seal?
- What is the practice of professional engineering?
- Are electronic seals allowed?



Quiz – Question #1

- Should one seal a passport application?





Quiz – Question #1 (Answer)

- Should one seal a passport application?
 - **No**, but why?





Quiz – Question #1 (Answer)

- Should one seal a passport application?
 - **No**, but why?
 - A passport is not an engineering document.



Quiz – Question #2

- What is an engineering document?



Quiz – Question #2 (Answer)

- What is an engineering document?
 - An **engineering document** is defined in the *Use of the Professional Engineer's Seal* guideline as follows:
 - An Engineering Document is a document of any kind that expresses engineering work carried out by a professional engineer. In general, it is any output of an engineering design or analysis process, such as design requirements, engineering drawings, specifications, reports, or instructions.



Quiz – Question #3

- Who should seal the engineering work?



Quiz – Question #3 (Answer)

- Who should seal the engineering work?
 - The engineer(s) who is taking professional responsibility for the work must seal documents.



Quiz – Question #4

- My friend asked me to notarize a document.
Can I use my seal?





Quiz – Question #4 (Answer)

- My friend asked me to notarize a document.
Can I use my seal?
 - **No**, but why?



Quiz – Question #4 (Answer)

- My friend asked me to notarize a document.
Can I use my seal?
 - **No**, but why?
 - Because an engineer is not a notary.



Quiz – Question #5

➤ True or False:

The seal is considered a certification or warranty.





Quiz – Question #5 (Answer)

➤ True or False:

The seal is considered a certification or warranty.

- **False**, but why?



Quiz – Question #5 (Answer)

➤ True or False:

The seal is considered a certification or warranty.

- **False**, but why?
 - “The seal attests that a qualified engineer prepared the drawing. It is not a guarantee of accuracy.” *Edgeworth Construction Ltd. v. N. D. Lea & Associates Ltd.*



Quiz – Question #6

- What does the seal communicate to the public?



Quiz – Question #6 (Answer)

- What does the seal communicate to the public?
 - “It is generally agreed that the stamp and seal of an engineer communicates to the building official and to the public that the contents of the document sealed reflected professional knowledge and care; and that applicable statutes, standards, codes and regulations have been followed.” *Hilton Canada Inc. v. Magil Construction Ltd.*



Quiz – Question #7

➤ True or False:

If I don't seal anything, I am not liable for the work.



Quiz – Question #7 (Answer)

➤ True or False:

If I don't seal anything, I am not liable for the work.

- **False**, but why?



Quiz – Question #7 (Answer)

- True or False:
If I don't seal anything, I am not liable for the work.
 - **False**, but why?
 - A professional engineer is always responsible for their work.



Quiz – Question #8

➤ True or False:

Engineers can revoke the seal in their drawings when clients have not paid for them.



Quiz – Question #8 (Answer)

➤ True or False:

Engineers can revoke the seal in their drawings when clients have not paid for them.

- **False**, but why?



Quiz – Question #8 (Answer)

➤ True or False:

Engineers can revoke the seal in their drawings since when clients have not paid for them.

- **False**, but why?
 - Payment is not covered by the *Professional Engineers Act*. Rather it is a contractual issue.



Quiz – Question #9

➤ True or False:

Sealing documents is a good business practice but not a legal requirement.



Quiz – Question #9 (Answer)

➤ True or False:

Sealing documents is a good business practice but not a legal requirement?

- **False**, but why?



Quiz – Question #9 (Answer)

➤ True or False:

Sealing documents is a good business practice but not a legal requirement.

- **False**, but why?
 - Sealing is a requirement under the *Professional Engineers Act*.



Quiz – Question #10

- When must engineering documents be sealed?



Quiz – Question #10 (Answer)

- When must engineering documents be sealed?
 - *Section 53 of Regulation 941/90, made under the Professional Engineers Act:*
 - *“53. Every holder of a licence, temporary licence, provisional licence or limited licence who provides to the **public** a service **that is within the practice of professional engineering** shall sign, date and affix the holder’s seal to every **final** drawing, specification, plan, report or other document prepared or checked by the holder as part of the service before it is issued. R.R.O. 1990, Reg. 941, s. 53; O.Reg. 13/03, s. 16.”*



Quiz – Question #11

- How can I test if a document needs to be sealed?



Quiz – Question #11 (Answer)

- How can I test if a document needs to be sealed?
 - Does the document fall **within the practice of professional engineering**?
 - Does the document **final** for the purpose intended?
 - Will the document be **issued** to others (outside your organization)?



Quiz – Question #12

➤ True or False:

The practice of professional engineering does not have a clear definition but it somehow deals with construction.





Quiz – Question #12 (Answer)

➤ True or False:

The practice of professional engineering does not have a clear definition but it somehow deals with construction.

- **False**, but why?



Quiz – Question #12 (Answer)

➤ True or False:

The practice of professional engineering does not have a clear definition but it somehow deals with construction.

- **False**, but why?
 - The practice of professional engineering is defined in the *Professional Engineers Act*.



Practice of Professional Engineering

This definition sets out a three-part test for determining whether an act is within the practice of professional engineering:

- Is an act that involves: **designing, evaluating, reporting, etc?**
- Does it involves the **public interest?**
- Does it requires the application of **engineering principles?**

$$\text{Factor of Safety} = \frac{\text{Material Strength}}{\text{Design Load}}$$



Quiz – Question #13

- Are electronic seals allowed?



Quiz – Question #13 (Answer)

- Are electronic seals allowed?
 - **Yes**, but how?



Quiz – Question #13 (Answer)

- Are electronic seals allowed?
 - **Yes**, but how?
 - An electronic seal is a facsimile of the rubber stamp in electronic format, either scanned or created as a drawing object by a software program. The electronic facsimile must be identical in size, shape, and content to the seal created by the rubber stamp.



Quiz – Question #14

- Our firm uses Notarius to secure electronic documents in Quebec can we use it in Ontario?



Quiz – Question #14 (answer)

- Our firm uses Notarius to secure electronic documents in Quebec can we use it in Ontario?
 - **Yes**



Quiz – Question #14 (answer)

- Our firm uses Notarius to secure electronic documents in Quebec can we use it in Ontario?
 - **Yes**
 - Engineers should use a security method appropriate for the distributed electronic document's risk of alteration or improper use. Notarius can be one such method.



Quiz – Question #15

- A client requested that I seal As-Built drawings prepared by contractor. Can I seal them?



Quiz – Question #15 (answer)

- A client requested that I seal As-Built drawings prepared by contractor. Can I seal them?
 - **Not unless you verified that the document is accurate**



Quiz – Question #15 (answer)

- A client requested that I seal As-Built drawings prepared by contractor. Can I seal them?
 - **Not unless you verified that the document is accurate**
 - Record drawing is document that reflects as-built, as-constructed, as-fabricated conditions that has been verified by an engineer.



Quiz – Question #16

- A client requested that I seal shop drawings prepared by a manufacturer. Can I seal them?



Quiz – Question #16 (answer)

- A client requested that I seal shop drawings prepared by a manufacturer. Can I seal them?
 - **Not unless you qualify what you are sealing for**
 - For example, sometimes an Ontario P. Eng. is asked to review a product designed in US to ensure it meets applicable local standards.



Quiz – Question #17

- Should standard drawings be sealed?



Quiz – Question #17 (answer)

- Should standard drawings be sealed?
 - **No, but drawings for specific projects that use standard details must be.**



Quiz – Question #18

- Only one engineer needs to seal a drawing or a report, right?



Quiz – Question #18 (answer)

- Only one engineer needs to seal a drawing or a report, right?
 - **Not necessarily, since multi-discipline documents must be sealed by the different engineers taking responsibility for the work in each discipline. Furthermore, any supervising or coordinating engineer must seal their work.**



Update: Use of the Seal Guideline

- PEO Council at their November meeting approved forming a subcommittee to review the existing “*Use of the Professional Engineer's Seal*” guideline and, in consideration of changes to the industry and professional engineering, revise that document to consider current practices.





Resources

Please visit www.peo.on.ca for practice advice resources such as:

- [Practice guidelines](#)
- [Practice bulletins](#)
- [Performance standards](#)
- [Practice articles](#) / [*Engineering Dimensions*](#)





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Questions

