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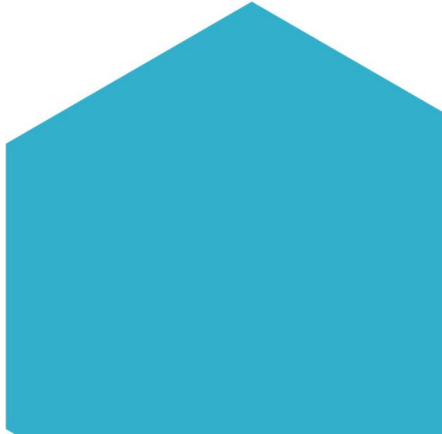
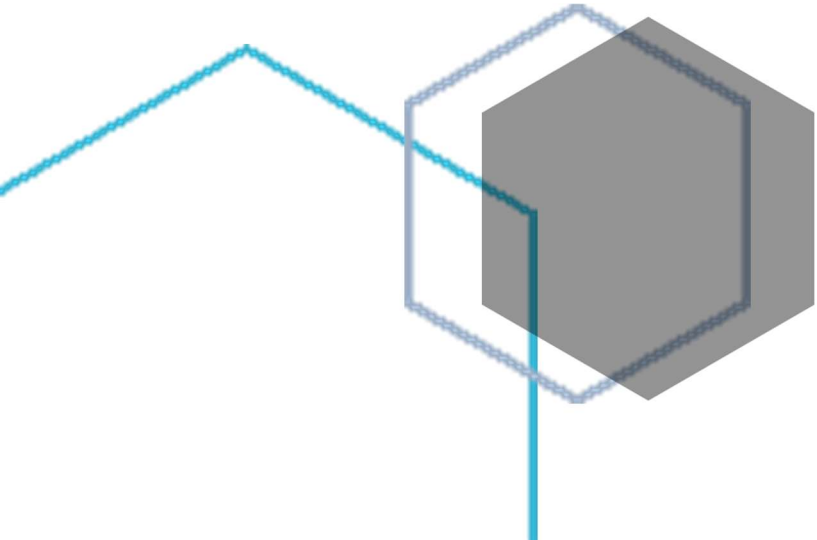
PROFESSIONAL ENGINEERS & GEOSCIENTISTS NEWFOUNDLAND & LABRADOR
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Guideline for the Authentication of Professional Documents

Professional Engineers & Geoscientists

Newfoundland and Labrador

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Revision History

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Table of Contents

- 1.0 Introduction 4
 - 1.1 PEGNL 4
 - 1.2 Purpose of Guideline for Authenticating Professional Documents 4
 - 1.3 Scope 5
 - 1.4 Definitions 5
 - 1.5 Guiding Principles of Authentication 7
 - 1.6 Act, Regulations and By-Law Extracts Pertaining to Authentication 7
 - 1.7 Responsibilities of Professional Members and Permit Holders 7
 - 1.8 Liability 8
- 2.0 Tools for Document Authentication 9
 - 2.1 Types of Stamps 9
 - 2.1.1 Professional Member Stamp 9
 - 2.1.2 Permit Holder Stamp 9
 - 2.2 Stamp Impressions 9
 - 2.2.1 Physical Impression 9
 - 2.2.2 Electronic Impression 9
 - 2.3 Signature and Date 9
 - 2.3.1 Physical Signature and Date 10
 - 2.3.2 Electronic Image of Signature and/or Member Number and Date 10
 - 2.4 Digital Seal 10
 - 2.4.1 Digital Certificate 10
 - 2.4.2 Difference between Digital Sealing and Authentication 12
- 3.0 Authentication Process 12
 - 3.1 Triggers for Authentication 12
 - 3.2 What to Stamp and What not to Stamp 12

- 3.2.1 Summary Table for Authentication of Common Documents 12
- 3.2.2 Requirements on Common Document Types..... 15
- 3.3 Authentication Situations..... 20
 - 3.3.1 Documents Created in Newfoundland and Labrador..... 20
 - 3.3.2 Documents Created outside Newfoundland and Labrador..... 20
 - 3.3.3 Documents for Use outside the 12 Mile Canadian Territorial Limit (“Offshore”)..... 20
 - 3.3.4 Authentication as Part of a Specialized Equipment Procurement Process 21
 - 3.3.5 Misuse of Stamp and Authentication Process 21
- 4.0 Document Management..... 21
 - 4.1 Approving and Issuing Documents..... 21
 - 4.2 Document Control 22
 - 4.3 Document Retention and Storage 22
- Appendix A –Act, Regulations and By-laws Extracts Pertaining to Authentication 23
- Engineers and Geoscientists Regulations, 2011 Extracts..... 24
- By-law No. 1 – PEGNL Administrative By-law Extracts 24
- By-law No. 3 – PEGNL Code of Ethics By-law Extracts 25

1.0 Introduction

1.1 PEGNL

Professional Engineers and Geoscientists Newfoundland & Labrador (PEGNL) is mandated to regulate the practice of engineering and geoscience in the public interest. PEGNL exists so that there will be competent and ethical practice of engineering and geoscience in Newfoundland and Labrador, and to instill public confidence in the professions. To practice engineering or geoscience in Newfoundland and Labrador one is required to be registered, and in good standing, with PEGNL.

The Newfoundland and Labrador **Engineers and Geoscientists Act, 2008**, and the associated **Engineers and Geoscientists Regulations, 2024** under that Act, govern the practice of engineering and geoscience in the Province. PEGNL is the authority that licenses practitioners under the Act and administers all aspects of that legislation and strives to ensure the ethical conduct of all professional members.

The purpose of PEGNL's Practice Guidelines is to inform and educate its professional members, and the public, in matters of professional practice. In general, PEGNL produces these documents to:

- ensure PEGNL professional members, understand their duties in performing specific components of their professional roles in accordance with the current *Act, Regulations and By-Laws*; and
- help the public understand the role of PEGNL professional members and the responsibilities professional members have when performing professional services.

Professional members adhering to these Guidelines will ensure themselves and the public that they are following best practices in conforming to the legislation and ethical practices applicable to this guideline.

Questions or concerns relating to this document should be addressed to the Professional Standards Director at PEGNL.

1.2 Purpose of Guideline for Authenticating Professional Documents

PEGNL's authority in administering the legislation includes matters related to the use of professional members' stamps or digital certificate.

Newfoundland and Labrador law requires every professional member who performs a task that is within the practice of engineering or geoscience to authenticate (i.e., stamp, sign and date) all final (i.e., end of task) documents prepared or reviewed by the professional member before the documents are issued. This requirement applies equally to an employee working for an employer or to a consultant working for a client.

A physical stamp or a digital certificate is issued only to an individual qualified to practice engineering or geoscience in some recognized capacity under the Act and Regulations. Authentication signifies that a professional member of PEGNL has overtly accepted responsibility for the engineering or geoscience work presented within the authenticated document.

1.3 Scope

This Practice Guideline describes the use of a PEGNL professional stamp and digital certificate when authenticating professional documents. These procedures apply equally to documents prepared by professional members for use by their in-house employers and to documents prepared by professional members or permit holders for external clients or authorities.

1.4 Definitions

Act

The Newfoundland and Labrador *Engineers and Geoscientists Act, 2008*

As-built

A document reflecting the actual installed, fabricated, constructed or commissioned condition of an item or project based on information provided by another party or by the professional member using information furnished by a third party and not necessarily verified by a professional member. As-builts reflect all field changes and modifications made to the original design during the construction process. Some of the information provided on as-built drawings might be changes authorized by the professional member during construction. Other information might reflect changes initiated by other parties due to site conditions or other causes.

Authentication

Authenticating a professional work product means a licensed professional has completed, performed a thorough review of, or directly supervised and controlled the engineering or geoscience work, and accepts professional responsibility for the engineering or geoscience involved. Authentication must be performed in accordance with Section 2.0 of this practice guideline.

Certificate Authority

Organization operating and managing the lifecycle of digital certificates.

Digital Seal

Digital certificate that includes additional information regarding the professional affiliation of the professional member cryptographically asserted and controlled by PEGNL.

Digital Certificate

Cryptographically protected information in which the veracity of the certificate details is certified by a Certificate Authority.

Discipline

A specific field of practice within the professions governed by the Act (e.g., civil engineering, electrical engineering, geology, environmental geoscience, etc.).

Final document

A professional document at the end of a task issued to another party on which that party can rely for the intended purpose of that document (e.g., a tender document might be considered final for tendering purposes, but not complete for construction purposes). Documents provided for review or comments are not considered to be final documents. This distinguishes, for example, drawings prepared for building permit submission from construction drawings. Drawings submitted for building permits are final for that purpose, even though they may not contain all of the detail required for construction.

Integrity (of professional documents)

A characteristic of a document concerning whether or not the document has been changed since it was authenticated, and that the medium used provides stability and required longevity of the information.

Issued (or Issuing)

Process of providing a document to an intended user that a professional member has authenticated.

Member in Responsible Charge (MIRC)

The professional member that is responsible for ensuring the practice of engineering or the practice of geoscience, as the case may be, performed by a permit holder is in accordance with the Act, these regulations, the by-laws and generally accepted standards of practice;

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Permit Holder

A corporation or association of persons that holds a permit to practice under the Act. A permit holder has a *permit number* issued by PEGNL to engage in the practice of engineering and/or geoscience.

Person

An individual, as well as a corporation, company, association, firm, partnership, society or other organization.

Professional document (document of a professional nature)

A document in any medium (e.g., paper, electronic or other) that contains or presents engineering or geoscience work as defined in the Regulations

Professional Member

A professional engineer, professional geoscientist, limited scope (engineering), or limited scope (geoscience) entitled to engage in the practice of engineering or geoscience under the Act.

Record drawing

A professional document prepared by a reviewing professional member after verifying in detail the actual conditions of the completed project to record initial design and/or design changes for which that professional member accepts responsibility, and which represents the final design of the task or project for a specified purpose

Regulations

The Engineers and Geoscientists Regulations, 2024

Signature

Permanent mark bound to a static document that is traceable, exclusive and personal to an individual. The signature constitute evidence of implicit or explicit intent. It shall be physical (ink on paper) or, if the entire document is digitally sealed (as defined above), an electronic image of the member's signature may be used.

Stamp

A stamp issued by the Association to a professional member or permit holder. A stamp impression may be physical (i.e., wet ink on paper) or electronic (i.e., an electronic image of the stamp impression). When attached to an electronic document, an electronic impression represents the equivalent of a physical impression

1.5 Guiding Principles of Authentication

Authentication is essentially a professional mark of reliance, not a warranty or guarantee of accuracy. Professional engineers and geoscientists are bound by PEGNL's Code of Ethics and are responsible for all of their work. Professional liability and resulting public protection are in place whether or not a document is authenticated. Authentication is selectively required, but professional accountability is universal.

1.6 Act, Regulations and By-Law Extracts Pertaining to Authentication

The extracts from the Act, its Regulations and PEGNL By-laws that pertain to this guideline are contained in Appendix A.

1.7 Responsibilities of Professional Members and Permit Holders

Professional members and permit holders are responsible for practicing in accordance with the Act, Regulations and By-laws (which include the PEGNL Code of Ethics).

Professional members shall only apply their stamp or digital seal to professional documents they prepared or to professional documents prepared under their supervision and control. In the case of professional documents prepared by someone else, professional members shall only apply their stamp or digital seal to the documents after thoroughly reviewing the documents at an appropriate level of detail and accepting professional responsibility for them. Professional members shall maintain custody and control over their stamp at all times and apply their stamp personally or only allow it to be applied by others acting under

their direct control. In the same manner, professional members shall ensure that their digital seal remains under their control to prevent unauthorized use and maintain trust in PEGNL digital seals. Also, the Professional members must always retain exclusive control on the use of the digital seal. Authority to use one's digital seal should never be delegated. A professional member shall personally sign and date documents to which their stamp is applied. Details of acceptable ways to stamp and sign documents are presented in Section 2.

A permit holder is corporately responsible for the integrity of its projects. A permit holder is responsible to put in place a system enabling engineering or geoscience practice to be carried out by professionals with training and experience in the fields of practice. A permit holder is also responsible to put sufficient quality control procedures in place with an aim to preclude errors and omissions in a professional document. The Permit Holder shall maintain custody and control over their stamp. The Member in Responsible Charge (MIRC) for the permit holder, where possible shall sign the stamp, when the stamp is applied to professional documents. In instances where the MIRC is unable to sign the permit stamp, the PEGNL member number of the MIRC should be inserted in the signature space on the permit stamp. Either the MIRC signature or professional member number shall appear on each and every application of the permit to practice stamp.

Authentication should be taken seriously, as a hallmark of one's professional reputation. Improper or inappropriate authentication contravenes requirements of the Act and Regulations and may be cause for discipline, or a professional member's or permit holder's registration to be suspended, cancelled or their renewal withheld.

1.8 Liability

Liability is defined as a legal responsibility for some harm or loss caused to another person. PEGNL has no authority to determine legal liability; jurisdiction to resolve disputes concerning liability rests with the courts. However, PEGNL does have jurisdiction and responsibility to administer the Act, Regulations and By-Laws, including the process of authentication.

Not authenticating a professional document may contravene the requirements of the Act and Regulations and could lead to discipline. In addition, the lack of authentication on a professional document does not relieve a professional member or permit holder from any legal liability that may arise resulting from work contained in a document prepared and issued by a professional member. A court could find a professional member, a permit holder, or both, liable whether or not such a document was authenticated. Authentication serves to identify the professional member and permit holder who overtly accepted responsibility for the document.

2.0 Tools for Document Authentication

2.1 Types of Stamps

2.1.1 *Professional Member Stamp*

Each PEGNL professional member who authenticates documents is required to acquire a stamp issued by PEGNL with spaces for signature and date identifying them as a professional engineer, professional geoscientist, limited scope engineer or limited scope geoscientist. The PEGNL member number shall be included on the stamp together with the member's signature and the date.

2.1.2 *Permit Holder Stamp*

Each permit to practice holder in PEGNL that authenticates documents is required to acquire a stamp issued by PEGNL, with a space for signature or Member in Responsible Charge (MIRC) member number, identifying them as a permit holder and showing their practicing business name and PEGNL permit number. The permit to practice stamp shall be applied by the permit holder to all documents requiring professional authentication that are issued to an external entity. The signature or PEGNL member number of the MIRC taking responsibility for the professional practice of the permit holder under which the document is issued shall be included on the permit stamp.

2.2 Stamp Impressions

2.2.1 *Physical Impression*

For a professional member, a physical stamp impression should be made with the rubber stamp and black ink, and placed in an appropriate location on a professional document (e.g., centered over one's name on a signature block, or in a designated stamp box on a drawing). Permit holder stamps should be placed in white space immediately below the signature blocks, or in a duly designated location on a professional document. All stamp impressions should be dark and of high contrast so that all parts of the stamp are clearly visible.

2.2.2 *Electronic Impression*

An electronic impression of either the professional member's or permit holder's stamp must be obtained from PEGNL. Individual members and permit holders cannot, by scanning or other means create a digital file image of a physical stamp impression. The electronic impression size inserted on any document must be sufficient to ensure the elements of the stamp are legible. The stamp image should be placed in the same location on a professional document as a physical impression noted in 2.2.1.

2.3 Signature and Date

2.3.1 Physical Signature and Date

When using a professional member stamp, the signature should be written in normal business freehand on the signature line and the date written unambiguously on the date line. To avoid situations where the using numbers for both days and months may cause confusion, the month should be wholly or partly written out (e.g., 6 Aug 20 or August 6, 2020).

For permit holders, the signature or PEGNL member number of the Member in Responsible Charge shall appear along the horizontal line (under the company name).

2.3.2 Electronic Image of Signature and/or Member Number and Date

To limit the liability exposure for electronic documents, electronic images of a professional member's signature and date shall only be used on a professional member's stamp when the entire document is safeguarded by a cryptographically protected digital seal as per Section 2.4. Similarly, an electronic image of a signature or the member number of the Member in Responsible Charge (MIRC) shall only be used on a permit to practice stamp when the entire document is safeguarded by a cryptographically protected digital seal as per Section 2.4.

In either of these situations, the electronic image of the professional member's signature or the MIRC's signature, as applicable, shall remain in the control of the professional member or MIRC and shall only be applied by the professional member or MIRC on the related stamp.

2.4 Digital Seal

2.4.1 Digital Certificate

The term "digital certificate" refers to a mathematical technological process using asymmetric cryptography to demonstrate the authenticity of a document.

A digital seal is a digital certificate that includes additional information regarding the professional affiliation of the professional member. The digital seal for authenticating an electronic document may only be obtained from PEGNL (ordering information is available on PEGNL's website).

Since the visual image of a written signature may be copied, the secure digital seal is required for documents that are authenticated electronically. The secure digital seal is also required for documents that are authenticated by hand and then scanned for distribution. The digital seal verifies that the document was signed by a professional member of PEGNL and that the content of the document has not changed since it was signed. The professional

member must not disclose to anyone the personal security codes enabling use of their digital certificate.

When a digital seal is applied to a document, it prevents anyone from making any unauthorized or undetected changes to that document. Because the digital seal is unique to the user who controls its use by a secure password, the digital seal is used to verify that the user (and only that user) actually signed and sent the document.

The digital seal shall be applied in a manner consistent with this guideline.

PEGNL has selected Solutions Notarius Inc. as the digital certificate service provider allowing PEGNL to issue digital seals to licensees and permit holders. If a digital signature technology other than Notarius is to be used by a PEGNL professional member or permit holder, it must first be authorized and approved by PEGNL and the service provider used must be independently verified to conform to the following:

- be experienced in providing this technology to members and licensees of other professional associations;
- have the resources, technical support, and systems in place to provide continuity of service for the foreseeable future;
- have protocols consistent with PEGNL's authority to regulate the use of the Professional Member's Seal, by allowing PEGNL to revoke or suspend the Professional Member's ability to use their Seal;
- have protocols consistent with PEGNL's need to ensure that only a Professional Member is granted the authority to own and use an electronically applied Seal with his or her personalized Digital Certificate;
- have a platform that offers flexibility and ease of use for a wide range of purposes and applications (e.g., compatible with different file formats, ability to Seal, sign, and date multiple sets of engineering or geoscience Documents in a single operation);
- use a Public Key Infrastructure, which is a combination of hardware, software, people, policies, and procedures needed to create, manage, distribute, use, store, and revoke digital signatures;
- have a Digital Certificate that is compliant with the International Telecommunications Union X509v3 standard;
- maintain the Digital Certificate under the sole control and possession of the Professional Member;
- allow the Digital Certificate to be stored on the media of the Professional Member's choice (e.g., hard drive, memory stick); and

- provide interfaces between the technology and the software used by Professional Members so the image of the PEGNL professional Seal with signature and date appears when printing the Document.

2.4.2 Difference between Digital Sealing and Authentication

Digital sealing is an elective step for document management, tracking and control, and is independent from the authentication process described in this Guideline. It is required if the professional member chooses to utilize an electronic authentication process by inserting an electronic image of an authentication (stamp, signature and date), as described in Sections 2.2 and 2.3 above. Commercial service providers of digital certification have used the terms “digital signature” or “electronic signature” for their document tagging process. These terms are not to be confused with an electronic or digital image of a physical signature.

Only documents that have been signed and dated by hand, or that contain a digital seal are authenticated originals.

3.0 Authentication Process

3.1 Triggers for Authentication

As a general rule of thumb, it is appropriate to authenticate any document that contains professional interpretation, evaluation, judgement, technical advice or direction, design aspects, conclusions or recommendations. Purely factual information need not be authenticated.

For example, stating facts such as, “arsenic concentration in the water sample was 0.6 mg/L. This exceeds the applicable water quality standard”, would not require authentication. However, if interpretation and recommendations are added such as, “arsenic concentration in the water sample was 0.6 mg/L. This exceeds the applicable water quality standard *and water treatment steps should be implemented*”, authentication is triggered.

3.2 What to Stamp and What not to Stamp

3.2.1 Summary Table for Authentication of Common Documents

The table below summarizes PEGNL’s requirements for authenticating common documents in the practice of engineering and geoscience. In each case where authentication is required, a professional member stamp is required and, if the document is used outside the professional member’s company, a permit holder stamp is also required.

Document Type	Authentication Required (Y/N)	Details
Single discipline documents	Y (at least 1)	Preferably by professional member serving as task leader or supervisor
Multi-discipline documents	Y (at least 2)	By professional members accepting responsibility for each discipline (clearly indicated)
As-built drawings	N	Drawings marked up by others to show on-site conditions not shown on original design drawings, unless specifically required by contract with client and for which the professional member can verify as built condition
Record drawings	Y	Drawings by a professional member showing a design or design change for-which they take responsibility
As-acquired documents	N	Third-party representation of field information (e.g., seismic program results)
Field change orders, directives, field instructions	Y (may be time-delayed)	Those that affect authenticated docs should be authenticated in a timely fashion.
Design notes, calculations and graphic interpretations	N, except as noted	Those kept as a professional member’s work file for reference need not be authenticated, but those issued to third parties must be authenticated.
Emails (If external and containing professional content beyond factual information)	Y (via electronic signature block, or authenticate emails later in timely manner; like change orders)	Though not advisable, such professional emails should be authenticated by inserting electronic authentication into the email signature block). Much better to issue standard report document.
Geoscience resource documents including interpretation/judgment	Y	Examples are resource/reserve reports, issued maps, exploratory drilling programs, seismic programs, mine plans, 43-101 reports, 51-101 reports
Manuals based on engineering or geoscience work	Y	Those prepared for direction or guidance of others

Preliminary documents (general)	N	Authentication is reserved for final documents
Preliminary documents (to be relied upon for a specific restricted purpose)	Y (but clearly identify purpose)	Those issued for restricted purpose where someone may rely on them. Clearly identify e.g., "Not for construction", "For tender purposes only".
Reports	Y	Reports beyond factual information; any format (covered report, letter, fax)
Business Correspondence	N	Letters of a business nature not containing technical opinion, interpretation, conclusion or recommendation
Reviewed documents (not prepared by reviewer)	Y	Authenticating reviewer should thoroughly review findings, calculations, interpretations, conclusions and recommendations before taking responsibility for document
Revised authenticated	Y	Professional member shall re-authenticate to take responsibility for changes
Sets of plans, drawings, detailed drawings	Y	Each plan or drawing that could be used individually for its intended purpose shall be authenticated
Shop or fabricator drawings		
1. Fabricator general arrangement drawings	1. N	1. Fabricator info on structural members, connections, piping, mechanical etc. components that have previously been sized and authenticated by a professional member
2. Fabricator detailed drawings	2. N	2. Fabricator drawings for shop staff (not engineering design)
3. Fabricator design drawings	3. Y	3. Professional member drawing of structural elements, special connections, mechanical, piping etc. components
4. Fabricator proprietary items	4. Y	4. Professional member drawing of proprietary items
5. Standard Connections	5. N	5. Professional member shall authenticate specification calling for connection
6. Erector/Assembler drawings	6. Y	6. Drawings or documents by erector/assembler

Software	Y	Those concerning the public interest and requiring in the development, the application of engineering or geoscience principles
Specifications	Y	Those containing engineering or geoscience decisions and not part of another authenticated document
Standard drawings	Up to professional member	Depends on use of drawing
Testing Laboratory Reports	Y	If reports contain more than just factual data (e.g., interpretation, professional judgement, plans or specifications)
Translated documents	Y	Professional member should use certified translator with declaration that translation has identical meaning

3.2.2 Requirements on Common Document Types

Single Discipline Documents

The document shall be authenticated by at least one professional member, preferably the individual responsible for coordinating the work or task, or by a supervisory individual who is sufficiently involved in overseeing the work to take responsibility (i.e., at least one authentication). Where a professional document is prepared by more than one professional member, it may be authenticated by each of them and the scope of each authenticating professional identified. Where the documents are prepared under a PEGNL permit to practice the permit holder shall also authenticate. In the case of a set of drawings containing a drawing index sheet it is acceptable to authenticate the index sheet rather than each individual sheet provided that the scope of each authenticating professional is identified.

Multi-Disciplinary Documents

A professional document containing components prepared or reviewed by professional members of different disciplines shall be authenticated by a professional member able to accept responsibility for the work related to each discipline (i.e., at least two authentications). The responsibility of each professional member who authenticates the document shall be clearly indicated on the document (e.g., add below stamp impression: “Responsible for XXX practice component”). Where the documents are prepared under a PEGNL permit to practice the permit holder shall also authenticate. In the case of a set of drawings containing a drawing index sheet it is acceptable to authenticate the index sheet

rather than each individual sheet provided that the scope of each authenticating professional is identified.

As-Built Drawings

As-built drawings as defined here are drawings prepared or marked up by someone other than the authoring professional member (e.g., a contractor), not under the direct supervision or control of the professional member. The drawings are intended to represent on-site conditions that are not shown on the original drawings and may reflect changes to an original design by someone else to accommodate site conditions. The authoring professional member should not accept responsibility for the content of as-built drawings and should not authenticate them, unless the professional member has thoroughly reviewed and verified the content.

As-Acquired Documents

Typically applicable to geoscience practice (e.g., seismic programs), as-acquired information is another party's representation of what occurred in the field. A professional member should not authenticate as-acquired documents (e.g., a re-alignment of a seismic line by a geophysics contractor from that initially laid-out by the licensed geoscientist).

Change Orders, Directives, Field Instructions

Field-related changes and information may be small, numerous and may be issued verbally, but may affect the design in an authenticated document. Any such changes should be documented in writing and authenticated in a timely manner. Depending on field conditions and logistics, timely manner should be tailored to the context of the work being done. For example, the effects of several email instructions could be incorporated into an authenticated drawing revision, or a record drawing.

Design Notes, Calculations, Graphic Interpretations

Design notes, calculations or graphic interpretations (e.g., stratigraphic cross-sections or data plots) can be considered part of a professional member's work file and need not be authenticated. It is good practice that such items be prepared in a format that records the names of the responsible professional members, designers and checkers, and the dates of their work. If such items are to be issued to others, then authentication is required; title page or cover can be authenticated clearly identifying the responsible professional member without needing to authenticate each page.

Emails (with professional content beyond factual information)

External emails issued to clients, vendors or contractors and containing professional content beyond factual information that will not be authenticated separately in other documents constitute a version of a professional report and should be authenticated. This can be done

by inserting an electronic authentication into the email body or signature block. It is better to produce a standard letter or report with authentication and attach this to a covering email to the recipient. Another approach is to treat such emails as you would field change orders or field directives, with after-the-fact authentication in a timely manner.

Geoscience Resource Documents

The following types of professional geoscience resource documents in final form (as defined in this Guideline) should be authenticated:

- Resource or reserve reports
- Maps representing geosciences interpretation (maps shall be individually authenticated if not part of a bound report)
- Final drilling programs or completion plans
- Seismic programs (including changes to such programs, field survey design documents, design assumptions, data processing parameters)
- Mine plans (including reclamation plans)

Manuals

Manuals based on engineering or geosciences work and prepared for direction or guidance shall be authenticated.

Preliminary Documents

Preliminary documents that will be subsequently issued at a later stage are not required to be authenticated.

In instances where authentication is required by a client or authority having jurisdiction and where such documents are issued for some restricted purpose and are to be relied upon by others for that purpose, those documents may be authenticated. The specific intended purpose shall be clearly noted on the documents (e.g., “For Tender Purposes Only”, “Not for Construction”, as appropriate).

Reports

A professional report with contents beyond factual information and of any size or format shall be authenticated either on the cover, title sheet or signature page (not necessary to authenticate each page).

Reviewed Documents

A professional member may authenticate a document representing engineering or geosciences work prepared by others under these conditions: the authenticating reviewer should thoroughly review findings, calculations, interpretations, conclusions and recommendations before taking responsibility for document.

Revised Authenticated Documents

Revising authenticated professional documents constitutes professional practice and shall be re-authenticated by a professional member. The revisions should explicitly indicate the changes and the boundary of professional responsibility between the original and revised documents.

When a previously authenticated paper format document (particularly a drawing) is used for a new project, the original document as the basis for the new work should be identified with a note, any changes from the original should be clearly indicated, and the new authentication should be applied (the original stamp and signature should not appear). The professional member then takes responsibility for the full revised design (not just the specific changes).

Sets of Plans, Drawings, Detailed Drawings

Each drawing in a set of plans or drawings that could be used individually for its intended purpose shall be authenticated.

Shop or Fabricator Drawings

- Fabricator General Arrangement Drawings – do not need authentication. These specifically describe the location of structural members, connections and components to be supplied by the fabricator, and are not considered design drawings.
- Fabricator Detail Drawings – do not need authentication. These are produced by the fabricator to provide information for shop personnel to fabricate or assemble the items, and do not contain any engineering design.
- Fabricator Design Drawings – shall be authenticated. These contain structural, mechanical, piping etc. elements or special connections designed by a professional member for a fabricator.
- Fabricator Proprietary Items – shall be authenticated. These are drawings for proprietary items (i.e., open web steel joists) prepared by a professional member for a fabricator.
- Standard Connections – A professional member specifying standard connections from industry handbooks shall authenticate that specification.
- Erector/Assembler Drawings – shall be authenticated. Drawings or documents produced by the erector/assembler to address temporary loading, temporary bracing, falsework and erection or installation sequence instructions shall be authenticated.

Software

The following computer software should be authenticated:

- Software developed by a professional member for the practice of engineering or geosciences. These include controller software, applications, modelling or simulation

programs. Spreadsheet and other similar electronic files used in the design process need not be authenticated however such files that form part of the software solution do require authentication.

- Software which requires in its development the application of engineering principles and where there is a reasonable expectation that its failure or malfunction could be detrimental to public interest (life, health, property, economic interests, public welfare or the environment), it shall be authenticated.

Revisions to such software (either written or electronic) shall be authenticated.

Software shall include a professional member's professional stamp, signature and date in the "About" feature (or equivalent) on a "Help" tab in the software. Packaged software programs should also include the authentication on a separate sheet in the packaging showing the software name and version and authentication.

Specifications

Specifications containing engineering or geosciences decisions shall be authenticated (on cover, title page or signature page) if the specifications are not part of a drawing or other authenticated document. Not every page of an authenticated specification bundle is authenticated.

Standard Drawings

A professional member may be asked to prepare a design drawing that is intended to be used in more than one instance. It is up to the professional member to decide whether or not to authenticate such a standard or generic drawing. If it is not possible to sufficiently limit or specify the conditions under which the drawing can be used, the drawing should be left unauthenticated.

Testing Laboratory Reports

Reports issued by testing laboratories by or under the supervision of a professional member shall be authenticated when such reports go beyond factual data and include interpretation of data, express judgement or recommendations, or present design work (e.g., plans or specifications).

Translated Documents

Translated documents which require engineering or geoscientific judgement, or which provide engineering or geoscientific direction are to be authenticated by a responsible professional. Translation errors could possibly become construction errors. If the professional is not sufficiently proficient to take responsibility for the translation, it is expected that the translated portion of the document be authenticated by a bilingual engineer/geoscientist competent in the

subject matter.. In these cases, each responsible professional would apply their stamp with a qualification of what responsibility is implied by the stamp. Therefore, the bilingual professional would stamp the translated portion of the document. If, due to extenuating circumstances, this arrangement is not possible, the professional may employ the services of a certified translator but must obtain a written declaration that the translated text is identical in meaning to the original. An uncertified translator is not considered acceptable. The professional remains responsible for the translated document and must disclose to the client that the document has been translated.

3.3 Authentication Situations

3.3.1 Documents Created in Newfoundland and Labrador

If a document is created in Newfoundland and Labrador for construction or use in Newfoundland and Labrador, it shall be authenticated by a PEGNL professional member (and permit holder if applicable) using PEGNL stamps or using a digital seal issued by PEGNL.

If a document is created in Newfoundland and Labrador for construction or use in another jurisdiction, it shall be authenticated by a professional licensed in that other jurisdiction. If there is no similar process requiring authentication of documents in the other jurisdiction then the document should be authenticated by a PEGNL professional member (and permit holder if applicable) using PEGNL stamps or using a digital seal issued by PEGNL.

3.3.2 Documents Created outside Newfoundland and Labrador

If a document is created outside Newfoundland and Labrador but is to be constructed, modified, installed or used in Newfoundland and Labrador, it shall be authenticated by a PEGNL professional member (and permit holder if applicable) using PEGNL stamps or using a digital seal issued by PEGNL.

3.3.3 Documents for Use outside the 12 Mile Canadian Territorial Limit (“Offshore”)

Professional documents prepared in Canada for use outside the 12-mile Canadian Territorial Limit (i.e., in international waters), shall be authenticated by a professional member licensed in the Canadian jurisdiction where the engineering or geosciences practice was carried out. For example, if a device is designed by an engineering group or firm in Newfoundland for use in offshore oil development in international waters, then the design shall be authenticated by a professional member (and permit holder if applicable) using PEGNL stamps or using a digital seal issued by PEGNL.

If the device is designed outside Newfoundland and Labrador for use in international waters but is brought to the Province for assembly or for integration with or incorporation into

another assembly, the documents detailing the assembly, integration or incorporation shall be authenticated by a PEGNL professional member (and permit holder if applicable) using PEGNL stamps or using a digital seal issued by PEGNL.

PEGNL authentication is required when a device intended for use outside the 12-mile Canadian Territorial limit meets any one of the following conditions:

- Designed in NL;
- Built in NL;
- Integrated into or installed in an assembly in NL; or
- Tested or commissioned in NL.

If the device intended for use in international waters meets none of these conditions, no PEGNL authentication is required.

3.3.4 Authentication as Part of a Specialized Equipment Procurement Process

When a professional member prepares documentation that specifies equipment, products or components that require engineering design and which are to be manufactured or fabricated out of the province for use on NL projects, such documentation shall be authenticated. The manufacturer or fabricator must certify that the equipment meets the specification but need not authenticate the fabrication or vendor drawings.

3.3.5 Misuse of Stamp and Authentication Process

It is an obligation of a professional member to authenticate documents as outlined in this Guideline. Misuse of the professional member's stamp/digital seal or of the authentication process may be grounds for discipline, including suspension, cancellation or withheld renewal of a professional member's professional registration.

4.0 Document Management

4.1 Approving and Issuing Documents

Professional members should have a formal process for preparing, authenticating and issuing professional documents. The process should as a minimum include steps for:

- Checking that the document is complete and accurate for its intended purpose (i.e., some form of quality management system);
- Verifying that the document meets requirements expressed by codes, standards, PEGNL standards and contractual requirements;

- Approval and authentication by one or more professional members who accept responsibility for the document.

4.2 Document Control

Professional members responsible for authenticating documents should make sure their organizations have and implement a document control process that prevents the possibility of:

- Others altering authenticated documents without approval of the author;
- Removal, duplication or unauthorized use of the professional member's stamp; or
- Unauthorized use of authenticated documents.

4.3 Document Retention and Storage

It is good practice but not required that professional members retain originals or copies of authenticated documents (for reference purposes or defense against legal claims). Professional members who have professional liability insurance should also consult their insurers about their requirements for document retention.

Appendix A – Act, Regulations and By-laws Extracts Pertaining to Authentication

Engineering and Geoscience Act, 2008 Extracts

- 15. (2)** A person, corporation, partnership or other association of persons, except a professional engineer or permit holder, shall not
- (c) affix the stamp or seal of a professional engineer or permit holder, or allow that stamp or seal to be affixed to a plan, drawing, detail drawing, specification, other document or reproduction of either of them unless
 - (i) the plan, drawing, detail drawing, specification, other document or reproduction was prepared by or under the supervision and control of a professional engineer,
 - (ii) the stamp or seal is affixed with the knowledge and consent or in accordance with the direction of the professional engineer or permit holder to whom the stamp or seal was issued, and
 - (iii) a professional engineer signs the stamp or seal affixed.
- 17. (2)** A person, corporation, partnership or other association of persons, except a professional geoscientist or permit holder, shall not
- (c) affix the stamp or seal of a professional geoscientist or permit holder, or allow that stamp or seal to be affixed to a report or document, or a reproduction, unless
 - (i) the report or document or reproduction was prepared by or under the supervision and control of a professional geoscientist,
 - (ii) the stamp or seal is affixed with the knowledge and consent or under the direction of the professional geoscientist or the permit holder to whom the stamp or seal was issued, and
 - (iii) a professional geoscientist signs the stamp or seal.
- 38. (1)** The board may, with the approval of the minister, make regulations
- (j) respecting the use of stamps and seals;
- 39. (1)** A professional member shall sign and stamp or seal and a permit holder shall stamp or seal all documents or records in accordance with the regulations.
- (2)** A person other than a professional member or permit holder shall not use a stamp or seal issued by the registrar under this Act

Engineers and Geoscientists Regulations, 2024 Extracts

- 22.(1) At the request of a professional member or a permit holder, the registrar shall provide the professional member or permit holder with a stamp or seal.
- (2) A professional member or permit holder shall not acquire a stamp or seal from any other source other than the registrar.
- (3) A professional member or permit holder shall not modify the stamp or seal provided under subsection (1).
- (4) A professional member shall ensure that the professional member's stamp or seal
 - a. remains at all times under the direct control of that professional member; and
 - b. is not located in a manner that would allow its use by a person other than the professional member to whom it was issued or a person under that professional member's immediate and direct control.
- (5) A permit holder shall ensure that the permit holder's stamp or seal
 - a. remains at all times under the direct control of the professional member in responsible charge for that permit holder; and
 - b. is not located in a manner that would allow its use by a person other than the professional member responsible in charge.
- (6) A professional member shall apply the professional member's seal or stamp to all documents of a professional nature that were prepared by
 - a. the professional member or under the professional member's supervision and control; or
 - b. another person where the professional member has reviewed and for which the professional member accepts professional responsibility.
- (7) A stamp or seal shall be accompanied by the signature of the professional member to whom it was issued and the date on which the stamp or seal is applied.
- (8) A professional member in responsible charge for a permit holder shall apply the permit holder's stamp or seal to all documents of a professional nature that were prepared by the permit holder along with the year for which the permit is valid.
- (9) A stamp or seal may be applied to the cover page or final page of reports and specifications in a manner which clearly indicates acceptance of professional responsibility for the reports and specifications without being applied to each page.
- (10) The stamp or seal referred to in subsection (1) shall remain the property of the association and shall be surrendered to the association when demanded by the registrar.

By-law No. 1 – PEGNL Administrative By-law Extracts

7.1 Use of Stamps

Use of stamps by professional members and permit holders shall be in accordance with the Regulations and the latest edition of PEGNL's "Practice Guideline for Authenticating Professional Documents." ."

By-law No. 3 – PEGNL Code of Ethics By-law Extracts

5. Rules Respecting Advertising for Professional Engineers and Geoscientists

5.6 Professional stamps or permit stamps shall not be displayed for advertising or commercial purposes.