

Practice Note: Errors & Omissions Liability Insurance

Prepared by the APEGM Investigation Committee, May 2013

The Investigation Committee has become aware that there may be ambiguity with respect to the standard expected of members and holders of certificates of authorization as it pertains to liability insurance. The purpose of this practice note is to establish a common practice for the engineering community in Manitoba. Members and holders of certificates of authorization are expected to follow the recommendations below.

As described in article 16(2)(e) of the Act and By-law 14, one of the requirements for holders of a certificate of authorization is proof of errors and omissions liability insurance. This requirement is in place to protect the public in instances where a holder of a certificate of authorization makes an unintended error and omission. It ensures that financial remediation is available for aggrieved recipients of engineering services.

If a holder of a certificate of authorization, or a member acting on behalf of a holder of a certificate of authorization, takes action that renders their insurance policy null and void, it defeats the purpose of the requirement for insurance. Therefore, the Investigation Committee has determined that:

- all members and holders of certificates of authorization must understand their insurance policies,
- all members and holders of certificates must take any and all steps necessary to ensure that the policy remains in effect for any claims, and
- any action taken by a member or holder of certificates that invalidates their insurance coverage is considered professional misconduct.