

# Week 13

## Final Test Review

### Law, Ethics and Professional Practice - ENGI3500

WINTER 2025



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**1. What is the purpose of securities legislation? Select the most correct answer.**

- A) To ensure companies pay dividends to shareholders.
- B) To mandate timely and comprehensive information disclosure to investors.
- C) To regulate the salaries of CEOs.
- D) To prevent companies from issuing stocks and bonds.

**2. Which of the following is NOT a criterion for information to be considered a trade secret?**

- A) It is not generally known to the public.
- B) It has no economic value to the business.
- C) It is subject to efforts to maintain its secrecy.
- D) It is not publicly disclosed.

**3. For how many years does a patent last in Canada?**

- A) 10 years from the filing date.
- B) 15 years from the filing date.
- C) 20 years from the application date.
- D) 25 years from the application date.

**4. What does the Privacy Act regulate?**

- A) Environmental information.
- B) Personal information handled by government institutions.
- C) Corporate financial disclosures.
- D) Commercial electronic messages.

**5. Which groups are collectively referred to as 'Indigenous peoples' in Canada according to Section 35 of the Constitution?**

- A) Inuit only
- B) First Nation and Europeans
- C) First Nation, Métis, Inuit
- D) Indigenous and non-Indigenous partnerships

**6. What triggers the 'Duty to Consult' with Indigenous communities according to the slides?**

- A) The establishment of new Indigenous communities
- B) Any public health emergencies
- C) Environmental concerns raised by non-governmental organizations
- D) Proposed government actions that may adversely impact Aboriginal or treaty rights

**7. What is emphasized about the timing of consultations with Indigenous communities?**

- A) They should be scheduled during governmental elections
- B) They should begin as early as possible in the project planning phase
- C) They must only occur after a project has started
- D) They are only necessary at the end of a project

**8. What is the primary responsibility of engineers regarding public welfare and environmental sustainability?**

- A) To minimize the risk of accidents and harm
- B) To maximize the efficiency of project implementation
- C) To ensure the highest profit margins
- D) To promote private sector interests in public projects

**9. Which laws govern Occupational Health and Safety (OHS) obligations in Canada?**

- A) Provincial tax statutes only
- B) Federal and provincial OHS statutes
- C) International labor laws
- D) Municipal bylaws

**10. What role do OHS regulators play in workplace safety?**

- A) They provide financial support to businesses for OHS training
- B) They have regulatory and investigatory powers including issuing fines
- C) They are only advisory bodies without enforcement powers
- D) They negotiate workplace safety contracts

**11. What is a potential outcome of environmental assessments as mandated by law?**

- A) Guaranteed project approval
- B) Reduction in overall project costs
- C) Imposition of project restrictions to minimize environmental harm
- D) Elimination of all project risks

**12. Which legislation covers safety of employees and minimum employment standards in Canada?**

- A) Provincial Health Acts
- B) Canada Labour Code
- C) Canadian Environmental Protection Act
- D) Federal Transportation Regulations

## **Describe the role of the Qualified Person (QP) in technical disclosures under the National Instruments (NI) regulations:**

A Qualified Person (QP) must inspect the property, sign and seal reports, provide a consent document, and follow best practice guidelines to ensure accurate reporting.



## **What are the key obligations for organizations under PIPEDA regarding personal information, and what rights does it give to individuals?**

- Organizations must identify the purpose of collection, obtain consent, collect only necessary data, and use it for stated purposes.
- They must protect the data, ensure accuracy, and allow individuals access.
- Individuals have the right to complain, and the Privacy Commissioner can audit, impose fines, and individuals may seek damages.

## **Describe what constitutes a trade secret and explain the legal criteria for proving misappropriation of a trade secret in Canada.**

- A trade secret must be not generally known, kept secret through reasonable efforts, have economic value, and not be publicly disclosed.
- Misappropriation requires: (a) the information is a trade secret, (b) it was misused, and (c) it was shared in circumstances implying an obligation of confidence.

## **Outline the main responsibilities of employers, supervisors, and workers under Ontario's Occupational Health and Safety Act (OHSA).**

- Employers: Post OHSA in workplace, create safety programs, maintain protective equipment, inform about hazards, take reasonable precautions.
- Supervisors: Ensure compliance, educate workers on hazards, enforce use of protective devices, take reasonable precautions.
- Workers: Use protective devices, comply with safety measures, report hazards, work safely.

## **What is the purpose of environmental audits as described in CSA Guideline Z773, and how can they serve as a legal defense for engineers and companies?**

- Purpose: Evaluate environmental compliance, reduce liability, support due diligence, ensure property marketability, and prevent environmental harm.
- Legal Defense: Demonstrates proactive compliance efforts and can be used to defend against claims by showing due diligence.
- Guideline Z773: Offers a standardized framework for audits, ensuring systematic and credible assessment and reporting.

**What is a construction lien, and how does Ontario's Construction Act regulate its use and enforcement? Include the concepts of holdback and substantial performance in your response.**

- Construction lien: Legal claim against property for unpaid labor or materials.
- Construction Act (Ontario): Sets rules for lien rights, holdback requirements (10%), and timelines for preservation (60 days) and perfection (90 days).
- Substantial performance: Triggers holdback release; defined by readiness for use and cost to complete being within certain percentages of contract price.
- Purpose: Ensures payment security, prevents disputes, and incentivizes timely and fair payment within the construction chain.

**Explain the differences between a performance bond and a payment bond in the context of a construction project. Why might an engineer or project owner require both?**

- Performance bond: Guarantees that the contractor will fulfill contractual obligations; if they default, the surety completes the work or compensates the project owner.
- Payment bond: Ensures subcontractors and suppliers are paid, protecting against liens.
- Why both are required: Performance bond protects project completion, while payment bond protects financial exposure to unpaid parties, preventing legal claims and project delays.

# THANK YOU.



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