

10 Hour Study Guide for the Professional Practice Exam

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This document suggests a 10 hour study plan for the Professional Practice Exam. Each module gives topic and timeline suggestions for the texts. To save on time, I suggest that you refer to Susan McCahan's notes as you read and add to them what you feel you need. Remember, however, that you will retain more by writing notes in your own words. Do the best you can given your personal time constraints.

While Ethics is "Part A" of the exam, I suggest that you focus study on Law to begin with. There is general agreement that study for the Law portion of the exam will take significantly more time than the Ethics portion. This is reflected in the amount of time in the 10 hour study plan devoted to ethics (~ 2.5 hrs).

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Module F	Ethics Study (1hr 30mins)
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References that have been provided to you:

Canadian Professional Engineering and Geoscience: Partice and Ethics, 4th edition, by Gordon C. Andrews

Law for Professional Engineers: Canadian and Global Insights, 4th edition, D.L. Marston

A Guideline for Preparation for Professional Practice Examination, by A.R. Memari
"The Pink Book"

Susan McCahan's PPE Notes

Grant Boundy's PPE Notes

four previous exams (August 9, 2008; April 19, 2008; August 11, 2007; Feb 21, 2007; Dec 9, 2006)

Professional Engineers Act

Reg. 941 (Sections 72 & 77) of the Professional Engineers Act

Module i Format of the PPE Exam (10 mins)

Action: Read below and glance over 2 or three old exams

Time: 5-10 min

The 3 hour exam comes in two parts: Part A – Ethics, and Part B – Law. Each part typically has four questions. You must receive a passing mark on both Part A and Part B in order to receive a “Pass” on the Professional Practice Examination.

It is a closed book examination. No aids are permitted other than the *Professional Misconduct* and *Code of Ethics* excerpts from the Ontario Regulations which will be provided by the examiners. These regulations will be used as your guide in Part A – Ethics.

Questions will be marked for academic content as well as legibility and ability to express yourself clearly. Point form, however, is acceptable in answering questions. It was suggested at the meeting with Grant Boundy that you write out two questions in each part in full sentences to demonstrate your writing ability, and answer the remaining two in point form – especially if you are short on time.

I trust, as professors, you will know to budget your time and length of answer according to the number marks allotted to each question. Assuming four questions in each part, all carrying equal weight, it is suggested that you allow 20 minutes per question with 20 minutes of review at the end.

LAW

Modules A – D Chapter references are for Marston’s “Law for Professional Engineers”

Module A : Introduction and Tort (2 hours)

Action: Quickly read Chapter 1 *The Canadian Legal System*

Time Allowance: 10-15 mins

Notes: Pay particular attention to the theory of precedent, definition of common law, and the basic terminology definitions on page 9.

Action: Quickly read Chapter 2 *Business Organizations*

Time Allowance: 10-15 min

Notes: Pay particular attention to the section on The Director’s Standard of Care. (the definition, in particular, has been asked on numerous old exams.)

Action: Skim Chapter 3 *Global Considerations*

Time Allowance: 0-5 min

Note: I don’t see it coming up as a major issue in old exams.

Action: Read in detail Chapter 4 *Tort Liability*

Time Allowance: 45-60 min

Note: There will be a tort question on the exam. This is an important chapter.

Action: Read Chapters 5 & 6 *Limitation Periods & Proof*

Time Allowance: 10 min

Notes: Learn the definition of discoverability, and the limitation periods relevant in Ontario.

Action : Quickly read Appendix *Commentary* p.327-331

Time Allowance: 5-10 min

Notes: The commentary gives excellent advice on writing the law portion of the PPE.

Action: Try *Question 4 of the August 9, 2008 Law Exam* in point form. (Use the copy found in Grant Boundy’s notes) Compare your answer to that given in Boundy’s notes. Did you hit all of the main points?

Time Allowance : 20-30 min

Extra Suggestion: Try *Question 4 on page 10 of The Pink Book*. May I suggest that you exchange answers with a colleague who will be writing the PPE on the same date as you. (study groups are always helpful).

Module B : Contracts (1 hr 30 mins)

Action: Read Chapters 7 - 12 *Contracts*

Time Allowance: 20 min

Notes: These six chapters are each very short. They elaborate on the nuances of the Five elements of a contract:

1. Offer is made and accepted
2. Mutual intent to enter into the contract
3. Consideration (exchange of something of value)
 Note the definitions of Gratuitous Promise, and Equitable Estoppel
 (they come up time and again on old exams)
4. Capacity (sober, of age, etc.)
5. Legality (cannot enforce a contract that is contrary to law)
 (see p. 263 for defn of bid-rigging)

Action: Read Chapters 13 - 15 *Statute of Frauds, Misrepresentation & Mistake*
 Quickly note the definitions and legal implications.

Time Allowance: 15-20 min

Action: Read Chapter 16 *Tendering (Contract A)*

Time Allowance: 10-15 min

Action: Read Chapter 17 & 18 *Contract Interpretation and Discharge*

Time Allowance: 10-15 min

Notes: Note definitions/implications of *Contra Proferentem*, and *Parol Evidence Rule*
 (Latin memory aids: “against (contra) the one bringing forth (the proferens).”
 Parol = oral/verbal)

Action: Try *Question 4 of the April 19, 2008 Law Exam* in point form. (Use the copy found in Grant Boundy’s notes) Compare your answer to that given in Boundy’s notes. Did you hit all of the main points?

Time Allowance : 20 min

Module C : More Contracts (1hr 10 mins)

Action: Read Chapters 19 & 20 *Breaches*

Time Allowance: 20-25 min

Notes: Note definition of *Quantum Meruit*

Action: Read/Skim Chapter 21 *Agreement between Client and Engineer*

Time Allowance: 5-10 min

Notes: Read the Intro, The Agency Relationship, Limiting Liability, and Compliance with the Law; Skim the rest

Action: Read Chapter 22 *Concurrent Liability in Tort and Contract*

Time Allowance: 5 min

Action: Read Chapter 23 *Duty of Honesty*

Time Allowance: 2 min

Action: Read/Skim Chapter 24 *Construction Contracts*

Time Allowance: 10-15 min

Notes: read p.181-186, 194, 200 (Study Questions); Skim the rest

Action: Try *Question 3 of the April 19, 2008 Law Exam* in point form. (Use the copy found in Grant Boundy's notes) Compare your answer to that given in Boundy's notes. Did you hit all of the main points?

Time Allowance: 20 min

Module D : Other Considerations in Law (1hr 10mins)

Arbitration / Lien / Intellectual Property / Employment Law / Regulatory Aspects & Ethics

Action: Read Chapter 28 *Arbitration and Alternative Dispute Resolution*
Time Allowance: 5 min

Action: Read Chapter 30 *Lien Legislation*
Time Allowance: 10-15 min

Action: Read Chapter 33 *Intellectual Property*
Time Allowance: 15 min or less
Notes: Perhaps less time as you may be familiar with much of the content of this chapter.

Action: Chapter 36 *Employment Law*
Time Allowance: 5-10 min
Notes: read p. 322 - Human Rights; skim the rest

Action: Read Chapter 32 *Regulatory Aspects and Ethics*
Time Allowance: 15-20 min
Notes: This section will be important for Part A of the PPE exam (Ehtics).

Action: Quickly answer *Question 1 of the April 19, 2008 Law Exam* in point form. (Use the copy found in Grant Boundy's notes) Compare your answer to that given in Boundy's notes. Were you able to define the terms?
Time Allowance: 5-10 mins

ETHICS

Module E Ethics Exam Strategy (1 hour)

Action: Read Reg. 941 (Sections 72 & 77) of the Professional Engineers Act

Time Allowance: 5 – 10 minutes

Note: If you are completing the modules in order, you will have just read this in the Law book. You need only refresh your memory. Becoming familiar with these regulations is the key to three of the four questions on the Ethics exam.

*** Here is the best piece of advice Grant Boundy gave at the Feb. 5th meeting ***

Action: Print a copy of Reg. 941 (Sections 72 & 73). In the centre and on the right hand side of the pages, make three narrow columns. Label them 2, 3, and 4. Like so:

77. The following is the Code of Ethics of the Association: 1. It is the duty of a practitioner to the public, to the practitioner's employer, to the practitioner's clients, to other members of the practitioner's profession, and to the practitioner to act at all times with,	2 3 4	practitioner's client with a written statement of the nature of the practitioner's status as an employee and the attendant limitations on the practitioner's services to the client, must satisfy the practitioner that the work will not conflict with the practitioner's duty to the practitioner's employer, and must inform the practitioner's employer of the work.	2 3 4
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Read *Questions 2 of the August 9, 2008 Ethics Exam*. Which regulations might apply to this question? Place a checkmark under column '2' beside the potentially applicable regulations. Repeat for questions 3 and 4.

Time Allowance: 10-15 minutes

Notes: You now have a strong basis with which to answer these three questions!

Action: Quickly read page 390 – 392 of “Canadian Professional Engineering and Geoscience” by Gordon C. Andrews.

Time Allowance: 5 minutes

Notes: This outlines the “EGAD” strategy for answering ethics questions and offers good hints and tips for answering ethics questions on the PPE. You may wish to refer to p. 219 for references to Mill/Kant/Locke/Aristotle.

Action: Select one of the questions from the Ethics portion of the *August 9, 2008 Ethics Exam* which you analyzed above. Write out your answer to the questions. Compare it to Grant Boundy's solution.

Time Allowance: 25 minutes

Module F Ethics Study (1hr 30mins)

Action: Read through the Professional Engineers Act.

Time Allowance: 30 minutes

Notes: The first question on every PPE exam relates to the PEO and its function in regulating professional engineering. In reading through the act, your primary goal is to be able to list, define and explain:

1. The mandate/goals of the PEO (know §2.3, skim §7 and §8)
2. Certificate of authorization (§ 12.1, §12.2, §13, skim §15, §16, §17)
3. Qualifications for licence (memorize §14.1)
4. The Committees within the PEO and their role (§10)
 - Executive Committee (§11)
 - Academic Requirements Committee (§14.3a)
 - Experience Requirements Committee (§14.3b)
 - Registration Committee (§19.3, §19.7)
 - Complaints Committee (§24)
 - Discipline Committee (§28)
 - Fees Mediation Committee (§32)
5. Types and restrictions on membership (see definitions in §1)
 - Licence
 - Provisional Licence (also §14.7)
 - Temporary Licence
 - Limited Licence
6. Membership (§18.5, §5, see definition of “professional engineer” in §1)
 - Enforcement (§40)
7. “practice of professional engineering” (defined in §1)

Action: Quickly read the following sections of “Canadian Professional Engineering and Geoscience” by Gordon C. Andrews. If you are short on time, read only those in bold.

- p. 8 Provincial and Territorial Licensing Laws
- p. 11 A Brief Discussion of Professional Status (particularly defn. of profession)
- p. 33-53** Regulation of Engineering
- p. 71-74** Enforcement vs. Discipline
- p.110-116** Use of the Professional Seal
- p. 125-126** Practice by Corporations & Consulting Engineer & Liability Insurance
- p.219-222 Summary of Four Ethical Theories & An Ethical Dilemma
- p.226-228 & 231 Codes of Ethics as Guides to Conduct
- p.239-247** Ethics in Professional Employment

Time Allowance: 40 minutes

Notes: The book essentially highlights and elaborates on what is in the Engineering Act and Regulations. Read as quickly as you can to get the general idea while paying attention to definitions.

Action: Try *Questions 1 of the August 9, 2008 Ethics Exam*. Compare to Grant Boundy's answer.

Time Allowance: 20 minutes

Note: You need not quote the sections of the act in answering question 1 as Boundy has.

Finally, if you have time, you may wish to quickly read Chapters 8 and 9 to give a different perspective on Law.

Module F Sample Questions (1hr 30mins)

Action : Gather and review your notes for both the Ethics and Law sections of the exam.

Time Allowance: 10 minutes

Action: Try the remaining questions from the Sample Exams found in Grant Boundy's notes that you did not answer in previous actions above. Use point form. If you have more time to spend, then write two questions out long hand.

Time Allowance: 45 minutes

Note: It is not very often that we write in pen/pencil instead of typing at a computer. I suggest you try the questions in one full 1hr sitting to see what it will be like on exam day. (expect some hand cramping)

Reminder:

On the PPE Exam, there will be four questions in each of Part A and Part B.

In Part A – Ethics, the first question will be about the function of the PEO. Questions 2, 3, and 4 will include ethical discussion/dilemmas.

In Part B – Law, the first question will ask you to define (usually 5 of 8) terms. In the remaining questions you can expect a question in

- (a) Tort
- (b) Contract Liability
 - (i) fundamental breach, clauses limiting liability
 - (ii) mistake – such as in tender situation
- (c) gratuitous promise or equitable estoppel and/or
- (d) limitation periods

Action: Review notes and old exams to be sure that you are comfortable answering each type of question that may be asked of you on the exam.

Time Allowance: 35 minutes