Guideline for Use of the Professional Seal

The Association of Professional Engineers of Nova Scotia

1355 Barrington Street
Halifax NS, B3J 1Y9

Tel: (902) 429-2250

E-Mail: info@engineersnovascotia.ca

These Guidelines are subject to periodical amendments and modifications. Use of these Guidelines is at the sole discretion of the user. It is the user’s responsibility to ensure that any referenced documents are current.
<table>
<thead>
<tr>
<th>Date</th>
<th>Version Number</th>
<th>Changes Made</th>
</tr>
</thead>
<tbody>
<tr>
<td>May 31, 2016</td>
<td>1.0</td>
<td>Original version after extensive edits by the Professional Practice Committee.</td>
</tr>
</tbody>
</table>
Table of Contents

1.0 INTRODUCTION................................................................................................................................. 2
2.0 USE OF THE SEAL ............................................................................................................................ 2
3.0 WHAT TO SEAL ................................................................................................................................... 3
4.0 WHO SEALS ......................................................................................................................................... 3
5.0 ELECTRONIC SEALS AND DIGITAL SIGNATURES ........................................................................... 3
6.0 PROCEDURES ....................................................................................................................................... 4
7.0 SEALING SINGLE-DISCIPLINE DOCUMENTS .................................................................................. 5
8.0 SEALING MULTI-DISCIPLINE DOCUMENTS ..................................................................................... 6
9.0 SHOP DRAWINGS ............................................................................................................................... 6
10.0 AS-BUILT AND RECORD DRAWINGS ......................................................................................... 6
1.0 INTRODUCTION
This guideline is to provide professional engineers with guidance on the proper use of the professional engineer’s seal, and is to further define the proper use of the seal to the general public. The professional engineer, by affixing and signing the seal, assumes responsibility and is answerable for the quality of the work presented therein. Proper use of the seal is essential, not only for complying with the Engineering Profession Act, but also for assuring the public that the seal represents the profession’s commitment to ethical behaviour and protection of the public.

For the public, the seal constitutes the distinctive mark of the professional engineer. It must be used to identify all work prepared by, or under the direct supervision of a professional engineer as part of professional engineering services, as defined under the Engineering Profession Act. It assures the document’s recipient that the work meets the standards of professionalism expected of competent, experienced individuals who take personal responsibility for their judgments and decisions. The seal is important because it is a visible commitment to the standards of the profession and signifies to the public that a particular professional engineer accepts professional responsibility for the document.

Professional responsibility refers to an engineer’s obligation to conduct themselves in accordance with the technical, legal and ethical standards of the profession, including the higher duty of care associated with professional status. Whenever individuals act in their capacity as professional engineers, they must be prepared to answer for their conduct in discharging their obligations to the profession and to the public. The seal is an indication of who is taking professional responsibility for the content of a document. By affixing the seal, a professional engineer agrees to take the responsibility and to be accountable for any deficiency of skill, knowledge or judgment found in his or her work. Should a complaint be made regarding a document that is alleged to demonstrate negligence or incompetence, the engineer who seals the document is answerable to Engineers Nova Scotia.

Accepting this responsibility is part of the commitment made by each engineer when accepting the exclusive right to practice afforded by the professional engineer’s licence. Consequently, the use of the seal is not optional. Failing to seal an engineering document provided as part of service to the public or client is a violation of the Engineering Profession Act.

2.0 USE OF THE SEAL
The seal used on a document is the impression of the rubber stamp issued by Engineers Nova Scotia to all licence holders. An engineer must always retain full or electronic equivalent control over the use of the seal (and any reproduction of the seal) so that no one can use it without explicit authorization. Such authority should not be given unless the engineer had direct supervision of the work. Engineers Nova Scotia also allows licensees to use electronic seals. An engineer allowing another person to access their seal could be held liable for any use made of the seal.
seal by that person. The seal must be clear and legible when applied to the document, regardless of how it is applied. An electronic facsimile of the seal must be signed either electronically or by hand.

### 3.0 WHAT TO SEAL

Affixing a seal to a document does not turn it into something that is “within the practice of professional engineering”. The content of the document determines whether it is an engineering document. This includes all documents containing engineering calculations, expressing engineering opinions or giving instructions based on engineering judgment. Seals must be affixed to drawings, specifications, drawings or sketches accompanying change notices and site instructions and study report. Drawings bound into reports need not be sealed individually, provided the document itself is signed, sealed and dated.

In general, draft or preliminary documents should not be sealed and should be clearly marked as “Draft”, “Preliminary”, “For Review Only”, “For Discussion”, “Not for Construction”, or some other indication that the documents are not ready for anyone to rely on the contents. Professional engineers should closely control such documents and not release them to anyone who might depend on the validity of the contents. If it is necessary to sign and seal preliminary documents (such as to fulfill the requirements of a regulatory agency and/or client), this guideline’s recommendations for sealing final documents should be followed. Signed and sealed preliminary documents should be clearly marked to the level of completeness and be identified and clearly marked as restricted to the particular use for which the document was released.

Draft or incomplete documents and documents of a non-engineering nature (personal or business correspondence, contracts, leases, sales brochures, passport applications, etc.) should not be sealed. Professional engineers are not notaries public, and the seal cannot be used for purposes where a notary seal is required. Contracts and other legal business documents are sealed with a corporate seal, if the business entity is a corporation. If not, signatures suffice. Professional seals are not to be used for this purpose.

### 4.0 WHO SEALS

The professional engineer who is taking professional responsibility for the work must seal documents. This is generally the professional engineer, who provided the largest contribution to preparing the documents, or, where junior staff did the work, by the professional engineer who closely supervised the work.

### 5.0 ELECTRONIC SEALS AND DIGITAL SIGNATURES

Provincial laws give legal recognition to electronic documents, even in cases where the document exists only in electronic format. Electronic documents are documents “created,
recorded, transmitted or stored in digital form or in other intangible form by electronic, magnetic or optical means or by any other means that has capabilities for creation, recording, transmission or storage similar to those means”. By this definition, a drawing created using a computer drafting package, a faxed copy of a letter, and a report stored on a compact disk are all electronic documents. The principles applying to sealing paper documents apply equally to engineering documents created, stored, distributed, or used in electronic formats.

An electronic seal is a facsimile of the impression produced by 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. This impression has the same value as an impression generated by the original of the seal, including signature and date.

The term “digital signature” refers to using an encrypted method to demonstrate the authenticity of a document. A digital signature can be used to more securely apply an engineers’ signature to a document. It does not mean the visual image of a hand-written signature. The digital signature and certificate for authenticating an electronic document may be obtained from Engineers Nova Scotia. Since the visual image of a written signature is capable of being copied, the secure digital signature is required for documents that are issued electronically. The digital certificate signature verifies that the document was signed by a professional member of Engineers Nova Scotia and that the content of the document has not changed since it was signed. The member must not disclose to anyone the personal security codes enabling use of his or her digital signature. A sample of a document that has been digitally signed is below.

![Sample of a digitally signed document]

6.0 PROCEDURES
The engineer’s complete signature (given and family name) and the date on which the document was sealed, handwritten if it is a “wet ink” signature (as opposed to block letters) within or beside the stamp, must always be included. Initials alone are not acceptable. The engineer’s handwritten or electronic signature is an authenticating mark that complements the seal. For security reasons it is preferable that the signature be affixed to plans and specifications in a
manner that is separate from that of the seal. Engineering documents cannot be signed by a proxy.

Acceptable examples of seals for Engineers Nova Scotia members are below.

![Seal Examples]

Authentication of a professional document shall consist of applying the professional member's stamp to the document, signing the document and indicating the date when the document was stamped. The Act does not provide for any other form of authentication. A document showing only a phrase such as, “Original stamped by ___” is not an authenticated document.

The member's signature must be legible, and appear beside or across the stamp without obscuring the member's name.

The date should appear on or below the stamp and shall be in a format that is not ambiguous. For example, 10-12-11 is ambiguous, as is 09-08-2011, whereas May 22, 2015 or 8 May 2015 would be non-ambiguous dates.

### 7.0 SEALING SINGLE-DISCIPLINE DOCUMENTS

Engineering designs and other documents are usually prepared by the responsible engineer and or others under their direct supervision. Where the documents are prepared by others, the responsible engineer shall review the documents before affixing their signed engineering seal. The level of detail required for this review would be determined by the responsible engineer who would give consideration to the nature and complexity of the engineering content in making this determination.

For documents covering work within a single discipline and developed by a single engineer, or by others under his/her direct supervision, that engineer must seal the document. For documents covering work within a single discipline but developed by several engineers, the document shall be sealed by the engineers responsible for the work of the team or by the supervisory engineer if he or she was sufficiently involved in overseeing the work and has been carried out the required level of review appropriate for the related considerations.
Where engineers who are not responsible for the documents(s) review or verify such documents, they should insert their initials in a “Verified by” or “Reviewed by” box on the document. When more than one engineer within a single discipline contributed to and had decision-making authority regarding the work, each engineer shall seal the document.

**8.0 SEALING MULTI-DISCIPLINE DOCUMENTS**

For a project covering work within several engineering disciplines, all documents within a particular engineering discipline must be sealed by the engineer taking responsibility for work within that discipline (as described in Section 7), with an indication or qualification of which discipline is implied by the seal. The supervisory or coordinating engineer (if there is one) should also apply his or her seal to indicate that the work of the various disciplines has been coordinated. If only one signature and seal is used, it should be that of the engineer taking responsibility for the work, generally the coordinating engineer.

**9.0 SHOP DRAWINGS**

Generally applicable design details developed by manufacturers or standards organizations, verified by testing and/or approved by government bodies, do not need to be sealed. The responsible engineer may, require the manufacturer to provide an engineer seal on such documents depending on the nature of the work.

Engineering and/or construction details, subsystem designs or other such engineering documents produced by manufacturers or contractors to be used by contractors in carrying out installation, construction and/or commissioning activities in the Province of Nova Scotia must have the seal of a professional engineer affixed to that document.

**10.0 AS-BUILT AND RECORD DRAWINGS**

Professional engineers should use the following distinction between as-built and record drawings. Drawings referred to as “as-builts” are prepared by a third party, or by the engineer using information furnished by the contractor or other field staff. “Record drawings” are those prepared by the reviewing engineer after verifying in detail the actual conditions of the completed project. For some projects, this verification may require frequent or continuous presence on site. The distinction between as-built and record drawings determines whether drawings representing the final state of the project should be sealed.

Because professional engineers are responsible for the content of drawings bearing their seals, as-built drawings should not be sealed, since the engineer is not responsible for the content of these documents.
Some of the information provided on as-built drawings might be changes authorized by the engineer during construction. Other information might reflect changes initiated by other parties due to site conditions or other causes. Changes by the engineer will already have been documented by change orders, sealed sketches, or sealed reports, so there is no need to seal the as-builts. Where changes are by others, although the engineer will have a responsibility to advise the client whether the change was the result of a safety concern or a contravention of codes or standards, the engineer should not be forced to seal the documents, since to do so might imply that the changes were part of the engineer’s design. If as-builts are produced by making changes to the original construction drawings, the seal should not be applied, or should be removed if already in place, and the drawings marked “as-built drawings”. In place of the seal, there should be a note referencing the original sealed drawings. A sample note is provided below:

---

This record document is a compilation of the original construction drawings, known site changes, and information furnished to the engineering team. Those relying on this record document are advised to obtain independent certification before applying it for any purpose.
---

Sealing of drawings with record information might imply to some parties that the engineer is providing some type of warranty or certification of the construction. This is never the case, since the contractor is always responsible for construction.