

# Duty to Report: Sections 58(4) & 58(5), Employers, Partners & Associates Question Framework

**Question 1:** Are you the employer of, or are you in a professional relationship or association with, an identified registrant?

- If you are not the employer and there is no professional relationship or association, or if there is no identified registrant involved, the duty to report has not been triggered.
- If you are unsure if you are the employer, or have a professional relationship or association, seek independent legal advice.

Yes

An “**identified registrant**” is a registrant of a regulatory body listed in Schedule 1 of the PGA who is engaged in the conduct described in section 58(2) of the PGA.

**Question 2:** Did you terminate the employment of the identified registrant; revoke, suspend or impose restrictions on the privileges of an identified registrant; or dissolve a partnership or association with an identified registrant, because you had reasonable or probable grounds to believe that the identified registrant engaged in the regulated practice in a manner that may pose a risk of significant harm to the environment or to the health or safety of the public or a group of people?

or

**Question 3:** Did you intend to terminate the employment of the identified registrant; revoke, suspend or impose restrictions on the privileges of an identified registrant; or dissolve a partnership or association with an identified registrant because you had reasonable or probable grounds to believe that the identified registrant engaged in the regulated practice in a manner that may pose a risk of significant harm to the environment or to the health or safety of the public or a group of people and did the identified registrant resign, relinquish privileges, or dissolve the partnership or association before you were able to act?

Yes

**Action required:** If you answered **yes to question 1** and **yes to question 2 or question 3**, you must make a report in writing to the registrar of the identified registrant’s regulatory body.

