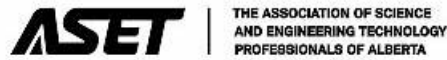


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## ASET Ethics Examination-ASET Professional Practice Exam (PPE) Sample Questions (Q38-Q43):

### NEW QUESTION # 38

A regulated member designs products that are sold to another firm. That firm used a particular product in a project and it caused a workplace accident resulting in injuries. Who can the firm sue for damages?

- A. The company that sold the product and/or the regulated member
- B. The firm's own employee for potentially misusing the product
- C. The association who certified the regulated member
- D. No one, as the firm accepted the risks associated with the product

**Answer: A**

Explanation:

In the realm of professional liability and tort law, professionals are held personally accountable for their negligence, regardless of their corporate affiliation. When a regulated member (like a C.E.T. or P.

Tech.) designs a product that subsequently fails and causes injury due to a design flaw, the injured party (the purchasing firm) can seek legal damages through a civil lawsuit. Under the legal principle of

"joint and several liability," the plaintiff can sue the manufacturing company (the member's employer) under the doctrine of "vicarious liability," as the company profits from and is responsible for the products it sells. Simultaneously, the plaintiff can sue the individual regulated member who actually designed the product and applied their professional stamp/seal, as that professional owed a direct "duty of care" to the end-user. The regulatory association (ASET) is not liable for the individual actions of its members (Option A).

Therefore, both the selling company and the individual professional are exposed to legal action.

### NEW QUESTION # 39

Which of the following boards or committees is responsible for appointing members to the ASET Discipline Committee?

- **A. The ASET Council**
- B. The ASET Discipline Committee
- C. The ASET Practice Review Board
- D. The ASET Appeal Board

**Answer: A**

Explanation:

The corporate and regulatory structure of ASET is governed by the Engineering and Geoscience Professions Act (EGPA). The ASET Council functions as the ultimate governing body or "board of directors" for the association. As part of its statutory duty to manage the affairs of the profession and ensure the protection of the public, the ASET Council is granted the legal authority and responsibility to strike and populate the various statutory committees required by the Act. This includes formally appointing the qualified professional members and overseeing the government-appointed public members who sit on the Investigative Committee, the Practice Review Board, and the Discipline Committee. The Discipline Committee does not appoint itself (Option D), nor is it appointed by the Appeal Board (Option B). The Council ensures that the Discipline Committee is composed of experienced, impartial professionals capable of conducting fair, quasi-judicial hearings regarding member misconduct.

### NEW QUESTION # 40

A regulated member of ASET has witnessed consistent unprofessional behaviour by a competitor organization, and so the member posts negative comments about the organization to a popular online business review website. The competitor believes the negative comments have harmed sales and threatened the reputation of the organization. Under which of the following areas of law might the regulated member be considered liable?

- **A. Tort law**
- B. Securities law
- C. Privacy law
- D. Employment law

**Answer: A**

Explanation:

Tort law is a branch of civil law that deals with civil wrongs (other than breach of contract) that cause harm or loss to another party, resulting in legal liability for the person who commits the tortious act. In this scenario, the regulated member publicly posted negative comments that allegedly harmed the competitor's business reputation and sales. This action falls under a specific type of tort known as "defamation" (specifically "libel," since it is written/published online). Even if the member believes they were justified, making public statements that damage another organization's financial standing without utilizing proper regulatory or legal channels exposes the member to a civil lawsuit for damages.

Furthermore, the ASET Code of Ethics requires members to conduct themselves with fairness and courtesy toward clients, colleagues, and others. Publicly smearing a competitor online is not only a potential tort but also highly unprofessional conduct.

### NEW QUESTION # 41

Which of the following is the role of the ASET Council as set out in the Engineering and Geoscience Professions Act?

- A. To review applications for registration as a P.Tech.
- **B. To manage and conduct the business and affairs of ASET**
- C. To investigate complaints against regulated members of ASET
- D. To review applications for certification as a C.Tech. or C.E.T.

**Answer: B**

Explanation:

Under the Engineering and Geoscience Professions Act (EGPA), the corporate governance of professional regulatory organizations is carefully structured. The ASET Council acts essentially as the board of directors for the association. Its statutory role is to govern, manage, and conduct the overall business and affairs of ASET. This includes setting strategic direction, establishing regulatory policies, managing finances, creating bylaws, and ensuring the association fulfills its primary legal mandate of protecting the public.

The Council does not engage in the granular, day-to-day administrative tasks or specific casework. For example, the review of individual applications for C.Tech., C.E.T., or P.Tech. is delegated to the Board of Examiners (or Joint Board of Examiners). Similarly, investigating complaints is strictly the domain of the Investigative Committee. By maintaining a high-level governance role, the Council ensures the organization operates effectively and legally while maintaining necessary separation from the independent disciplinary and registration boards.

#### NEW QUESTION # 42

Which of the following is the most likely reason that a regulated member was found to be unethical?

- **A. The member cut fees to an extent that resulted in incompetent service.**
- B. A potential client was made aware that a competitive pricing strategy was offered.
- C. The member refused to propose an estimated cost lower than the realistic expected full estimate.
- D. The member put service above financial gain.

**Answer: A**

Explanation:

While professional technologists operate in a competitive free market and are allowed to offer competitive pricing strategies, the ASET Code of Ethics mandates that members must provide competent, high-quality service that protects the public. Engaging in "fee cutting" or "lowballing" to win a contract becomes a severe ethical violation when the fee is reduced to such an extent that the professional can no longer afford to allocate the necessary time, resources, or qualified personnel to complete the work safely and up to industry standards. If a member slashes their budget and subsequently rushes designs, skips crucial testing phases, or relies on unqualified staff to maintain their profit margin, they are directly endangering the public and failing in their professional duty. Putting service above financial gain is highly ethical, and refusing to provide an unrealistically low estimate is an example of professional integrity. Therefore, cutting fees to a point that directly results in incompetent or unsafe service is the clear unethical action.

#### NEW QUESTION # 43

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