



ENGINEERS &
GEOSCIENTISTS
BRITISH COLUMBIA

**IN THE MATTER OF THE *PROFESSIONAL GOVERNANCE ACT*,
S.B.C. 2018, CHAPTER 47**

and

IN THE MATTER OF ROBERT JOHN MCLEOD, P.GEO.

ENGINEERS AND GEOSCIENTISTS BC FILE NO. T22-005

CONSENT ORDER

Background

1. On February 5, 2021, the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 (the “*EGA*”) was repealed and replaced by the *Professional Governance Act*, S.B.C. 2018, c. 47 (the “*PGA*”).
2. On January 28, 2022, the Association of Professional Engineers and Geoscientists of the Province of British Columbia, doing business as Engineers and Geoscientists BC, issued a Citation to Robert John McLeod, P.Geo., pursuant to s. 66(1)(d) of the *PGA* concerning certain conduct of Mr. McLeod.
3. The conduct of Mr. McLeod in question occurred when the *EGA* was in force and the conduct continued under the *PGA*. As a result, the Engineers and Geoscientists BC have considered Mr. McLeod’s conduct pursuant to the *EGA* and *PGA* and the Bylaws and Code of Ethics under the *EGA* and the *PGA*.
4. Engineers and Geoscientists BC and Mr. McLeod wish to resolve the matter by way of a Consent Order pursuant to section 73(2) of the *PGA*.

Admissions

5. Mr. McLeod admits to the allegations set out in the Citation, namely that:
 - a. he breached s. 44 of the *EGA* when he failed to provide the Practice Review Committee of Engineers and Geoscientists BC (the “Practice Review Committee”) with the Practice Review Questionnaire despite a request from the Director of Professional Practice, Standards and Development (the “Director”) by letter dated August 7, 2020 with a deadline of September 14, 2020 or at any time subsequent, despite repeated requests from the Director, including but not limited to those made by letter dated September 29, 2020, November 17, 2020, and by email January 27, 2021;
 - b. the conduct set out at paragraph 5(a) constitutes a breach of s.44 of the *EGA* which required that a registrant must, on request, provide the Practice Review Committee with any relevant information, record, document or thing;
 - c. he breached s. 63(5)(a) of the *PGA* and Bylaw 8.9(4)(a) of Engineers and Geoscientists BC (the “Bylaw”), by failing to provide the Practice Review Committee with the Practice Review Questionnaire despite repeated requests from the Professional Practice Coordinator of Professional Practice, Standards and Development, including but not limited to emails dated March 10, 2021, March 29, 2021, and April 15, 2021, a phone call on May 5, 2021, and voicemail of June 14, 2021;
 - d. the conduct set out at paragraph 5(c) constitutes a breach of section 63(5)(a) of the *PGA* and Bylaw 8.9(4)(a) which requires that a registrant subject to practice review must cooperate with the practice review process, including by answering questions.

Disposition

6. By consent, this Consent Order is made pursuant to section 73(2) of the *PGA*.
7. Mr. McLeod’s registration in Engineers and Geoscientists BC is cancelled effective of the date of this Consent Order (the “Cancellation Date”).
8. If at any time after the Cancellation Date Mr. McLeod wishes to be re-registered with Engineers and Geoscientists BC:
 - a. he must as a condition of such application provide written notice to Engineers and Geoscientists BC that he has at his own expense:

- i. completed and passed the Engineers and Geoscientists BC Professional Practice Examination;
 - ii. completed the Professional Engineering and Geoscience in BC Online Seminar; and
 - b. he must comply with all requirements of the Credentials Committee of Engineers and Geoscientists BC and all bylaws, policies and guidelines respecting registration and competency.
9. Should Mr. McLeod successfully re-register with Engineers and Geoscientists BC at any time in the future, he consents to a practice review conducted by the Audit and Practice Review Committee, and pay the costs associated with the practice review, within six months of his reinstatement of registration with Engineers and Geoscientists BC. The precise timing and process of which will be determined by the Audit and Practice Review Committee.
10. Mr. McLeod will pay \$1,500 to Engineers and Geoscientists BC as a contribution towards the legal costs incurred in this matter within thirty days of the date of this Consent Order.

Consequences of the Consent Order

11. The full text of this Consent Order will be published on the website of Engineers and Geoscientists BC, and a summary will be published in print and electronic publications, including public communications.
12. This Consent Order has the same force and effect as an Order made under section 75 of the *PGA*.
13. Mr. McLeod agrees that Engineers and Geoscientists BC has recommended that he receive independent legal advice regarding this Consent Order and that Engineers and Geoscientists BC has given him the opportunity to obtain independent legal advice.

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14. Mr. McLeod and Engineers and Geoscientists BC agree that this Consent Order may be executed in counterparts and delivered as an electronic document.

This Consent Order is approved and accepted by Mr. McLeod and the members of the Discipline Resolution Panel this 9 day of June, 2022.

<original signed by>

Robert John McLeod, P.Geo.

Liam Morrison

Name of Witness

<original signed by>

Signature of Witness

<original signed by>

John Haythorne, P.Eng.
Member, Discipline Resolution Panel

<original signed by>

Thomas Leung, P.Eng.Struct.Eng.
Member, Discipline Resolution Panel

<original signed by>

Pierre Gallant, Retired Architect, AIBC
Member, Discipline Resolution Panel