



ENGINEERS &
GEOSCIENTISTS
BRITISH COLUMBIA

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

and

IN THE MATTER OF BARRY DEAN CLARKE, P.ENG.

ENGINEERS AND GEOSCIENTISTS BC FILE NO. T24-048

CONSENT ORDER

Background

1. On November 9, 2023, the Association of Professional Engineers and Geoscientists of the Province of British Columbia, doing business as Engineers and Geoscientists BC, and Barry Dean Clarke, P.Eng., entered into a Consent Order (the “2023 Consent Order”) regarding deficient engineering services he provided for fire and life safety systems in the Okanagan. In the 2023 Consent Order, Mr. Clarke agreed, among other things, that he demonstrated unprofessional conduct contrary to the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 (the “*EGA*”) and the *Bylaws* under the *EGA*, as the conduct took place at a time when the *EGA* was in force.
2. As a result of the 2023 Consent Order, Mr. Clarke’s registration with Engineers and Geoscientists BC was suspended for a period of two months (the “Suspension Period”). Mr. Clarke was ordered to pay a portion of the Engineers and Geoscientists BC’s legal and investigative costs and was required to complete two educational courses before the end of the Suspension Period.
3. On December 21, 2023, during the Suspension Period, Mr. Clarke authored a letter that included advice that constituted the practice of professional engineering.
4. On September 26, 2024, Engineers and Geoscientists BC issued a Citation to Mr. Clarke pursuant to section 66(1) of the *Professional Governance Act*, S.B.C. 2018, c. 47 (the “*PGA*”).

5. On October 15, 2024, Mr. Clarke resigned his registration with Engineers and Geoscientists BC.
6. Engineers and Geoscientists BC and Mr. Clarke now wish to resolve this matter by way of a Consent Order pursuant to section 73(2) of the *PGA* to avoid the need for a disciplinary hearing.
7. Mr. Clarke consents to the disposition set out below.

Admissions

8. Mr. Clarke admits that he demonstrated conduct unbecoming a registrant contrary to the *PGA* and violated the 2023 Consent Order by providing advice that constituted the practice of professional engineering during the Suspension Period while he was prohibited from engaging in the reserved practice of engineering.
9. Mr. Clarke also admits that the conduct set out at paragraph 9 was contrary to the Engineers and Geoscientists BC's Code of Ethics, attached as Schedule A to the *Bylaws of Engineers and Geoscientists BC*, in particular:
 - a. The Preamble, which provides that registrants must act at all times with fairness, courtesy and good faith toward all persons with whom the Registrant has dealings, and in accordance with the public interest.
 - b. Principle 1, which requires that registrants must hold paramount the safety, health and welfare of the public, the protection of the environment and the promotion of health and safety in the workplace.
 - c. Principle 3, which requires that registrants must have regard for the common law and any applicable enactments, federal enactments or enactments of another province.
 - d. Principle 4, which requires that registrants must have regard for applicable standards, policies, plans and practices established by the government or EGBC.

Disposition

10. By consent, this Consent Order is made pursuant to section 73 of the *PGA*.
11. Given that Mr. Clarke resigned his registration with Engineers and Geoscientists BC, he is prohibited from practicing engineering in British Columbia.
12. Mr. Clarke is prohibited from applying to reinstate his registration with Engineers and Geoscientists BC for a period of one year beginning from the date of execution of this Consent Order.

13. If Mr. Clarke wishes to reinstate his registration with Engineers and Geoscientists BC, as defined in the *Bylaws* pursuant to the *PGA*:
 - a. 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;
 - b. 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; and
 - ii. completed the Professional Engineering and Geoscience Practice in BC Online Seminar.
14. If Mr. Clarke's registration with Engineers and Geoscientists BC is successfully reinstated at any time in the future, he agrees that all engineering work prepared by him must be subject to peer review, pursuant to the Engineers and Geoscientists BC's *Professional Practice Guidelines – Peer Review*, as may be amended or revised from time to time (the "Peer Review"), subject to the following conditions:
 - a. the peer reviewer must be a professional engineer who is a registrant of Engineers and Geoscientists BC, who is in good standing, and who is approved in writing by the Registrar of Engineers and Geoscientists BC (the "Approved Peer Reviewer");
 - b. the Peer Review will continue for a minimum period of twelve months and the Approved Peer Reviewer must review a minimum of six projects, whichever comes later (the "Peer Review Period");
 - c. following the Peer Review Period, the Approved Peer Reviewer will provide Engineers and Geoscientists BC with confirmation in writing that Mr. Clarke has completed the Peer Review process and that, in the opinion of the Approved Peer Reviewer, Mr. Clarke has demonstrated competence such that he should be permitted to undertake engineering work without oversight;
 - d. following the Peer Review Period, if the opinion of the Approved Peer Reviewer is that Mr. Clarke has not demonstrated competence such that he should be permitted to undertake engineering work without oversight and requires further peer review, the Peer Review Period must continue for an additional six-month period, or the completion of two additional projects, whichever comes later (the "Extended Peer Review"), following which the Approved Peer Reviewer must provide confirmation in writing that Mr. Clarke has completed the Extended Peer Review; and
 - e. Mr. Clarke will pay the costs associated with the Peer Review.

- 15. Mr. Clarke will pay a penalty of \$10,000 to Engineers and Geoscientists BC contemporaneous with the execution of this Consent Order.
- 16. Mr. Clarke will pay costs in the amount of \$1,750 to Engineers and Geoscientists BC contemporaneous with the execution of this Consent Order as a contribution towards the legal and investigative costs incurred in this matter.

Consequences of the Consent Order

- 17. The full text of this Consent Order will be published on the Engineers and Geoscientists BC website, and a summary will be published in print and electronic publications, including in public communications.
- 18. This Consent Order has the same force and effect as an Order made or penalty imposed under section 75(6) of the *PGA*.
- 19. Mr. Clarke has received independent legal advice regarding the content of this Consent Order.
- 20. Mr. Clarke 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. Clarke and the members of the Discipline Resolution Panel this 5th day of March, 2026.

<original signed by>
Barry Dean Clarke, P.Eng.

<original signed by>
Name of Witness

<original signed by>
Larry Spence, P.Eng.
Member, Discipline Resolution Panel

<original signed by>
Signature of Witness

<original signed by>
Chris Arthur, P.Eng.
Member, Discipline Resolution Panel

<original signed by>
Pierre Gallant, Retired Architect AIBC
Member, Discipline Resolution Panel