



ENGINEERS &  
GEOSCIENTISTS  
BRITISH COLUMBIA

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

and

**IN THE MATTER OF EDWARD C.C. YIP**

**ENGINEERS AND GEOSCIENTISTS BC FILE NO. T15-024**

**CONSENT ORDER**

**Background**

1. On July 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 Edward C.C. Yip pursuant to section 66(1) of the *Professional Governance Act*, S.B.C. 2018, c. 47 (the “*PGA*”).
2. On December 5, 2022, Mr. Yip’s registration with Engineers and Geoscientists BC was cancelled as a result of Mr. Yip’s resignation.
3. Engineers and Geoscientists BC and Mr. Yip now wish to resolve this matter by consent pursuant to section 73(2) of the *PGA* to avoid the need for a disciplinary hearing.

**Legislation**

4. On February 5, 2021, the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 (the “*EGA*”) was repealed and replaced by the *PGA*.
5. The conduct of Mr. Yip took place at a time when the *EGA* was in force. As a result, the conduct in question is considered pursuant to sections 30(9)(b) and 30(9)(c) of the *EGA*, and the *Bylaws* and *Code of Ethics* under the *EGA* (the “Code of Ethics”).

6. Pursuant to sections 35(2) and 36(1)(c) the *Interpretation Act*, R.S.B.C. 1996, c. 238, investigations commenced under the *EGA* carry on procedurally under the *PGA*.

### **Admissions**

7. Mr. Yip admits that he acted contrary to the *EGA*, demonstrating unprofessional conduct in relation to the preparation of a geotechnical inspection report that was delivered to his client on October 2, 2012 (the "Report"), certifying written instructions for the excavation of a trench over the period October 2, 2012 to October 16, 2012, in particular:
  - a. he prepared the Report despite failing to physically attend and make observations of the whole of the area in which the trench could reasonably be expected to have been excavated over the 14 days for which his Report's certification applied (the "Anticipated Trench Area");
  - b. he failed to note in the Report, or alternatively, failed to adequately note, the presence of structures along the Anticipated Trench Area;
  - c. he failed to state in the Report, or alternatively, failed to adequately state, the required distance between the excavation edge and any structures along the Anticipated Trench Area; and
  - d. he failed to state in the Report, or alternatively, failed to adequately state, that if the required distance between the trench excavation edge and a structure was not possible, the steps that must be taken to safely excavate, were by:
    - i. securing the structure;
    - ii. securing the trench excavation walls with shoring or other methods; or
    - iii. requiring the re-attendance of a professional engineer for guidance and instruction.
8. The conduct set out above in paragraph 7 was contrary to Principle 1 of the Code of Ethics, which required that members and licensees hold paramount the safety, health and welfare of the public, the protection of the environment and promote health and safety within the workplace.
9. The admissions made in this Consent Order are made for the purposes of this proceeding and not for the purposes of any other proceeding.

## **Disposition**

10. By consent, this Consent Order is made pursuant to section 73 of the *PGA*.
11. Mr. Yip's registration in Engineers and Geoscientists BC is cancelled. Mr. Yip agrees not to re-apply for registration with Engineers and Geoscientists BC at any time in the future.
12. Mr. Yip will pay a fine in the amount of \$10,000. The fine must be paid to Engineers and Geoscientists BC contemporaneous with the execution of this Consent Order.
13. Mr. Yip will pay \$5,000 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**

14. 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 in public communications.
15. This Consent Order has the same force and effect as an Order made under section 75 of the *PGA*.
16. Mr. Yip has received independent legal advice regarding the content of this Consent Order.

*[this space is intentionally left blank]*

17. Mr. Yip 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. Yip and the members of the Discipline Resolution Panel this 23 day of March, 2023.

<original signed by>  
Edward C.C. Yip

John R. Singleton  
Name of Witness

<original signed by>  
Signature of Witness

<original signed by>  
Jaswinder Bansal, P.Eng.  
Member, Discipline Resolution Panel

<original signed by>  
Denise Mullen  
Member, Discipline Resolution Panel

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