

**IN THE MATTER OF THE ENGINEERS AND GEOSCIENTISTS ACT
R.S.B.C. 1996, CHAPTER 116**

- and -

IN THE MATTER OF PHILIP BOLTON, P.Eng.

ORDER

Before the Discipline Committee of the)	
of Professional Engineers and Geoscientists)	
of British Columbia)	Wednesday, the 5th day of
Robert T. Martin, P.Eng., Chair)	January, 2000
William J. Malcolm, P.Eng., Member)	
Ole F. Simonsen, P.Eng., Member)	

AFTER AN INQUIRY before this Discipline Committee Panel of the Association of Professional Engineers and Geoscientists of British Columbia (the Association) on October 13 and 15, 1999, this Discipline Committee Panel made a determination that Mr. Philip Bolton, P. Eng., had demonstrated unprofessional conduct with respect to both allegations in the Notice of Inquiry. That determination is found in this Discipline Committee's Reasons for Judgment dated October 26, 1999.

AFTER A FURTHER INQUIRY before this Discipline Committee Panel on December 16, 1999, to hear evidence and submissions on the appropriate penalty to be imposed on Mr. Philip Bolton, P. Eng., this Discipline Committee Panel reserved its decision to this day.

THIS DISCIPLINE COMMITTEE ORDERS that:

1. Mr. Philip Bolton's membership in the Association be suspended for a period of one (1) month commencing January 17, 2000, and ending on February 16, 2000, (inclusive).

2. Mr. Philip Bolton, P.Eng., shall write the Association's Professional Practice Examination, and must attain a mark of 75% or higher in order to pass the examination and satisfy this condition. This condition shall be completed within six (6) months from January 17, 2000.

THIS DISCIPLINE COMMITTEE PANEL FURTHER ORDERS, pursuant to Section 35(1) of the *Act*, that Mr. Philip Bolton, P.Eng. pay to the Association the reasonable costs of and incidental to the investigation under Section 30 of the *Act*, and the inquiry under Section 32 of the *Act*, including the reasonable fees payable to solicitors, counsel and witnesses. Counsel for the Association and Mr. Philip Bolton, P.Eng. , will attempt to agree as to those costs, and failing their agreement, the determination of costs shall be remitted to this Discipline Committee Panel within thirty (30) days of the date of this Order, and this Discipline Committee Panel will determine the amount of the costs to be assessed against Mr. Philip Bolton, P.Eng.

The Discipline Committee of the Association
of Professional Engineers and Geoscientists of
British Columbia

Robert T. Martin, P.Eng., Chair

**ORDER OF THE DISCIPLINE COMMITTEE PANEL
ON COSTS NOT PAID**

**IN THE MATTER OF THE
ASSOCIATION OF PROFESSIONAL ENGINEERS
AND GEOSCIENTISTS OF BRITISH COLUMBIA**

AND

PHILIP BOLTON, P. ENG. (#11182)

In the *Judgment of the Discipline Committee Panel on Costs* (the *Judgment* dated February 23, 2000, the Discipline Committee Panel directed that Philip Bolton, P.Eng., pay the Association's costs of and incidental to the investigation under Section 30 and the inquiry under Section 32 of the *Engineers and Geoscientists Act* (the *Act*) in the amount of \$17,236.54.

The Association wrote to Philip Bolton, P.Eng. on February 29, 2000, and provided him with a copy of the *Judgment*; Mr. Bolton was requested to pay the costs assessed immediately, or if full payment was not possible, Mr. Bolton was asked to submit a proposed payment schedule to retire his debt to the Association.

As Mr. Bolton did not respond to the February 29th letter, the Association wrote to Mr. Bolton again on March 20, 2000, and reiterated the request contained in the earlier correspondence. Mr. Bolton did not respond to this second letter, therefore, the Panel met on Tuesday, April 18, 2000, to consider this matter and as the costs have not been paid, in accordance with Section 35(5) of the *Act*, the Panel orders that:

Mr. Bolton's membership in the Association be suspended, effective May 1, 2000; and

an application for reinstatement of Mr. Bolton's membership will not be considered until the following condition is met:

- (i) Mr. Bolton must pay the full costs assessed, in the amount of \$17,236.54, plus interest; or

- (ii) if full payment is not possible, Mr. Bolton must submit an acceptable repayment schedule for the Panel's approval.

Discipline Committee Panel

R.T. Martin, P.Eng., Chair

Date

W.J. Malcolm, P.Eng.

Date

O.F. Simonsen, P.Eng.

Date