



Professional Engineers  
and Geoscientists of BC

File: S/02-118

August 25, 2003

Mr. Jan Merks  
President  
Matrix Consultants Ltd.  
1357 Napier Place  
Coquitlam, BC V3B 7A3

Dear Mr. Merks:

Further to our exchange of E-mails today and the attached copy of our July 8, 2003, letter acknowledging receipt of your letter of June 23, 2003, responding to our file closure letter of June 11, 2003, I redated it and have corrected some minor errors before mailing this copy with the attachments.

I wrote to you first in my capacity as Deputy Director, Professional Ethics, as one of my responsibilities is to investigate possible breaches of the *Engineers and Geoscientists Act* (the *Act*).

The Association's Enforcement Procedure, a copy of which was provided to you with our April 24<sup>th</sup> letter, is based on the provisions of the *Act* and, in particular, Section 22 – Prohibition of Practice. Our Enforcement Procedure does not extend to the investigation of breaches of our *Act*, Bylaws or Code of Ethics by members of this Association.

You suggest in your June 23<sup>rd</sup> letter that you have “.. *concerns about scores of APEGBC Members who apply a fatally flawed variant of classical statistics.*” The only way in which I can address your concerns in this regard is if you file a complaint against specific members who have, in your opinion, contravened the Association's Code of Ethics in the manner you describe.

Enclosed, for your information, is a copy of the Association's Complaint Procedure and a further copy of the *Act* for your review and information. If you wish to pursue a complaint against a member, please provide me with a brief summary clearly identifying the member that is the subject of your complaint and also include a chronology of the events leading up to the filing of your complaint.

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If available, you should also include copies of any relevant correspondence, documents or drawings to support your complaint. You will note from the enclosed Complaint Procedure, that I have been designated to review all complaints filed against members of this Association.

In the second paragraph of your June 23<sup>rd</sup> letter, you state that you would like to explain to the Investigation Committee "*why geostatistics is a flawed variant of classical statistics.*" While I am sure this would be of interest to the members of that Committee, I do not believe that it is the appropriate venue for the discussion that you propose. The Association's Geoscience Committee would seem to be a better forum for addressing your concerns. If you wish to make a written submission, please address it to Jenna Hardy, P. Geo., the Chair of the Geoscience Committee.

Yours truly,



Harry McBride, P.Eng.  
Deputy Director, Professional Ethics

Enc. Complaint Procedure  
Act

cc S. Ross Rettie, P.Eng., Director, Professional Practice & Ethics

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