

ENGINEERS GEOSCIENTISTS MANITOBA

IN THE MATTER OF:

John Arthur, P. Eng., a Professional Engineer in
the Province of Manitoba

AND IN THE MATTER OF:

*The Engineering and Geoscientific Professions
Act, C.C.S.M. c. E120*

ORDER OF THE DISCIPLINE COMMITTEE

ENGINEERS GEOSCIENTISTS MANITOBA
870 PEMBINA HIGHWAY
WINNIPEG, MANITOBA
R3M 2M7

ENGINEERS GEOSCIENTISTS MANITOBA

IN THE MATTER OF:

John Arthur, P. Eng., a Professional Engineer in
the Province of Manitoba

AND IN THE MATTER OF:

*The Engineering and Geoscientific Professions
Act, C.C.S.M. c. E120*

ORDER

WHEREAS the Investigation Committee of the Association of Professional Engineers and Geoscientists (the “**Association**”) formulated a charge of professional misconduct and unskilled practice of engineering against John Arthur, P. Eng. (“**Mr. Arthur**”) on May 9, 2024 respecting Mr. Arthur’s interactions with his customers and prospective customers while restricted from practicing structural engineering (the “**Charge**”);

AND WHEREAS the Charge was referred to the Discipline Committee of the Association pursuant to s. 35(1)(b) of *The Engineering and Geoscientific Professions Act*, C.C.S.M. c. E120 (the “**Act**”) on June 12, 2024, whereupon the Chair of the Discipline Committee selected a panel (the “**Panel**”) for the hearing of the Charge pursuant to s. 39(1) of *The Engineering and Geoscientific Professions Act*, C.C.S.M. c. E120 (the “**Act**”).

AND WHEREAS a notice of hearing returnable before a Panel on Tuesday, September 24, 2024, along with a copy of the Charge, was duly served on Mr. Arthur through legal counsel on July 17, 2024;

AND WHEREAS the hearing of this matter was duly commenced on September 24, 2024 in accordance with the Act and By-Laws of the Association and then adjourned to permit the scheduling of the substantive hearing of this matter;

AND WHEREAS, on June 10, 2025 and with the consent of Mr. Arthur, the Acting Chair of the IC issued an Amalgamated Charge, attached hereto as Schedule “A”, which replaced and superseded the Charge;

AND WHEREAS Mr. Arthur now admits, and this Panel so finds, that he committed the following acts of professional misconduct as particularized in the Amalgamated Charge and that such acts constitute violations of sections 46(1)(a), 46(1)(b), 46(1)(c) and 46(1)(d) of the Act and/or Canons 2 and 5 EGM's *Code of Ethics* (effective November 2018):

1. On dates between July 2021 and April 2022, Mr. Arthur (either directly and/or operating as 6137262 Manitoba Ltd. and operating as John Arthur Consulting):
 - a. misled his clients or prospective clients, [REDACTED], [REDACTED], [REDACTED], and [REDACTED] as to Mr. Arthur's ability to practice structural engineering by failing to properly advise or clarify that he was, at that time, restricted from practicing structural engineering (the "**Restriction**"); and
 - b. engaged in the practice of structural engineering, contrary to the Restriction, by performing site reviews and inspections, advising on structural engineering issues and making structural engineering recommendations; and
2. In or about late 2021, during the course of providing professional engineering services respecting a commercial building at [REDACTED] in Winnipeg, Manitoba, Mr. Arthur failed to deliver a design and structural certification for the project, despite being paid by his client for same, and in doing so failed to conduct himself with integrity and to act in the best interests of his client.

AND WHEREAS on June 24, 2025, this Panel heard submissions from counsel for the Investigation Committee and counsel for Mr. Arthur relating to the appropriate penalty to be issued to Mr. Arthur;

NOW THEREFORE, THIS PANEL ORDERS THAT pursuant to ss. 47, 48 and 50 of the Act:

- a. Mr. Arthur's certificate of registration will be cancelled as at September 1, 2025 and Mr. Arthur shall retire as a member of the Association. Mr. Arthur shall not be entitled to apply for reinstatement;
- b. Mr. Arthur shall return his manual seal to the office of the Association at 870 Pembina Highway, Winnipeg, Manitoba on or before September 1, 2025;

- c. the Certification of Authorization of 6137262 Manitoba Ltd. operating as John Arthur Consulting will be cancelled as at September 1, 2025;
- d. Between the date of this Order and September 1, 2025, Mr. Arthur shall be prohibited from accepting any new work or projects involving the practice of professional engineering, as that term is defined in the Act;
- e. Mr. Arthur will make the following payments to the Association no later than September 1, 2025, to be remitted to the following complainants:
 - i. [REDACTED]: \$1,820;
 - ii. [REDACTED]: \$350;
 - iii. [REDACTED]: \$1,670;
 - iv. [REDACTED]: \$500; and
 - v. [REDACTED]; \$1,000; and
- f. Mr. Arthur will make a contribution to the Association's costs in the sum of \$10,000, payable in two \$5,000 installments made no later than October 1 and November 1, 2025, respectively.
- g. The information relating to the disposition of this matter shall be published in accordance with EGM's policy on publication and in accordance with section 50 of the Act.

DATED at the City of Winnipeg in the Province of Manitoba this 15th of August, 2025.



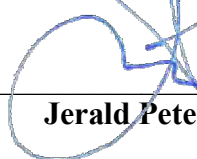
Digitally signed by Leonnie Kavanagh
Date: 2025.08.15 14:00:59 -05'00'

Leonnice Kavanagh, PhD, P.Eng, SM, FEC Chair



Digitally signed by Karen Mathers
Date: 2025.08.15 08:26:31 -05'00'

Karen Mathers, P. Geo. FGC, Member



Jerald Peters, MAA, Lay Member

SCHEDULE “A”
AMALGAMATED CHARGE ISSUED JUNE 10, 2025

ENGINEERS GEOSCIENTISTS MANITOBA

IN THE MATTER OF:

John Walter Arthur, P.Eng., a Professional
Engineer in the Province of Manitoba

AND IN THE MATTER OF:

*The Engineering and Geoscientific Professions
Act, C.C.S.M. c. E120*

CHARGE

ENGINEERS GEOSCIENTISTS MANITOBA
870 PEMBINA HIGHWAY
WINNIPEG, MANITOBA
R3M 2M7

**THE ASSOCIATION OF PROFESSIONAL ENGINEERS AND GEOSCIENTISTS
OF THE PROVINCE OF MANITOBA**

IN THE MATTER OF: John Arthur, P.Eng., a Professional Engineer registered in
the Province of Manitoba

AND IN THE MATTER OF: *THE ENGINEERING AND GEOSCIENTIFIC
PROFESSIONS ACT, C.C.S.M. c. E120*


CHARGE

TAKE NOTICE that the Investigation Committee of the Association of Professional Engineers and Geoscientists of the Province of Manitoba (“EGM”) formulates the following charge:

John Arthur, P. Eng. (“**Mr. Arthur**”) while registered as a professional engineer in the Province of Manitoba, engaged in conduct detrimental to the public interest, conduct unbecoming a professional engineer and misconduct in the practice of professional engineering, contrary to sections 46(1)(a), 46(1)(b), 46(1)(c) and 46(1)(d) of *The Engineering and Geoscientific Professions Act* and/or Canons 2 and 5 EGM’s *Code of Ethics* (effective November 2018) in that:

1. On dates between July 2021 and April 2022, Mr. Arthur (either directly and/or operating as 6137262 Manitoba Ltd. and operating as John Arthur Consulting)
 - a. misled his clients or prospective clients, [REDACTED] and [REDACTED] to Mr. Arthur’s ability to practice structural engineering by failing to properly advise or clarify that he was, at that time, restricted from practicing structural engineering (the “**Restriction**”); and
 - b. engaged in the practice of structural engineering, contrary to the Restriction, by performing site reviews and inspections, advising on structural engineering issues and making structural engineering recommendations.
2. In or about late 2021, during the course of providing professional engineering services respecting a commercial building at [REDACTED] in Winnipeg, Manitoba, Mr. Arthur failed to deliver a design and structural certification for the project, despite being paid by his client for same, and in doing so failed to conduct himself with integrity and to act in the best interests of his client.

DATED at Winnipeg, Manitoba, this 10th day of June, 2025.



Tom K. Malkiewicz, P.Eng., FEC.
Acting Chair, Investigation Committee