



File C23-07

Respondent: Registered Professional Biologist

Complaint Submitted: June 30, 2023

Date of Decision: June 18, 2024

Complaint Summary:

The College received a complaint about the quality of an environmental report completed by a registrant (the respondent).

The complainant alleged that the respondent breached the Code of Ethics and Professional Conduct, specifically:

- Principle no. 1: Provide objective, science-based, unfettered, forthright and intellectually honest opinion, advice, and reports in applied biology.
- Principle no. 3: Ensure they meet a professional standard of care by practicing applied biology with attention, caution, prudence, and due diligence.
- Principle no. 5: Hold paramount the safety, health, and welfare of the public, including the protection of the environment and the promotion of health and safety in the workplace.

Decision:

The Investigation Committee reviewed the submissions from the complainant and the respondent and decided to dismiss the complaint as not within the College's jurisdiction, for the following reasons:

- The legal doctrine of *functus officio* applies to this decision.
- The subject matter of the complaint was previously considered in C22-05, and a final decision to dismiss that complaint was issued on November 18, 2022.
- The Professional Governance Act does not authorize the College to reconsider its decisions.
- The additional information that was provided was not material or could have been submitted as part of the initial complaint.

This file is now closed.