

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

- and -

**IN THE MATTER OF VIVIAN PARK, P.Geo.
Engineers and Geoscientists BC File No. T18-013
CONSENT ORDER**

Background

1. On September 11, 2019, the Association of Professional Engineers and Geoscientists of the Province of British Columbia (the "Association"), doing business as Engineers and Geoscientists BC, issued a Notice of Inquiry dated August 10, 2019 (the "Notice of Inquiry") to Vivian Park, P.Geo. ("Park") pursuant to s.32 of the *Engineers and Geoscientists Act*, R.S.B.C. 1996, c. 116 (the "Act").
2. The Association and Park wish to resolve the matter by consent pursuant to section 32.1 of the Act in order to avoid the need for a disciplinary inquiry.

Admissions

Park admits the allegations set out in the Notice of Inquiry:

3. That you have demonstrated unprofessional conduct, incompetence or negligence in your preparation and authorship of the Technical Report titled Technical Report for the Kena Project, Nelson, BC dated January 16, 2017 (the "Kena Report") for Prize Mining Corp. ("Prize"). Particulars of this allegation include that in the Kena Report you:
 - (a) took responsibility for the resource estimation work in section 14 of the Kena Report in circumstances where you were not a Qualified Person, as defined in *National Instrument 43-101 Standards of Disclosure for Mineral Projects* ("NI43-101") in relation to resource estimation. In particular, you did not have the required experience relevant to the subject matter of resource estimation to take responsibility as a Qualified Person for resource estimation in the Kena Report;
 - (b) misrepresented the resource estimation work in section 14 of the Kena Report as current when that information was in fact taken from an earlier Technical Report for the Kena Property, Nelson, BC dated May 15, 2013 prepared for Altair Gold Inc. (the "Altair Report"). This misrepresentation violates NI43-101 and *Form 43-101F1 Technical Report* (the "Form"),

which require that all information in a technical report be relevant and current;

- (c) misrepresented the Kena Report as having complied with 2014 Canadian Institute of Mining, Metallurgy and Petroleum (“CIM”) Definition Standards, including at pages 2, 23, 69 and 78 of the Kena Report, when the resource estimation in the Kena Report did not comply with those standards. These misrepresentations violated NI43-101 and the CIM Estimation of Mineral Resources and Mineral Reserves Best Practice Guidelines (the “CIM Guidelines”) and resulted in the Kena Report overestimating the mineral resource in both confidence and magnitude, which was misleading of the public;
- (d) relied on expert reports referenced in the Kena Report when you had not read those reports, and when you had not verified the experts’ qualifications, including expert reports regarding metallurgical test work referred to at pages 5 and 67 of the Kena Report; and
- (e) prepared the Kena Report in a manner that violated NI43-101 including by:
 - a. relying on experts who are not qualified persons without including a limited disclaimer of responsibility identifying the source of the information relied upon, including the date, title, and author of any report, the extent of reliance, and the portions of the technical report to which the disclaimer applies, as required by Item 3 of the Form, including with regard to metallurgical test work referred to at pages 5 and 67 of the Kena Report;
 - b. referencing and relying on the Altair Report to support the mineral resource estimate in the Kena Report. This is not permitted by the Form as the Altair Report was issued by a company other than Prize;
 - c. failing to adequately discuss the nature, extent and result of sample, quality control and quality assurance procedures as required by the Form, and instead giving a bald assurance at page 60 of the Kena Report that the “sample collection procedures employed at the Kena Project meet or exceed industry best practice guidelines”, when you did not know if this was true; and
 - d. failing to adequately disclose data verification as required by the Form, and instead giving a bald assurance at page

64 of the Kena Report that “past operators of Kena have applied industry-standard practices.”

4. That you have demonstrated unprofessional conduct, incompetence or negligence in your preparation and authorship of the Technical Report titled, Technical Report for the Perlat Property, Merditë District, Republic of Albania, dated August 5, 2014 (the “Perlat Report”) for Arian Resources Corp. Particulars of this allegation include that in the Perlat Report you:
 - A. failed to adequately describe drilling as required by the Form, including by failing to adequately disclose:
 - a. a summary and interpretation of all relevant drilling results;
 - b. the relationship between the sample length and the true thickness of the mineralization, and the results of any significantly higher grade intervals within a lower grade intersection; and
 - B. failed to adequately discuss sample preparation, analyses and security as required by the Form, including by:
 - a. failing to adequately disclose sample preparation methods and quality control measures employed before dispatch of samples to an analytical or testing laboratory, the method or process of sample splitting and reduction, and the security measures taken to ensure the validity and integrity of samples taken with respect to the sampling undertaken by the Albanian Geological Service (“Rubik”);
 - b. failing to adequately disclose relevant information regarding sample preparation, assaying and analytical procedures used, the name and location of the analytical or testing laboratories, the relationship of the laboratory to the issuer, and whether the laboratories are certified by any standards association and, if so, the particulars of any certification with respect to the sampling undertaken by Rubik;
 - c. failing to adequately disclose a summary of the nature, extent, and results of quality control procedures employed and quality assurance actions taken to provide adequate confidence in the data collection and processing with respect to data collected by Rubik;

- d. representing that the sampling protocols, analytical and quality assurance procedures, and security measures used by Rubik and Balkan Resources Inc. (“Balkan”) met industry best practice guidelines without sufficient disclosure to support such a statement;
 - e. representing that the sampling protocols, analytical and quality assurance procedures, and security measures used by Rubik and Balkan met industry best practice guidelines when you knew that was not true, and in circumstances where the Perlat Report discloses that Balkan failed to implement a field duplicate or check assay program; and
 - C. failed to follow the CIM Guidelines in relation to data verification and failed to disclose adequate data verification, as required by the Form, to support the mineral resources disclosed in the Perlat Report, in circumstances where the Perlat Report identifies serious deficiencies in data verification including that:
 - a. no collar markers identifying Rubik’s drilling were preserved;
 - b. Balkan’s drilling did not include any downhole surveys;
 - c. there were inconsistencies in Balkan’s drill core logging; and
 - d. Balkan’s attempt to replicate the results of Rubik’s drilling were ambiguous.
- 5. As a result of a review by the British Columbia Securities Commission of the Perlat Report citing many of the problems identified above in paragraph 2, you authored an amended Technical Report titled, Technical Report for the Perlat Property, Merditë District, Republic of Albania, dated October 14, 2016 (the “Amended Perlat Report”) for Arian Resources Corp. You demonstrated unprofessional conduct, incompetence or negligence in your preparation of the Amended Perlat Report. Particulars of this allegation include that in the Amended Perlat Report you:
 - A. failed to adequately disclose relevant information regarding sample preparation, assaying and analytical procedures used, the relationship of the laboratory to the issuer, and whether the laboratories are certified by any standards association and if so, the particulars of any certification with respect to the sampling undertaken by Rubik, as required by the Form;

- B. failed to adequately disclose a summary of the nature, extent, and results of quality control procedures employed and quality assurance actions taken to provide adequate confidence in the data collection and processing with respect to data collected by Rubik to support the inclusion of this data in a mineral resource database, as required by the Form; and
 - C. improperly relied on data collected by Rubik to support the disclosure of a mineral resource estimate under NI43-101 where that data was not reliable and could not justify that disclosure, including because no collar markers identifying Rubik's drilling were preserved, Balkan's attempt to replicate the results of Rubik's drilling were ambiguous, and because there were insufficient downhole surveys.
6. The conduct set out above at paragraphs 3-5 is contrary to Principle 1 of the Association's Code of Ethics, which requires a member hold paramount the safety, health and welfare of the public.
 7. The conduct set out above at paragraphs 3-5 is contrary to Principle 2 of the Association's Code of Ethics, which requires a member undertake and accept responsibility for professional assignments only when qualified by training or experience.
 8. The conduct set out above at paragraphs 3-5 is contrary to Principle 3 of the Association's Code of Ethics, which requires a member provide an opinion on a professional subject only when it is founded upon adequate knowledge and honest conviction.
 9. The conduct set out above at paragraphs 3-5 is contrary to Principle 6 of the Association's Code of Ethics, which requires a member keep themselves informed in order to maintain their competence.

Disposition

The following conditions are imposed on Park's membership:

10. Park's membership in the Association is suspended for a period of three months commencing from the date of this Consent Order (the "Suspension").
11. Park will not act as a Qualified Person, as that term is defined and used in National Instrument 43-101 ("Qualified Person"), for a period of at least one year from the end of the Suspension (the "Condition Period") in relation to the authoring of a Technical Report under National Instrument 43-101 (a "NI43-101 Report").

- a. During the Condition Period, Park is permitted to partner with a professional geoscientist with expertise in mineral resource or mineral reserve estimations (the "Supervising Qualified Person") for the purpose of authoring a NI43-101 Report, provided that:
 - i. the Supervising Qualified Person is approved in writing and in advance by the Registrar of the Association;
 - ii. the Supervising Qualified Person directly supervises any work related to authoring a NI43-101 Report that Park undertakes during the Condition Period;
 - iii. the Supervising Qualified Person takes responsibility for the mineral resource or mineral resource estimations in the NI43-101 Report;
 - iv. the costs of the Supervising Qualified Person to provide the reports referenced below shall be borne by Park.
 - v. at the conclusion of the Condition Period the Supervising Qualified Person shall report in writing to the Registrar of the Association to provide an opinion on whether Park requires continuing direct supervision when acting as the Qualified Person for the purpose of authoring a NI43-101 Report. If the opinion of the Supervising Qualified Person is that Park requires further direct supervision, the Condition Period shall continue for a period of an additional six months; and
12. Park must complete, within the Condition Period, and to the satisfaction of the Association's Discipline Committee, the course titled *Mineral Project Reporting under NI43-101* offered by Edumine, and successfully complete the examination for the course, and provide written proof to the Association of having done so.
13. Park shall pay \$7,500 toward the Association's legal costs within one year of the date of this Consent Order, to be paid to the Association in two equal installments every six months after the date of this Consent Order.
14. In the event that Park fails to comply with any of the terms of this Consent Order, her membership in the Association will be suspended until every default has been remedied in accordance with the terms of this Consent Order.

Consequences of the Consent Order

- 15. The full text or a summary of this Consent Order will be published by the Association in print and electronic publications including on the Association’s website.
- 16. This Consent Order has the same force and effect as an Order made under section 33(2) of the Act and may be dealt with under section 34 of the Act if conditions in the Consent Order are not met.
- 17. Park agrees that the Association has advised her that she should received independent legal advice regarding this Consent Order and that the Association has given her the time necessary to get said independent legal advice.
- 18. The Association and Park agree that this Consent Order may be executed in counterparts and delivered as an electronic document.

This Consent Order is approved and accepted by Park and the members of the Discipline Committee Review Panel this 16 day of October, 2019.

Abdelhak Nouasri

Witness Name

<original signed by>

Witness Signature

<original signed by>

Vivian Park, P.Geo.

<original signed by>

Neil Cumming, P.Eng.
Member, Discipline Committee

<original signed by>

Thomas Morrison, P.Eng.
Member, Discipline Committee

<original signed by>

Jurgen Franke, P.Eng.
Member, Discipline Committee