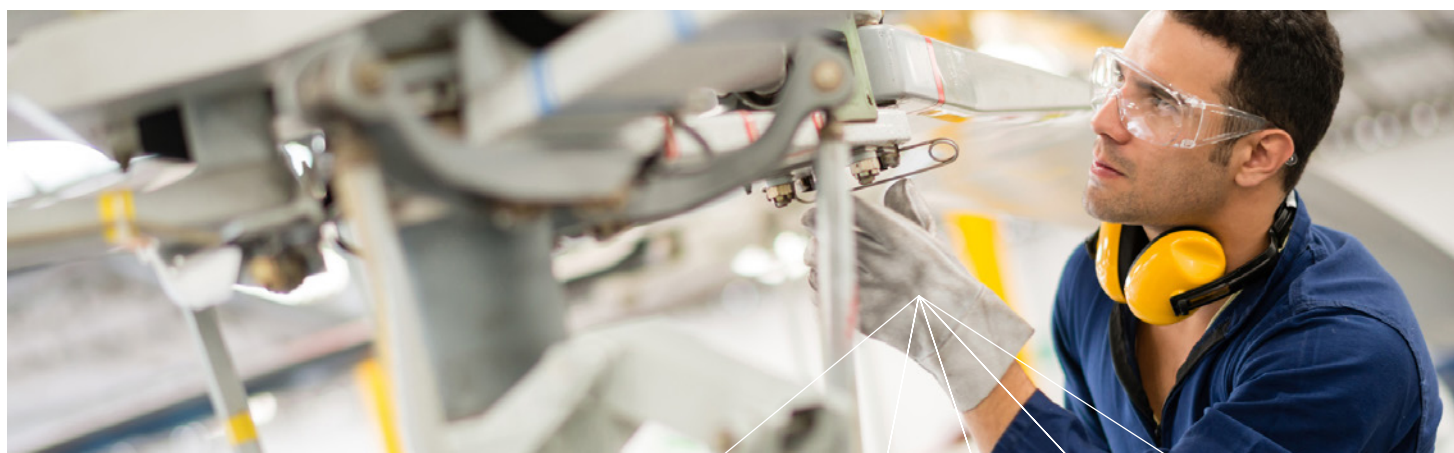


# November e-news

Issue 51 2018

A word from the Registrar  
Engineering technologist prosecuted  
for practising while unregistered  
Engineers specified in chain of  
responsibility legislation  
Engineering a Better Future  
Welcome to our newest RPEQs



BOARD OF  
**PROFESSIONAL  
ENGINEERS**  
OF QUEENSLAND

## A WORD FROM THE REGISTRAR

# 2019 will mark 90 years since the introduction of the original Professional Engineers Act.

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Queensland's PE Act has been revised several times since its inception to ensure its ongoing relevance. Next year a comprehensive review of the PE Act will take place. A potential major change to the PE Act will see the introduction of registration for graduate or early career engineers. Graduate registration is still only a suggestion, but the Department of Housing and Public Works will soon begin consulting with professional engineering bodies, universities and engineering student societies.

**Registration distinguishes professional engineers and helps safeguard the public by ensuring critical infrastructure is provided by qualified and competent persons.**

Adding a graduate engineer registration category will create a continuous pathway from graduation to full registration for engineers.

BPEQ has taken steps to assist RPEQs with continuing professional development (CPD) through the creation of two bursaries. Access to CPD in regional and rural centres has been identified as a problem for many RPEQs. In 2019 BPEQ will undertake a series of CPD pilot courses in select regional and rural towns. Prior to the pilot courses, BPEQ will be asking for input from RPEQs on the CPD topics they want.

BPEQ staff will visit Cairns and Normanton for the final registration roadshow for 2018. Local engineers can contact BPEQ to arrange a seminar on the PE Act and RPEQ system for their workplaces. The seminars are provided by BPEQ free of charge and count as CPD.

In the final e-news issue for 2018 you can read about a case note on a recent prosecution of an unregistered person as well as an article on the implications of chain of responsibility legislation for engineers.

As always, please contact BPEQ at [admin@bpeq.qld.gov.au](mailto:admin@bpeq.qld.gov.au) or call 07 3210 3100 if we can assist you.

Finally, the BPEQ office will be closed from 24 December 2018 until 3 January 2019. On behalf of Board members and BPEQ staff Merry Christmas and a Happy New Year.

**KAINE BARTON**  
A/Registrar



## ENGINEERING TECHNOLOGIST PROSECUTED FOR PRACTISING WHILE UNREGISTERED

An unregistered person was convicted and sentenced this month for two offences against section 115(1) of the PE Act; carrying out professional engineering services when not a RPEQ or directly supervised by a RPEQ.

The offender was not, nor has ever been a RPEQ.

### THE OFFENCES AND HOW THEY CAME TO BPEQ'S ATTENTION

The offender carried out the professional engineering services for a business. Those services were:

1. The preparation of a wind load report in respect of roller shutter doors to be installed in an aged care facility in north Queensland. The report contained the defendant's opinions regarding the applicable wind loads and structural analyses of components to be used in construction of those doors, and provision of that report to the client.
2. The preparation and provision of a signed Form 15 Compliance Certificate for building design or specification certifying the design of the roller shutter doors for the premises to satisfy the requirements of section 10 of the *Building Act 1975*.

The offences were brought to BPEQ's attention after the building company who received the Form 15, checked the offender's registration status with BPEQ. On discovering that the offender was not registered the building company brought this matter to BPEQ's attention.

### RELEVANT CONSIDERATIONS IN SETTING THE SENTENCE

BPEQ submitted to the Magistrates Court that the Parliament recognises the high-level risks associated with professional engineering services and has deliberately imposed a substantive maximum penalty of 1,000 penalty units (representing \$117,800 at the time of these offences) for practising unregistered.

The intent behind the penalty is to deter unregistered persons from carrying out professional engineering services to safeguard the public.

**BPEQ accepted at sentence that there has been no failure or safety concerns associated with the professional engineering services carried out by the offender. However, strict compliance with the registration requirement in the PE Act, along with high penalties for breaching them, form part of the PE Act's purpose in protecting public safety.**

BPEQ submitted that there is a clear public interest in ensuring that the requirement to be registered and the standards required to become registered (namely a four-year undergraduate engineering degree or equivalent) are enforced to guard against the potential risks to public safety. BPEQ submitted that the penalty imposed would need to act as a general deterrent against people practising or purporting to practise engineering in Queensland when they are not registered (particularly if those persons do not meet the education and/or competency requirements for registration required by the PE Act).

The offender cooperated with BPEQ's investigation and entered a plea of guilty to both charges.

The offender submitted that he/she was in financial difficulty due to the fact he/she is no longer operating his/her business (the offender cannot legally practise engineering in or for Queensland without supervision).

In sentencing the offender, the Magistrate had regard to the nature and seriousness of the offences, the offender's personal circumstances and the need for general deterrence. The Magistrate imposed a penalty of \$5,000 for both offences and ordered that the offender pay \$6,000 within one year (being a proportion of the costs BPEQ incurred in prosecuting this matter). The total amount to be paid by the offender is therefore \$11,000.

#### **LESSONS ARISING**

This prosecution demonstrates BPEQ's commitment to the objects of the PE Act: upholding the standard of engineering in Queensland, maintaining public confidence in the same and protecting the public by ensuring professional engineering services are provided by RPEQs in a professional and competent way.

To learn about the assessment scheme criteria, engineering technologists who wish to become RPEQs should contact the relevant assessment entity/s for the area/s of engineering in which they seek registration. A number of tertiary institutions offer post graduate courses which may enable persons with engineering technologist qualifications to achieve 'equivalence' with the education requirement for RPEQ registration namely, a four-year undergraduate engineering degree.

Visit [BPEQ's website](#) for more information about assessment schemes and areas of engineering.

# ENGINEERS SPECIFIED IN CHAIN OF RESPONSIBILITY LEGISLATION



The widespread use of combustible cladding on buildings, such as Melbourne's Lacrosse Tower, led the Queensland Government to adopt new laws.

Engineers have responsibility to manage and report non-conforming building products as part of amendments to the *Queensland Building and Construction Commission Act 1991 (QBCC Act)*. The amendment lists engineers and architects as responsible persons in the chain of responsibility for building products.

## SECTION 74AE OF THE QBCC ACT STATES:

*A person is a person in the chain of responsibility for a building product if –*

- a. *the person –*
    - i. *designs, manufactures, imports or supplies the building product; and*
    - ii. *knows, or is reasonably expected to know, the product will or is likely to be associated with a building; or*
  - b. *the person installs the product in a building in connection with relevant work;*
- or*
- c. *the person is an architect or engineer who, in designing a building, specifies that the product be associated with the building.*

## These amendments follow the commencement of the non-conforming building products – chain of responsibility laws in 2017.

These laws apply across the building and construction supply chain and require supply chain participants to provide accompanying information and instructions with a building product as it progresses in the supply chain. The legislation also imposes duties on supply chain participants to provide assistance and not specify a particular building product in the event something goes wrong or if it is recalled. Supply chain participants must also notify the QBCC if they become aware of a non-conforming building product being used, notify the QBCC of notifiable incidents (death, severe injury, or an incident that exposes a person to severe injury or illness) and not make false or misleading statements about a building product's performance.

Visit [the QBCC](#) for more information on non-conforming building products – chain of responsibility laws.

## UPCOMING CPD COURSES AND CONFERENCES

To include an upcoming CPD course in the e-news contact BPEQ's **Communications and Media Adviser**.

## ENGINEERS AUSTRALIA

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*IoT - Digital Utilities - Innovation from Seed to Solution*

Online: 4 December 2018

*Project Management Essentials*

Brisbane: 5 December 2018

*Enhancing Project Performance*

Brisbane: 7 December 2018

*AS/NZS 3000 - The Wiring Rules*

Brisbane: 11 December 2018

## IPWEAQ

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*Queensland Urban Drainage Manual Workshop*

Brisbane: 11 December 2018

*IPWEAQ SWQ Branch conference*

Gatton: 7-8 March 2019

## IStructE

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*Conceptual Design for Structural Engineers – Introductory Course*

Online: 15 January – 5 February 2019

## RICS

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*Safer Buildings for Queensland*

Online

# ENGINEERING A BETTER FUTURE



The Engineering a Better Future campaign is calling for registration for engineers.

The Association of Professional Engineers Australia (APEA) has launched a campaign called Engineering a Better Future. The engineers behind the campaign recognise that community safety and the quality of engineered products and services depends on capable and qualified professionals. Unfortunately, the importance of engineers and the work they do can often be overlooked.

Despite growing populations and significant recent infrastructure investment at federal and state government levels, there is still a lack of strategic planning of infrastructure in Australian cities and towns, according to APEA. APEA also states that the training and development of the engineering workforce of the future is inadequate and governments lack a clear plan to lift the standard of engineering.

A central policy of the Engineering a Better Future campaign is that state governments adopt registration for engineers. Queensland is the only Australian state or territory with a mandatory and comprehensive registration scheme for engineers. Elsewhere, non-engineers can pass themselves off as engineers and carry out engineering services without there being any repercussion.

Registration for engineers gives the profession status. More importantly, it prevents unqualified and inexperienced persons from carrying out professional engineering services. Therefore, the public can have confidence that engineered products and services provided by registered professional engineers are of a certain standard.

Other policy proposals detailed in the Engineering a Better Future campaign call on governments to require cadet and graduate engineer programs in all government projects worth over \$20 million; audit and develop policies to rebuild internal engineering capacity in government; develop STEM participation plans and establish agencies to drive best practice procurement and capacity building.

Visit the [Engineering a Better Future](#) campaign to find out more.

# WELCOME



## WELCOME TO OUR NEWEST RPEQS

BPEQ extends a warm welcome to the following engineers who recently became registered:

Cesar MARTINEZ	Bin JING	Changhui WU	Phei Phei TEOH
Alison LI	Jay BAGAPORO	Rowan PECK	Darren BEAVER
Maxim CHUBKOVETS	Andrew BOOKER	Yousif AL-JABARY	Kurt THOREN
Kevin REES	Mark JOHINKE	Jiyu JIANG	Jeremy THOMSON
Gonsaluwa GUNATHILAKA	Fatemeh GHIASSI	Christiaan KLEINHAUS	Daniel MESSITER
Peter DOWD	Sheng HUANG	James HAMMETT	Zoran CHAKICH
Kate OSAZE	Jason WIGG	Christopher MORRISON	Subakanth RUTHIRAN
Masoud IRANPAK	James ELLIOTT	Choo Ming ONG	Yun SHI
Peter GREEN	Adrian MURPHY	Simon REES	Erin HOGAN
Moayad KAADAN	Chetan CHOUDHARI	Huw MORGAN	Geraldine FENNELLY
Yi LIU	Maureen HASSALL	MD Shihabul ISLAM	Reza POURDARVISH
James ANDERSON	John BLYTON	David ANSTEY	Sean WU
Jim MITCHELL	Kyle EVANS	Timothy SIMMONDS	Harshal PATWARDHAN
Amr ABDALLAH	Cameron ALGIE	Jerry NGUYEN	Abhijeet PANDEY
Beatriz UEMURA FAVRIN	Harikrishnan SUBBIAN	Timothy RIJSDIJK	Elena LIKOSOVA
Boyd HILLEBRAND	Sammy CARUSO	Matthew McDONALD	Bruce WITHNALL
Craig WILLIAMS	Ahmed ELANGBAWI	Evguenia PAVLINOVA	Imran ALI
Byron CARRAGHER	Yin KUNG	Trevor LEACY	Elyse HARDING
Elliot Tarun ALInt	Julian EVANS	Minh HOANG	Jordan COCKS
James GREEN	Ghaith BAKER	Mark LOCKWOOD	Micahel ROWLANDSON
Nigel THIEL	Marcus DORE	Ayman ELTANTAWY	Muhammad WAQAS
Christopher BLANKSBY	Lyad ABDALQADER	Alvin PRASAD	Ryan SHAMIER
Timothy SCHLUTER	Amin SHARAF	Michael SUTHERLAND	Joy CHIRAYATH
Dwayne NIELSEN	Juliana RIVERA	Sam LEWIS	David PARKIN
Baladevan KULARATNAM	Mahmoud DESOUKY	Dario STELLA	Markus KERN
Richard KATHAGE	Antonios BERTES	Dane HOWARD	Christopher BROWN
Douglas WILLIAMSON	Timothy ELKINS	Hardikkumar MEHTA	Peter LOGOVIK
Elsa BARRAND-LEE	John COX	Laura DON	Michael LIMPIN
Kenneth ROSE	Peter WOODWARD	Nasir CHOWDHURY	Hari POKHAREL
Ajith HERATH	Cortney SCOTNEY	Praveen KARUNAMBARAN	Phillip LAMBLEY
Mina HEMAIA	Sean ROBINSON	Ali FOTOVAT	Graham SCHOLEY
Jason ETHERIDGE	Nicolas Ovington	Spencer ROBINSON	Kieran MacKELLAR
John HICKLING	Peter HOLLIDAY	Michael DONG	Duc NGUYEN
David RIDDERHOF	Stephen NAUGHTON	Colin SLOAN	Parsa KHERADMANDFARD
Anthony FRETWELL	Man CROWE	Sean ASKEW	Ellen DAVIDGE
Laszlo DALLOS	Brian COUNIHAN	Ravi ADDEPALLI	Matthew STREVENS
Sinan TUNCALI	Wenjun ZHANG	Matthew TANG	Sergei MASTAKOV



# WELCOME

Ramananda MISHRA

Hao SUN

Ross VERHEY

Wendy AU

Nanye XIAO

Ali JELVEHPOUR

Stephen MONK

Allan QUACH

Kokila ADMANATHAN

Rachel MANN

Sanjay GOEL

Audrey KNICKERBOCKER

Marjan SOHRABI

Hywel JONES

# THANKS

Congratulations and best wishes to the following RPEQs who have retired:

John GAN

Ivor WHITEFIELD

## CONNECT WITH BPEQ ON LINKEDIN



Don't forget BPEQ is on LinkedIn. To keep up to date with the latest news and events from BPEQ or to start a discussion on registration or engineering issues generally, click **FOLLOW**.

T 07 3210 3100 E [admin@bpeq.qld.gov.au](mailto:admin@bpeq.qld.gov.au)

Level 15, 53 Albert Street Brisbane 4000  
PO Box 15213 CITY EAST QLD 4002

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