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**Board of Professional Engineers of Queensland**

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# **Code of Practice for Registered Professional Engineers**

**Effective from 29 November 2013**

## **CODE OF PRACTICE FOR REGISTERED PROFESSIONAL ENGINEERS IN QUEENSLAND**

### **Preamble:**

Engineering is a creative process of synthesising and utilising the knowledge and experience of humanity to enhance the welfare, health, and safety of all members of the community, with due regard to the environment in which they live and the sustainability of the resources employed. Engineering professionals must combine detailed technical and professional understanding and the wise application of that understanding.

### **Objectives:**

The objectives of this Code are to:

- 1) fulfil the requirements of section 108 (1) of the *Professional Engineers Act 2002* (the Act), which states that the Board of Professional Engineers of Queensland must “make a code of practice to provide guidance to registered professional engineers as to appropriate professional conduct or practice”;
- 2) set out the minimum levels of professional conduct required to be met by registered professional engineers in Queensland so that they can carry out all their roles within a framework of integrity, care for the public, and competency; and to
- 3) assist the Queensland Civil and Administrative Tribunal in determining “whether a registered professional engineer has behaved in a way that constitutes unsatisfactory professional conduct, or practice” (section 129 of the Act).

### **Principles:**

The following principles reflect the obligations under the Act that a registered professional engineer in the practice of engineering in Queensland has to (1) society; (2) clients and/or employers; and (3) general professional obligations.

## **(1) Obligations to Society**

### **1.1. Social, environmental, economic and other possible consequences:**

A registered professional engineer must take reasonable steps to be informed, and to inform clients and employers, of the social, environmental, economic, and other possible consequences that might arise from professional engineering services.

### **1.2. Honesty, integrity, fairness, and without discrimination:**

A registered professional engineer must act with honesty, integrity, fairness, without unlawful discrimination and with due respect for the rights of others and the laws of the communities in which engineering services are supplied.

**1.3. Health, welfare, and community safety:**

A registered professional engineer must take reasonable steps to safeguard the health, welfare, and the safety of the community including:

- (a) Identifying hazards
- (b) Assessing micro and macro risks
- (c) Implementing appropriate controls to manage risk.

**1.4. Effects on the natural environment:**

A registered professional engineer must:

- (a) have regard to reasonably foreseeable effects of professional engineering services on the natural environment; and
- (b) take reasonable steps to reduce reasonably foreseeable adverse effects of professional engineering services on the natural environment.

**(2) Obligations to Clients and/or Employers**

*'Place'* means the location from which professional engineering services are provided but does not include a temporary office which is under the supervision of a permanent office providing professional engineering services.

*'Contact Details'* of a registered professional engineer, means the registered professional engineer's business address, telephone number, facsimile number or e-mail address notified to the board by the engineer and the engineer's RPEQ registration number.

**2.1. Truth and objectivity**

A registered professional engineer must act truthfully and objectively, and not knowingly mislead clients, employers or the public in the provision of information, opinions, statements and evidence, nor knowingly misrepresent a situation.

**2.2. Where professional engineering services are provided:**

If a registered professional engineer claims, or holds out, or is held out as providing professional engineering services at a Place, the registered professional engineer must ensure they are at the Place to provide the services.

If professional engineering services are performed at another office, a temporary office or interstate or overseas, or by an unsupervised person, the registered professional engineer at the Place must accept responsibility for the professional engineering services performed.

Example - If the main design role is performed at another office, including an interstate or overseas office, the registered professional engineer at the Place where the professional engineering service was offered must see the results of the professional engineering services performed, verify accuracy and accept responsibility for it.

**2.3. Providing information (including correspondence and advertising) about registered professional engineers:**

A registered professional engineer offering or taking responsibility for a professional engineering service must take reasonable steps to:

- (a) advise clients of their name and Contact Details of the Place; and
- (b) if another registered professional engineer becomes responsible for the professional engineering service advise clients of their name and Contact Details of the Place.
- (c) if third party experts are used to provide advice or assistance to inform the engineer of their role the registered professional engineer must advise the client of their names, contact details and credentials to provide advice.

**2.4. Inform client or employer of consequences of disregarded advice:**

A registered professional engineer must take reasonable steps to make clients or employers aware of professional concerns regarding particular actions or projects and of the likely consequences if professional engineering advice, decisions, or judgments are overruled or disregarded.

**2.5. Disclose actual and potential conflicts of interest:**

A registered professional engineer must disclose any actual or possible conflict of interest to a client or employer upon discovery of that actual or possible conflict of interest. Conflicts of interest will include any financial or other interest that is likely to, or may reasonably be perceived to, affect the registered professional engineer's judgment on any professional engineering services carried out for that client or employer.

Examples of possible conflict of interest situations include –

- Not informing a client or employer of any business association, interests, or circumstances that could be construed to influence judgment, or the quality of the professional engineering services, or that might raise a reasonable apprehension of such influence.
- Accepting compensation, financial or otherwise, from more than one party, for services on the same project, or services pertaining to the same project, without disclosing the compensation arrangements to affected parties.
- Soliciting or accepting substantial financial or other valuable considerations from material or equipment suppliers for specifying their products.

## **2.6. Not disclose or misuse confidential information:**

- (a) A registered professional engineer must not disclose confidential information of an employer or client without the agreement of that client or employer.
- (b) Subclause (a) does not apply if:
  - the failure to disclose information would place the health or safety of people at significant or immediate risk; or
  - the registered professional engineer is required or entitled by law to disclose that information.
- (c) A registered professional engineer who obtains another person's confidential information in connection with one purpose in the course of professional engineering services must not use that information for another purpose without the agreement of that person.

## **(3) General Professional Obligations**

### **3.1. Bring knowledge, skill, judgment, and care to the task:**

A registered professional engineer must bring to the engineering task knowledge, skill, judgment, and care that are of a standard which might reasonably be expected by the public or the registered professional engineer's professional peers.

In considering the appropriate standards, registered professional engineers should have regard to industry and performance standards. One example is the Professional Performance, Innovation and Risk (PPIR) Protocol which documents the essentials of performance for professional engineers acting in a professional capacity.

### **3.2. Not engage in professional misconduct, or fraudulent or dishonest behaviour:**

A registered professional engineer must not:

- (a) engage in professional misconduct; or
- (b) engage in fraudulent or dishonest behaviour in the practice of engineering.

### **3.3. Communicate with fairness, honesty, and adequate knowledge:**

A registered professional engineer must, both orally and in writing, express opinions, make statements, and give evidence with fairness, honesty, and only on the basis of adequate knowledge.

### **3.4. Not promise, accept, or give inducements:**

A registered professional engineer must not:

- (a) promise to give or give to any person anything intended to improperly influence that person's decisions as they relate to the registered professional engineer's services or to secure work; or

- (b) accept from any person anything intended to improperly influence the registered professional engineer's decisions.

### **3.5. Work within area of competence and not misrepresent competence:**

A registered professional engineer must:

- (a) undertake professional engineering services only within their area of competence;
- (b) not misrepresent their competence;
- (c) not knowingly permit those whose work they are responsible for to breach paragraph (a) or paragraph (b).
- (d) recognise where other professional advice is required and either seek it or recommend to an employer and/or client to seek such expert advice in appropriate areas.

Examples of competence in an area of practice include –

- formal training in that area;
- any previous experience or exposure in the type of work that has been supervised by a registered professional engineer;
- consultation with or reference to a person competent in the area to supervise the task.
- activities considered to meet competence and ongoing continuing professional development (CPD) requirements of the assessment entities.

Examples of not misrepresenting competence in an area of practice include –

- fully informing the client as to any limitations or legitimate concerns that a registered professional engineer might have with regard to their competence in relation to the client's specific project; and/or
- organising for a person competent in the area to provide supervision of or advice to the engineer in relation to the task.

### **3.6. Supervision:**

If a registered professional engineer supervises a person in the carrying out of professional engineering services within the meaning of section 115 of the Act, the registered professional engineer, in the role of the supervisor, must

- (a) be competent in and have sufficient knowledge of the professional engineering services carried out; and
- (b) sufficient control over any outputs of the professional engineering services to reasonably form the view that the standard of the professional engineering services is that to be expected of a registered professional engineer; and

- (c) take full professional responsibility for the professional engineering services provided by the supervised person.

**3.7. Continue to develop knowledge, skills, and expertise and maintain registration:**

A registered professional engineer must:

- (a) continue to develop relevant knowledge, skills, competence and expertise throughout their career, especially in their area(s) of expertise
- (b) actively assist and encourage those with whom they are associated to do likewise.
- (c) ensure that they have documented their CPD activities which can be used to verify that they meet certain minimum criteria in respect of CPD of the relevant assessment entity or of the Board
- (d) continue to maintain registration and encourage those with whom they are associated to do likewise.

**3.8. Comply with the Code and support those who seek to uphold the Code:**

A registered professional engineer must:

- (a) not assist in or induce failure to comply with this Code of Practice;
- (b) support those who seek to uphold the Code if called upon, or in a position, to do so.