

Board of Professional Engineers of Queensland v O

This was a disciplinary proceeding brought by the Board of Professional Engineers of Queensland (**BPEQ**) against a registered professional engineer (**RPEQ**) (deidentified as 'O') in the Queensland Civil and Administrative Tribunal (**QCAT**).

O's background

O was a RPEQ of longstanding, registered in the area of Civil engineering.

Disciplinary ground

BPEQ began disciplinary proceedings in QCAT after investigating a complaint about O's conduct received from another statutory authority.

The complaint related to O's conduct in preparing designs, certifying and issuing an inspection certificate for a slab and footing system for the construction of a multi-residential town house complex.

BPEQ engaged an investigator (being an experienced RPEQ) who provided an expert opinion in relation to the matter. On the basis of that opinion the RPEQ, BPEQ and QCAT accepted that a competent engineer exercising proper skill, knowledge and judgment:

- a) Would not have prepared the slab and footing system design or issued the plans because the system provided no specification to limit soil structure interaction, sufficient or appropriate assessment or verification had not been undertaken to determine whether soil scarification was an adequate or appropriate course and did not provide adequate specification as to how this soil scarification should be carried out by the building contractor;
- b) because of the defects specified in the proceeding subparagraph would not have issued the form 15; and
- c) would not have issued the form 16.

What QCAT found

QCAT found that the O's conduct was of a lesser standard than might reasonably be expected by the public or professional peers; and demonstrated incompetence or lack of adequate knowledge, skill, judgement or care.

QCAT made the following orders:

- Reprimanded the RPEQ

- Imposed a pecuniary penalty of \$9,000
- RPEQ to pay the costs of the investigation of \$11,454.30
- RPEQ to pay the costs of the proceedings of \$30,045.70
- If any amount payable is not paid by the due date, the RPEQ's registration will be suspended until the amount is paid

These orders have been published under the RPEQ's disciplinary record on BPEQ's register, which can be viewed by the public.