

Title: **Professional Engineering Services and Prescriptive Standards**

Policy ID: **4.3 (1A)**
(Practice Note series)

Status: **Approved**

Version: **10/05/2011**

Review date: **10/05/2011**

1. Rationale

A number of engineers have made enquiries of the board regarding the meaning of the terms 'professional engineering service' and 'prescriptive standard, which appear in the 'Professional Engineers act 2002' ('the Act').

The purpose of this document is to provide an explanation of the meaning of these terms.

2. Introduction

It is an offence under the Act for persons other than registered professional engineers to provide professional engineering services (s115). This means that if you are providing any professional engineering services, you must be registered as a registered professional engineer.

3. Requirements of the Act

The dictionary in the Schedule to the Act provides that:

Professional engineering service means an engineering service that requires, or is based on, the application of engineering principles and data to a design, or to a construction or production activity, relating to engineering, and does not include an engineering service that is provided only in accordance with a prescriptive standard.

The dictionary in the Schedule to the Act provides that:

Prescriptive standard means a document that states procedures or criteria:

- (a) for carrying out a design, or a construction or production activity, relating to engineering; and
- (b) the application of which, to the carrying out of the design, or the construction or production activity, does not require advanced scientifically based calculations.

Examples:

- AS1684 – Timber framing code, published by Standards Australia
- AS/NZA 3000:2007 – Electrical installations (known as the Australian/New Zealand Wiring Rules) published by Standards Australia.

These definitions make clear that a service will not be a 'professional engineering service' if it 'is provided only in accordance with a prescriptive standard.'

4. Practice

The Board takes the view that a person who merely undertakes tasks set out in, or required by, a document which meets the definition of 'prescriptive standard', is providing services 'only in accordance with' a prescriptive standard. That person is therefore not providing 'professional engineering services' and does not need to be registered. A document can meet the definition of 'prescriptive standard' irrespective of whether it is published by a body such as Standards Australia, or is produced by an individual RPEQ engineer for application in particular circumstances.

On the other hand, where a person provides services which include, for example, a professional decision to use a particular document which states procedures or criteria, that service is unlikely to be 'provided only in accordance with 'a prescriptive standard'. That is because the decision to use the document is unlikely to be a decision taken in accordance with the document itself. A service which includes a professional judgment about which standards or criteria should be applied to a particular situation is therefore likely to be a 'professional engineering service.'

5. References

Related legislation:

The Professional Engineers Act 2002