

## **Board of Professional Engineers of Queensland v H**

This case was a prosecution brought by the Board of Professional Engineers of Queensland (“**Board**”) against **H** (deidentified) in the Magistrates Court of Queensland (“**Court**”).

### **Charges**

The charge against H alleged that H carried out professional engineering services when not a registered professional engineer, in contravention of section 115(1) of the *Professional Engineers Act 2002* (Qld).

### **H’s Background**

H had been registered as a professional engineer under the *Professional Engineers Act 2002 (Qld)* since 2000. However H’s registration as a professional engineer had expired.

H did not make an application to renew the registration with the Board, and as such H was not registered as a professional engineer at the time H undertook the work about which the complaint was made.

### **Conduct of H**

H carried out professional engineering services in relation to a project at a sports centre.

H was engaged as the lead mechanical engineer and team leader on the project. As part of those duties, H issued a Form 15 Compliance Certificate for building Design or Specification in relation to the air conditioning systems and the ventilation systems for the project.

During the time H was carrying out professional engineering services H was not registered as a registered professional engineer.

H stated that H did not receive any of the correspondence sent by the Board regarding registration. When it was brought to H’s attention that H’s registration as a registered professional engineer had expired, H immediately contacted the relevant Council to make arrangements to withdraw the Form 15 H had issued.

H pleaded guilty to the charge of carrying out professional engineering services while not registered as a professional engineer, and expressed regret that H had not been aware that H’s registration was not current.

### **What the Court Said**

The Court accepted H’s admission of guilt, and was satisfied that H had carried out professional engineering services when not registered as a registered professional engineer.

In determining the appropriate penalty the Court took into account a number of factors, including that H fully cooperated with investigation, made full admissions and demonstrated immediate action upon learning H’s was not in fact registered with the Board.

### **Consequences for H**

Taking the circumstances of the conduct into consideration, the Court found H guilty of the offence and ordered that H pay a monetary penalty and the Board’s costs.