

Board of Professional Engineers of Queensland v V

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

Charges

The charge against V was that V used the title “RPEQ” despite not being registered as a registered professional engineer (“**RPEQ**”) at the time.

V’s Background

V had been registered as a registered professional engineer for a significant time but V’s application for the renewal of V’s registration was refused by the Board in 2011, and so subsequently expired.

Therefore V was not registered as a registered professional engineer at the time V undertook the work in respect of which the complaint was made.

Conduct of V

V was engaged to inspect a patio structure at a property in Bellbowrie, Queensland, and attended the property to perform the inspection.

V subsequently prepared a report which contained the findings of his inspection of the patio structure at the property. V signed the report using the title “RPEQ” and quoting V’s former RPEQ number. V was not a registered professional engineer at the time that V prepared and signed the report.

V sent an email to the Court registry the evening before the hearing admitting that V had used the title “RPEQ” when not registered as a registered professional engineer, but maintained that a technical error had resulted in the title being used in the report.

What the Court Said

The Court accepted V’s admission of guilt, and was satisfied that V had used the title of RPEQ when not registered as a registered professional engineer.

In determining the appropriate penalty, the Court took into account a number of factors, including:

1. that V was previously involved in disciplinary proceedings under the Act, and was penalised three times for unsatisfactory professional conduct;
2. the need to protect the public by ensuring engineering services are provided by registered professional engineers in a competent way, and to maintain public confidence in the integrity of the registration system; and
3. the impact any penalty would have on V’s economic and social wellbeing, given that V is over 60 years old, bankrupt and an unregistered engineer.

Consequences for V

Taking the above factors into consideration, the Court found V guilty of the offence, ordered that V pay a monetary penalty and the Board’s costs penalty of \$5,000.00 to the Board, but did not record a conviction.