

# MAY e-NEWS

Issue 56 2019

A word from the Registrar

Understand BPEQ's complaint and investigations process

Safer Buildings for Queensland

Welcome to newest RPEQs



BOARD OF  
**PROFESSIONAL  
ENGINEERS**  
OF QUEENSLAND

# A word from the Registrar

---

Last month, BPEQ hosted the first of its three planned regional CPD courses, which was held in Mount Isa. Covering the topic of project management, the feedback BPEQ received was overwhelmingly positive. With all participants who provided feedback finding the course very useful. Planning is now underway for risk management courses in Cairns and Rockhampton. If you're a RPEQ who is interested in attending one of these courses please contact BPEQ's [Communications and Engagement Manager](#) for more information.

BPEQ is currently redeveloping its website. The key objectives of this redevelopment are to make the website more user friendly, update its functionality, and to provide end users with a more effective resource on the role of BPEQ.

**“BPEQ is currently redeveloping its website to make it more user friendly.”**

BPEQ recently welcomed a new Principal Legal Officer into the Legal, Compliance and Investigations Unit. Rodney Hepburn has joined the BPEQ team and brings with him an excellent understanding of working within a statutory and regulatory environment.

At the end of June, BPEQ will farewell two current Board

Members as they finish their current terms. Current Elected Representative Mr Peter Evans and Community Representative Ms Sarah Hansen will be leaving the Board to pursue other career opportunities. BPEQ would like to send its sincerest thanks to both Peter and Sarah for their service over the duration of their terms serving on the Board.

The process of appointing new members to the Board, including the academic representative, community representative, elected representative, Engineers Australia representative and building and construction representative is underway, and I hope to be able to bring further news to you on these appointments soon.

As we wrap up the 2019/20 renewals period, BPEQ will review key learnings to identify any potential areas of improvement for the future. RPEQs are reminded that if you fail to renew your registration during the renewal period, you will be required to apply for restoration of your registration. [BPEQs Registration and Corporate Services Unit](#) should be contacted for more details on how to apply for restoration.

If we can provide further information or assistance, please contact BPEQ at [admin@bpeq.qld.gov.au](mailto:admin@bpeq.qld.gov.au) or call 07 3210 3100.

**KAINE BARTON**

A/g Registrar

# UNDERSTANDING BPEQ'S COMPLAINT AND INVESTIGATION PROCESS

One of BPEQ's key functions is to conduct or authorise investigations about the professional conduct of RPEQs and contraventions of the *Professional Engineers Act 2002* (PE Act). BPEQ's disciplinary and compliance investigation processes help protect the public, maintain public confidence in RPEQs, and maintain the standard of practice of RPEQs.

The article will focus on investigations about the professional conduct of RPEQs.

## PROFESSIONAL CONDUCT

### Complaints

The most common way that concerns about the conduct of RPEQs come to BPEQ's attention is through a formal complaint (Figure 1). Any person who is aggrieved by that conduct can make a complaint to BPEQ about the conduct of a RPEQ in carrying out professional engineering services. Once BPEQ has received a complaint it will be assessed and clarified and a submission may be sought from the RPEQ in question. BPEQ will then decide:

1. whether the complaint is a proper complaint; and
2. if so, whether an investigation is warranted.

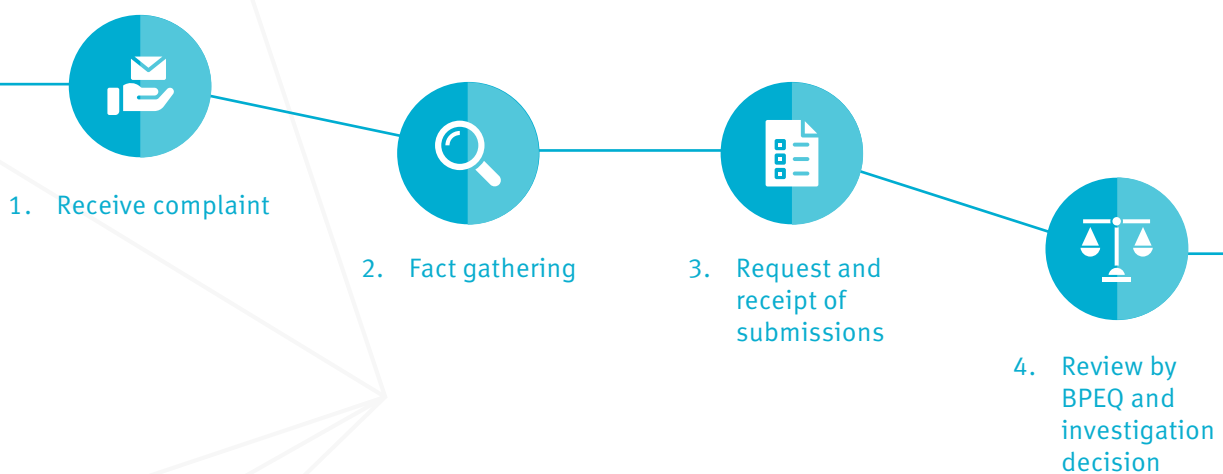


Figure 1. Complaints Process

### Own-motion investigations

BPEQ can also conduct ‘own-motion’ investigations of the conduct of RPEQs, which is an investigation that is triggered other than by a formal complaint. BPEQ regularly receives information about the conduct of RPEQs from members of the public, government, and industry and conducts or authorises investigations based on such information.

Once BPEQ receives information about the conduct of a RPEQ that raises concern about the standard of conduct of the RPEQ, it will assess and clarify that information and may seek a submission from the RPEQ. BPEQ will then decide:

1. whether the information gives rise to a reasonable belief that an aspect of the conduct of the RPEQ may provide a ground for disciplining the RPEQ; and
2. if so, whether an investigation is warranted.

### Investigation process

Once BPEQ has decided to conduct or authorise an investigation of the conduct of a RPEQ, the RPEQ and, if the investigation was because of a complaint, the complainant will be notified of the decision (Figure 2). The RPEQ will be given the opportunity to make a submission to BPEQ or the investigator/s about the complaint and then BPEQ or its investigator/s will commence the investigation. BPEQ and its investigator/s have the power to compel the production of information from any person and to require any person to attend to answer questions and/or produce particular documents. Failure to comply with any such requirement is a criminal offence.

BPEQ always progresses its investigations as quickly as possible having regard to the nature of the matter under investigation. Please note to ensure that an appropriately detailed and comprehensive investigation takes place, some matters may take a great deal of time and involve repeated requests for documents and multiple interviews of witnesses. Once an investigation has been completed, an investigation report is prepared and BPEQ is asked to consider its post-investigation decision.



Figure 2. Investigation Process

## Post-investigation decisions

After an investigation is completed and BPEQ has considered the formal investigation report, BPEQ must make one or more of the following post-investigation decisions concerning the RPEQ the subject of the investigation:

1. start a disciplinary proceeding against the RPEQ;
2. enter into an undertaking, agreed with the RPEQ, about an aspect of the RPEQ carrying out professional engineering services;
3. caution or reprimand the RPEQ;
4. impose a condition, agreed with the RPEQ, on the RPEQ's registration;
5. take no further action about the matter the subject of the investigation.

Which option/s is chosen is highly dependent on the findings of BPEQ's investigation.

## Administrative actions

The administrative decision options—undertaking, caution/reprimand, registration condition, and no further action—are actioned by BPEQ itself. The particulars of all cautions, reprimands, and registration conditions are recorded on BPEQ's register of RPEQs and decisions to caution or reprimand, and the reasons therefore, may be notified by BPEQ on its website.

BPEQ decisions to caution or reprimand are reviewable in the administrative review jurisdiction of the Queensland Civil and Administrative Tribunal (QCAT). Undertakings are confidential between BPEQ and the RPEQ. BPEQ does not have the power to impose financial penalties on RPEQs, cancel, or suspend RPEQs' registration for the existence of a disciplinary ground. That power rest solely with QCAT.

## Disciplinary proceedings

Disciplinary proceedings against RPEQs are taken in QCAT. QCAT then has the role of deciding whether BPEQ's application is made out and a ground for disciplining the RPEQ in question is established. If QCAT decides a ground to discipline the RPEQ exists it may reprimand the RPEQ, impose a monetary penalty, or suspend or cancel the RPEQ's registration. QCAT may also order the RPEQ to pay some or all of BPEQ's costs of the investigation, preparing for the disciplinary proceeding, and the proceeding itself.

QCAT decisions are, unless a non-publication record is made, a matter of public record and are published on QCAT's website, the Supreme Court Library of Queensland website, and the Australasian Legal Information Institute website. BPEQ's current policy is to publish information about disciplinary proceedings with the RPEQ deidentified, because the main purpose of publishing the decisions is as a learning tool for other RPEQs.

## Information Privacy

Information obtained by BPEQ in performance of its investigative function is subject to privacy obligations and will only be disclosed in accordance with information privacy legislation.

## Conclusion

For further information about BPEQ policies and processes or to discuss making a complaint, contact BPEQ Legal, Compliance and Investigations Unit on 07 3210 3102 or at [legal@bpeq.qld.gov.au](mailto:legal@bpeq.qld.gov.au).

# UPCOMING CPD COURSES AND CONFERENCES

## APC SUMMIT

2019 Asia Pacific Cities Summit and Mayors' Forum  
Brisbane: 7-10 July 2019

## ENGINEERS AUSTRALIA

Safety in Design  
Online: (start anytime)

Infrastructure Thought Leaders Series: Sustainable  
Surface Water Management  
Brisbane: 5 June 2019

## IPWEAQ

Northern Roads Symposium  
Cairns: 11 - 13 June 2019

## ENGINEERING CAREER

44th WIOA Queensland Water Industry Operations  
Conference and Exhibition  
Bundaberg: 5 - 6 June 2019

# RPEQ RENEWALS 2019/20

## KEY DATES

RPEQ registration expires **30 June 2019**

The renewal period is **1 April - 31 May 2019**

Your renewal must be completed and submitted, and payment made by **31 May 2019**

Your RPEQ registration will be active for **12 months from 1 July 2019 - 30 June 2020**

## FEES

RPEQ Practising - **\$227.65**

Non-Practising Professional Engineer - **\$113.80**

# SAFER BUILDINGS FOR QUEENSLAND

The Queensland Government's Safer Buildings program aims to identify buildings that may contain potentially combustible cladding.

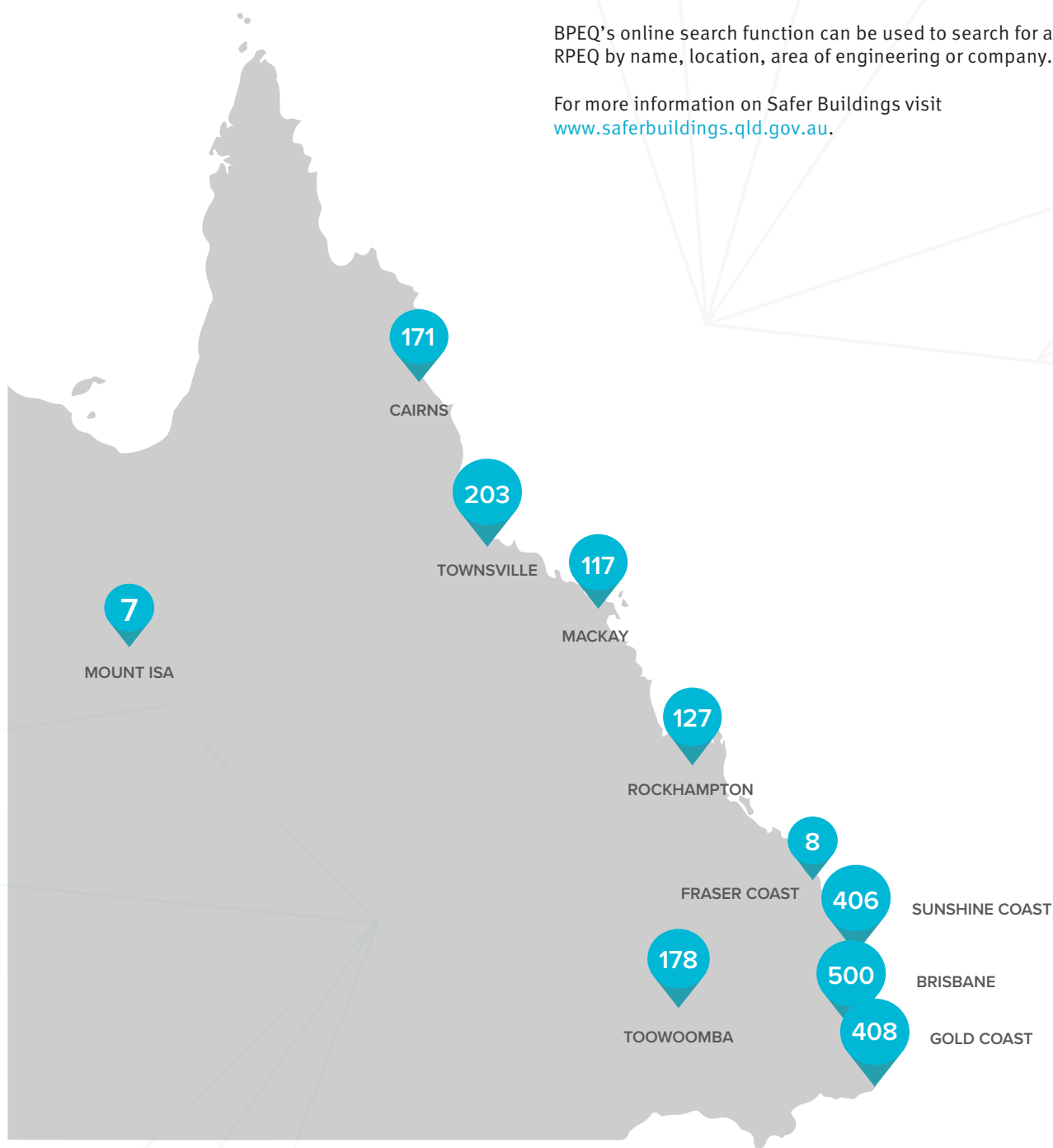
Owners of buildings that may contain potentially combustible cladding, will need to engage a building industry professional to complete a building industry professional statement by **31 July 2019**.

**Registered Professional Engineers of Queensland (RPEQs) registered in Civil, Fire, Fire Safety or Structural engineering can complete the building industry professional statement.**

Currently there are 2,125 Civil, Fire, Fire Safety or Structural RPEQs based around Queensland.

BPEQ's online search function can be used to search for a RPEQ by name, location, area of engineering or company.

For more information on Safer Buildings visit [www.saferbuildings.qld.gov.au](http://www.saferbuildings.qld.gov.au).



# WELCOME

## WELCOME TO OUR NEWEST RPEQS

BPEQ extends a warm welcome to the following engineers who recently became registered:

22248	Sharief	ABDELFATTAH	Structural, Civil
22278	Richard	BACK	Civil
22238	Amir	BAHRAMI	Structural
22245	Nicole	BICHEL	Civil
22272	Kristopher	BOVENIS	Electrical
22229	Jeremy	BROWNBILL	Civil
22246	Jonathan	BUNKER	Civil
22237	Keith	CARDEW	Management, Mechanical
22236	Brodie	CHAN	Civil
22260	Chi Yu	CHAN	Civil, Structural, Management
22269	Ping	CHEUNG	Civil, Structural
22247	Thomas	DAVIDSON	Mechanical, Management
22252	Tom	DOHRMANN	Mechanical
22226	Ahmad	ELGANZOURY	Mechanical
22242	Ayman	FARRAG	Mechanical
22232	Zhengding	FEI	Mechanical
22258	Craig	FINDLAY	Mechanical, Management
22224	Craig	FLAVEL	Enviromental
22280	Wencheng	FU	Mechanical
22233	James	GANNON	Civil
22289	Aleksandar	GEORGIEV	Civil, Structural
22249	Moemedi	GOITSEMANG	Electrical
22284	Joshua	HALL	Civil, Structural
22292	Jason	HAZELL	Management, Mechanical, Structural
22241	Mathew	INGS	Civil
22225	Marc	KRETSCHMANN	Chemical
22281	James	LAWLEY	Civil
22261	Jai	LEBBY	Structural
22228	Rex	LI	Electrical
22285	Yunpeng	LI	Electrical
22290	Li	LI	Electrical
22265	Ehab	MADIAN	Mechanical
22231	Bhavin	MAHIDA	Mechanical
22268	Christopher	MARTINIC	Biomedical, Electrical, Information Telecommunications & Electronics



<b>22255</b>	Lucienne	MISSEN	Civil, Management
<b>22279</b>	Phuntsho	NAMGYEL	Civil
<b>22239</b>	Mohana	NEELAKANDAN	Mechanical
<b>22266</b>	Wei Ming	NG	Mechanical
<b>22286</b>	Justin	OLAKKANGIL JOHNY	Information Telecommunications & Electronics
<b>22253</b>	Stephen	PALMER	Electrical
<b>22291</b>	Chintan	PATEL	Electrical
<b>22240</b>	Florin	PAVAL	Mechanical
<b>22294</b>	Guillermo	PEMAN	Civil
<b>22250</b>	Mario	PERIN	Information Technology & Telecommunications
<b>22282</b>	Xan	PHILP	Civil, Management
<b>22263</b>	Jacob	PITTAR	Aerospace, Mechanical
<b>22257</b>	David	PORTELLY	Mechanical
<b>22277</b>	Ashay	PRABHU	Civil
<b>22274</b>	Vinaykumar	RAO	Structural
<b>22276</b>	Reece	REIMERS	Civil
<b>22259</b>	Cameron	ROBERTS	Chemical
<b>22243</b>	Rita	SA DE ALMEIDA AMARAL	Structural
<b>22234</b>	Hossein	SAADAI	Civil
<b>22267</b>	Luis	SABAY	Mechanical
<b>22287</b>	Ragesh	SASIDHARAN	Mechanical
<b>22227</b>	Cassandra	SIMPSON	Civil
<b>22271</b>	Ryan	SINGH	Building Services, Electrical, Management
<b>22254</b>	Cameron	SNEDDON	Mechanical
<b>22275</b>	Linton	SPEECHLEY	Civil
<b>22235</b>	Benjamin	STANTON	Civil
<b>22288</b>	Jacob	STECHEER	Mechanical, Management
<b>22273</b>	Andreas	STEENKAMP	Electrical
<b>22244</b>	Yukun	SUN	Electrical
<b>22230</b>	Sree	SUNDARARAJAN	Biomedical
<b>22251</b>	Phillip	SUTHERS	Electrical
<b>22293</b>	Keith	THOMSEN-WRIGHT	Civil, Structural
<b>22283</b>	Thanh	TRAN	Civil, Structural
<b>22270</b>	Kushantha	YAPA	Electrical
<b>22256</b>	Muhammad	YOUSAF	Electrical
<b>22262</b>	Steve	ZACHARKO	Structural

# THANK YOU


Best wishes to the following RPEQs who have retired or resigned:

Lindsay	ANDREWS
Kiavash	ARBABI
David	BLACKFORD
Warren	BURROWS
Trent	COLLINS
Graham	COOPER
Robert	CUNNINGHAM
Michael	DICK-CHUNG YAN
Deon	ESTERHUIZEN
Jeffery	FANTON
Tyson	FEHRING
Ian	FRASER
Naren	GAJJAR
John	GRAHAM
David	GRIBBLE
Arthur	HALLAM
Henryk	HARBUZ
Stephen	LARACY
Delon	LIM
John	LLOYD
Jeffrey	MCINTYRE
Allan	NICHOLSON
Fay	NUNN
Christopher	ODGERS
David	PAXTON
Darryn	QUINN
Louis	ROBINSON
John	RUTHERFOORD
William	SUE YEK
John	SWARTZ
Adeline	TEO
Barry	WARD
Weeks	WHITE
Joshua	WUKOWIC
Roberto	ZANCHETTA


## CONNECT WITH BPEQ ON LINKEDIN AND TWITTER




Don't forget BPEQ is on LinkedIn and Twitter. To keep up to date with the latest news and events from BPEQ or to start a discussion on registration or engineering issues generally, click **FOLLOW**.

 [www.bpeq.qld.gov.au](http://www.bpeq.qld.gov.au)

 [admin@bpeq.qld.gov.au](mailto:admin@bpeq.qld.gov.au)

 (07) 3210 3100

 Level 15, 53 Albert Street Brisbane 4000

 PO Box 15213 CITY EAST QLD 4002

*This newsletter is provided for general information only. It is not legal advice and should not be taken or relied upon as such. If you have any questions or concerns about your compliance with the Professional Engineers Act 2002 (Qld) or your general legal obligations as an engineer, you should obtain appropriate legal advice. The Board accepts no legal responsibility or liability for any loss you may suffer as a result of reliance upon the information contained in this newsletter.*