



NEWSLETTER

# ISSUE 13

## APRIL 2015

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## A WORD FROM THE REGISTRAR



The April-May period is a busy time for the Board with registration renewals underway. Pleasingly, many RPEQs have already submitted their renewal forms, making the process much easier for themselves and the Board.

RPEQs will have until the end of May to submit their forms and pay the renewal fee of \$198.35. In response to feedback from RPEQs, the Board is now offering registration for non-practicing engineers who want to retain their RPEQ title. This registration type will cost \$99.20 and is designed for retired engineers or those on careers breaks. The easiest way to submit your renewal is online. Simply go to our website [www.bpeq.qld.gov.au](http://www.bpeq.qld.gov.au) - click the 'Log On' button located on the top right of the screen, enter your logon details (as shown on your renewal notice) and follow the prompts.

A large part of my job as Registrar is connecting with engineers and discussing registration at industry events. In late March I had the opportunity to present at the AusIMM New Leaders Conference in Kalgoorlie. The conference is an annual event aimed at educating and informing mining engineering students. The event was well attended by students from around Australia and overseas, all of whom showed a real passion for

their chosen field and a great interest in registration. More information from the event appear in this edition of the Board's e-news.

This month in the e-news we also take an in-depth look at the definition of fitness to practice along with corresponding case notes on the topic and profile Julie Mitchell, the RPEQ representative on the Board.

A friendly reminder to RSVP for the 'meet and greet' event in Emerald next month which coincides with the Board's regional meeting. Please feel free to join us for complimentary drinks and refreshments at the Emerald Explorers Inn, 5:15pm, Thursday, 7 May.

As always I hope you find this e-newsletter interesting and informative. If you have any feedback or require assistance, please contact the Board on 07 3198 0000 or via [admin@bpeq.qld.gov.au](mailto:admin@bpeq.qld.gov.au).

**Clare Murray**  
Registrar



Clare Murray, Chris Carr and Morrie Goodz from the AusIMM.

## NEW LEADERS CONFERENCE IN KALGOORLIE

Every year, the AusIMM gathers the best and brightest mining engineering students at the New Leaders Conference.

This year the conference was held in Kalgoorlie, an appropriate host considering the importance of mining to the development of the town. More than 200 mining, metallurgical and chemical engineering students attended the event, showing a keen interest in registration and what they would need to do to work as an engineer in Queensland.

Along with the chair of the AusIMM Chartered Professional Board (and the immediate past chair of the Board of Professional Engineers of Queensland), Chris Carr, Clare Murray delivered a presentation on the importance and benefits of registration for engineers.

A panel discussion featuring Chris and Clare generated great conversation amongst the students. Other highlights from the conference included presentations from Kalgoorlie Consolidated Gold Mines (operators of the Super Pit), the Western Australian School of Mines and other major mining and resource organisations.

This year, the 37th International Intercollegiate Mining Games (held in honour of 91 miners who died in the underground Sunshine Mine disaster in the United States) ran in conjunction with the conference. Students from Australia, Brazil, Canada, the United Kingdom and the United States took part in mixed team, men's and women's events involving traditional mining techniques like panning, swede sawing and track setting.

Congratulations to the Western Australian School of Mining Wombats who came out on top of the overall standings, defending their title from 2014.



## FITNESS TO PRACTICE EXPLAINED

With renewal season in full swing, it is an appropriate time to revisit fitness to practice. A person can only be registered (or have their registration renewed or restored) if the Board considers the person is fit to practice as a RPEQ. In deciding whether an applicant for registration is fit to practice, the Board will consider the following:

- (a) whether the applicant has a conviction, other than a spent conviction, for:
  - (i) an indictable offence; or
  - (ii) an offence against the Act or a repealed version of the Act; or
  - (iii) another offence, relating to the practice of engineering, against a law applying, or that applied, in the Commonwealth, another State or a foreign country
- (b) whether the applicant has been registered under the Act or a repealed version of the Act, or registered to practice as a professional engineer under a law applying, or that applied, in the Commonwealth, another State or a foreign country and the registration was suspended or cancelled—the reason for its suspension or cancellation;
- (c) whether the applicant has been registered under the Act or the repealed Act—any order about the applicant given under section 131 or 132 of the Act, or section 60 of the latest repealed version of the Act;
- (d) whether the applicant:
  - (i) is affected by bankruptcy action;
  - (ii) is an executive officer of a corporation affected by control action after the commencement of this section;
- (e) whether the applicant has been required to undergo a health assessment under section 35E:
  - (i) whether the applicant underwent the assessment; or
  - (ii) whether the applicant cooperated with the doctor appointed to conduct the assessment;
- (f) any other issue relevant to the applicant's ability to competently practice as a registered professional engineer including, for example, the applicant's mental or physical health.

It is important that you disclose any issues that may affect your fitness to practice. Failure to disclose fitness to practice issues may constitute an offence against the Act, which could lead to suspension or cancellation of registration. It is better to err on the side of caution in making your disclosure. If you have an issue you are not sure whether you should disclose, please do not hesitate to contact the Board's staff for further guidance.

Many RPEQs misunderstand fitness to practice issues, and think that if they have a fitness to practice issue listed above (or one not listed) and disclose it, they will automatically be deemed unfit to practice and have their registration refused. That is not the case. The Board retains discretion to find a person fit or unfit to practice as an RPEQ. If your fitness to practice issue does not, in the Board's view, prevent it from being satisfied of your fitness to practice as a RPEQ, the Board will declare you fit to practice.

Fitness to practice is an inclusive process, and the Board regularly asks RPEQs who have declared fitness to practice issues to provide further information to allow the Board to consider the matter in an informed way. While the process is going on, your registration is deemed, which means that you can continue to practice until the Board makes its final decision. If the Board refuses your application on a fitness to practice ground, you will be given full written reasons for the decision and an administrative review of the decision in the Queensland Civil and Administrative Tribunal is open to you.

Finally, existence of a fitness to practice issues do not always mandate refusal of registration. It may be that the issue can be dealt with by the imposition of a condition on your registration. Again, before this happens, you will be consulted and informed by an information notice and are able to seek administrative review.



## BOARD REFUSES TO RENEW RPEQ REGISTRATION DUE TO FITNESS TO PRACTICE ISSUES

The engineer applied for renewal of his registration, and in his application declared a fitness to practice issue. The engineer claimed he had been affected by a bankruptcy action. To properly inform its decision, the Board requested, and received, further information about the bankruptcy, including a statement from the engineer and a copy of reports to creditors from the bankruptcy trustee. This additional information revealed that the engineer had certified building work as being completed when it was not, with full knowledge that his certification would be relied on by the builder's lender to release money to the builder and with knowledge of the lender's interest and intent. The lending institution subsequently commenced proceedings against the engineer claiming damages, which ultimately contributed to his bankruptcy.

The Board found that the engineer was personally culpable for his bankruptcy and that it related, in part, to his conduct as an engineer and decided that in the circumstances it could not be satisfied of the engineer's fitness to practice as a RPEQ. The Board refused to renew the engineer's registration.

*\*The engineers in question have been de-identified so as to protect their privacy.*

*The Board is committed to assisting RPEQs to maintain high standards of professional conduct and competence, maintaining public confidence in the standard of services provided and practice of RPEQs. To this end, the Board releases "case notes" in its monthly e-newsletters to provide practical examples and guidance.*

## BOARD REFUSES TO RENEW RPEQ REGISTRATION DUE TO PERSISTENT FAILURE TO COMPLY WITH CPD REQUIREMENTS

The engineer applied for renewal of his registration and in his application declared that he had not satisfied the registration requirements because he had not completed at least 150 hours of structured continuing professional development ("CPD") in the three-year period preceding his application. In fact, he had completed less than half of the required 150 hours. Furthermore, in the previous financial year, he had also declared that he had failed to satisfy the continuing registration requirements. In summary, he had seriously neglected to keep up with his CPD.

The Board did not renew the engineer's registration. The Board was not satisfied that the engineer remained able to competently practice as an RPEQ without having completed his CPD. The engineer's CPD had been allowed to lapse over a number of years and the Board did not have confidence that the engineer had kept his skills current to ensure he could carry out professional engineering services competently and to a reasonable standard.

Subsequent to the decision, the Board and the engineer agreed to renew his registration conditional upon ongoing compliance with a stringent CPD plan.

## MEET THE BOARD – JULIE MITCHELL



Julie Mitchell was elected to the Board as the representative of RPEQs in July 2013.

With 28 years of civil engineering experience gained in the public sector, Julie has an extensive and impressive resume. A civil engineer by trade, Julie has particular expertise in transport infrastructure projects, including planning, design and construction. Julie has performed a variety of roles throughout her career, from working as an engineer in a multi-disciplinary team to project-managing large, high profile projects.

Julie is currently Chief Engineer at the Queensland Department of Transport and Main Roads and is responsible for a large engineering workforce and technical governance. She holds a Bachelor of Engineering (Civil) (Hons) from the University of Queensland, Master of Business Administration, Master of Environmental Management (Sustainable Development) and is a graduate of the Australian Institute of Company Directors Course. She is also a fellow of Engineers Australia.



## HIT US WITH YOUR BEST SHOT (PHOTO THAT IS!)

Few professions can match engineering in terms of the diverse and interesting workplaces. Some RPEQs are trying their skills at photography to share their experiences while on the job.

Ian Jones, a petroleum engineer from Western Australia, submitted these photos from sites he has worked at in Australia and overseas.

If you have any photos of engineering projects or sites you would like to share, get in touch with the Board at [admin@bpeq.qld.gov.au](mailto:admin@bpeq.qld.gov.au).



Drilling in the Great Sandy Desert, Western Australia.  
Photos courtesy of Ian Jones.



Wahoo Well, PNG. Photos courtesy of Ian Jones.

## CALL FOR ASSESSORS

The Board works in collaboration with professional organisations assess engineers for registration. This co-regulatory approach is designed to ensure applications are processed promptly and that only suitably qualified and experienced engineers become RPEQs.

Professionals Australia was approved to act as an assessment entity for the Board in August 2014.

To meet demand, and ensure that RPEQ assessments are processed quickly, Professionals Australia is seeking RPEQs with more than 15 years' experience to apply to become assessors.

Professionals Australia is approved to assess the qualification and competencies for RPEQ applicants in the following disciplines:

- Civil
- Electrical
- Structural
- IT&T
- Mechanical
- Management

Assessors through Professionals Australia are reimbursed \$150 per assessment.

Applicants are not required to be Professionals Australia members, but must be RPEQ.

If this opportunity is of interest, you are encouraged to contact the RPEng Registrar at [rpeng@professionalsaustralia.org.au](mailto:rpeng@professionalsaustralia.org.au) or on 03 9695 8800.

## FOLLOW THE BOARD ON LINKEDIN

To keep up to date on the latest news, cases notes and events, or to have your say on issues within the engineering profession you can follow the Board of Professional Engineers of Queensland on LinkedIn, just click the button:

**FOLLOW**

T 07 3198 0000 E [admin@bpeq.qld.gov.au](mailto:admin@bpeq.qld.gov.au)

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