

04 April 2014



**Board of Professional  
Engineers of Queensland**

Mr Peter Harris AO  
Chairman, Productivity Commission  
Public Infrastructure Inquiry  
LB2 Collins Street East  
Melbourne VIC

Email: [infrastructure@pc.gov.au](mailto:infrastructure@pc.gov.au)

Dear Mr Harris,

**RE: *Submission to the Productivity Commission  
Productivity Commission 2014, Public Infrastructure, Draft Inquiry Report,  
Canberra***

The Board of Professional Engineers of Queensland welcomes the opportunity to respond to the Productivity Commission inquiry on Public Infrastructure.

**1. *Background to the Board of Professional Engineers***

The Board of Professional Engineers of Queensland (the Board) administers the *Professional Engineers Act 2002* (the Act). Registration of engineers and the practice of engineering were first regulated in Queensland by the *Professional Engineers Act 1929* and is currently regulated by the *Professional Engineers Act 2002* (the Act), which has been in operation since 1 January 2003. All legislation since 1929 has provided for the regulation of the profession to be administered by the Board, constituted under the Act. The Act regulates the registration of engineers and the practice of engineering in Queensland. The essence of the Act is to protect the health and safety of the community by ensuring only appropriately qualified and competent persons provide professional engineering services.

**2. *Registration requirements in Australia***

Queensland has a comprehensive registration system of engineers. It is not the only state where it is mandatory but it has the most comprehensive requirements. NSW, Victoria, Northern Territory and Tasmania have registration requirements under their Building Practitioners Boards. WA and ACT are considering legislating for the registration of engineers.

In the last 6 years the numbers of registered engineers in Queensland has more than doubled from 5,004 to 10,412 with the numbers of registered engineers increasing by an average of 100 each month. Of the engineers registered with the Board, 25% reside

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interstate or overseas. This shows that registration is not a barrier to engineers carrying out work in Queensland nor does it reduce supply of engineering services. The Queensland registration requirements cannot be said to reduce competition for those wishing to procure engineering services.

### **3. *Benefits of mandating registration***

The object of the Act is to protect the health and safety of the community by ensuring only appropriately-qualified and competent persons provide professional engineering services. This object is a reflection of the significant level of risk that exists in the provision of engineering services. These include risk of harm to the public and risk of financial loss resulting from construction failure and operating inefficiencies.

These risks exist throughout the life cycle of an engineering project from design, construction, operation and maintenance through to demolition. There are risks to public safety and risks of high financial costs if engineering services are not provided by competent and qualified persons.

Examples of recent public disasters where poor engineering has an element of the cause include the collapse of the Gosford culvert, Thredbo, the Westgate bridge collapse, the Canberra Hospital implosion, the HMAS Westralia ship fire, and the Barton Highway bridge collapse. None of these have been in Queensland and we would submit this could be attributed to having a registration system of engineers.

Registration of engineers provides a system for the engagement of the appropriately qualified engineer for the performance of the required professional engineering services. Risk is mitigated by the registered professional engineer committing to maintaining standards through continuing professional development.

The registered engineer in Queensland also takes responsibility for the outcomes of the services they provide.

### **4. *Comprehensive impact assessment of the Queensland registration requirements***

In the Australian Institute of Mining and Metallurgy's Submission to the Review of the Professional Engineers Act (Qld) (your reference AusIMM (2013) on page 492) they state: "*To our knowledge, the RPEQ scheme has never been the subject of a comprehensive assessment....*" The Board believes your report's authoritative wording that impact assessments have not been carried out is taking the AusIMM's statement partly out of context, and is factually incorrect.

A comprehensive impact assessment of the Act was undertaken by the Queensland Government in 2000 pursuant to its obligations under the National Competition Policy.

A number of alternatives were considered and were subject to a public interest test. The public benefit analysis demonstrated that registration of engineers provided an important public benefit and should continue. A registration system must include legislative backing which is a key element which distinguishes the Board from the voluntary membership associations. The current Act reflects the option that was determined to achieve the best outcome.

A further review was undertaken by the Queensland State government in 2009 of all Government Boards, Committees and Statutory Authorities. That review confirmed the importance of maintaining the comprehensive registration system of engineers in Queensland.

The Board then initiated a review of the Act, late 2012 to promote compliance and to ensure the Act was effective and up to date. There were 97 submissions made on the issues raised in the discussion paper released by the Board, by industry, the profession, economic development organisations and consumers. An analysis undertaken of the submissions showed a clear support to continue the current requirements in Queensland for registration across all engineering sectors.

## **5. Enforcement of compliance**

The Board has a complaints process under which it prosecutes for failure to comply with the requirements of the Act and for unsatisfactory professional conduct. In the last financial year it received 38 complaints regarding the practice of engineering. Since 1 January 2008 the Board has brought 22 disciplinary proceedings against registered engineers for unsatisfactory professional conduct, of which it was successful in all but one. The Board has also brought 16 prosecutions against unregistered engineers for carrying out professional engineering services whilst not being registered. Again the Board was successful in all but one.

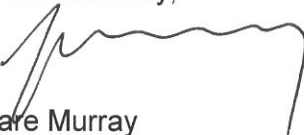
## **Conclusion**

As there has been a limited time to make submissions the Board has only focussed on the specific comments made regarding registration of engineers.

The Board is of the view that by having a registration system the engineering outcomes provided by registered professional engineers minimises any adverse social, economic and environmental outcomes.

We would welcome the opportunity to have further discussions with the Productivity Commission so that we can discuss in detail the areas of concern.

Yours sincerely,



Clare Murray  
Registrar LLB GAICD