

Board of Professional Engineers v X

Delivered on 22 October 2013.

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

Charges

The Board alleged that X, in breach of section 115 of the *Professional Engineers Act 2002* (“**the Act**”), carried out professional engineering services when he was not, at that time, a Registered Professional Engineer of Queensland (“**RPEQ**”).

X’s Background

X was a sole trader based in New South Wales.

Conduct of X

X was engaged to re-design and provide certification of the repair of a Rod Loader, located in Queensland, and to increase its working load limit from 500kgs to 680kgs.

X had failed to check the requirements for carrying out professional engineering services in Queensland prior to completing the work and consequently he was not registered when he undertook the re-design and provided the certification in Queensland.

What the Court Said

The Court noted the importance of registration to the operation of the Act and its objects to protect the safety and welfare of the public.

Consequences for X

The Court took into account X’s early plea of guilty to the charges.

The Court considered that any penalty to be imposed would need to act as a general deterrent against people practicing or purporting to practice as engineers in Queensland when they are not registered as required by the Act.

The Court found X guilty of the offence, imposed a monetary penalty, and ordered X to pay the Board’s costs.