

Board of Professional Engineers v H

This was a disciplinary proceeding brought by the Board of Professional Engineers of Queensland (“**Board**”) against a registered professional engineer (deidentified as “**H**”) in the Commercial and Consumer Tribunal (“**Tribunal**”).

Disciplinary Ground

The Board alleged that H had behaved in a way that constituted unsatisfactory professional conduct in the structural design and certification of two multi-storey apartment buildings.

H’s Background

H was a registered professional engineer of some standing.

Conduct of Engineer

Prior to the construction of the apartment buildings the design documentation was stamped and signed by H and H also completed a Form 15 Compliance Certificate for Building Design or Specification in relation to the designs.

It was found that the designs contained structural inadequacies and errors in relation to a number of transfer beams of the buildings, which included (amongst other things):

- the shear reinforcement between the balcony support column and the closest support column to a beam did not meet the requirements of AS3600;
- the shear reinforcement to another beam was significantly below AS3600 requirements;
- the secondary beam which framed into that beam did not have suspension reinforcement specified;
- a beam which supported the upper level basement slab, had sheer reinforcement that did not comply with the requirements of AS3600; and
- there was insufficient flexural and shrinkage reinforcement in the car parking slabs.

What the Tribunal Said

The Tribunal considered that the errors in the design of such relatively important parts of multi-story buildings could lead to its failure with possible catastrophic consequences.

The Tribunal stated that the high standards of care that had been adopted by, and become expected of, the engineering profession needed to be maintained.

Consequences for H

The Tribunal took into consideration the fact that H had accepted the inappropriateness of the conduct and had suffered monetary loss for the mistake. The Tribunal also accepted that H had benefited in a professional sense from the “experience of failure.”

The Tribunal ordered that H be reprimanded and imposed a monetary penalty.