

AUGUST e-NEWS

Issue 59 2019

A word from the Registrar

Victorian registration: the next step toward national registration?

How the Professional Engineers Act applies to professional engineering services from interstate and overseas

Former Board Chair appointed to engineering education peak body

September meet and greet



BOARD OF
PROFESSIONAL
ENGINEERS
OF QUEENSLAND

A word from the Registrar

Australia is fortunate to have a highly-skilled engineering and construction workforce and the public expects that buildings and other infrastructure are built to the highest standards. When Professor Roger Hawken led the creation of the Professional Engineers Act and the Board of Professional Engineers of Queensland 90 years ago it was to protect the public and set standards in engineering. Many engineers I meet share Hawken's ambition today. This was reiterated to me in the following quote from an engineer at an event I attended recently –

“engineers look out for the broader good before personal gain.”

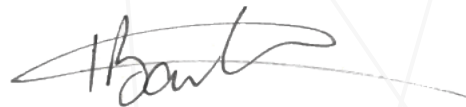
Four Corners' report, *Cracking Up*, revealed the endemic cost cutting and defects in the building sector – personal gain certainly outweighed the broader good. All too often engineering input is not sought or disregarded entirely. The *Professional Engineers Act* and the RPEQ system sets Queensland apart from the other States and Territories and mandates the involvement of professional engineers, be it to carry out the professional engineering service or directly supervise the carrying out of professional engineering services. Queensland sets the example for the rest of Australia and BPEQ welcomes the Building Ministers Forum's commitment to a national approach to implement the Shergold-Weir recommendations, namely the registration of engineers (although the Shergold-Weir recommendations only extend to engineers working in the building sector; BPEQ advocates for a comprehensive scheme for all engineers).

After many months of debate the Victorian Parliament has passed the Professional Engineers Registration Bill – the vote in upper house ended 25-15 in favour of the legislation. What this means is that Victoria will become just the second Australian State or Territory, after Queensland, to have a comprehensive and mandatory registration scheme for engineers. This is great news for professional engineers and the public and BPEQ looks forward to working collaboratively with our counterparts in Victoria. Our Chairperson Dawson Wilkie writes in this month's BPEQ e-news about the legislation and the next steps for BPEQ.

Engaging with RPEQs in regional Queensland is important to BPEQ and every year the Board hosts a meet and greet for RPEQs in a regional centre. This year, Mackay will be the host for the meet and greet as well as the September Board meeting. On behalf of the Board I extend the invitation to RPEQs from Mackay and surrounds to come along to the meet and greet – more information on the meet and greet is available in this issue of the e-news.

Finally, BPEQ has revealed a new look website. While the look of the website is the obvious difference, website navigation, user experience and information quality has also been improved.

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



KAINE BARTON

A/Registrar

VICTORIAN REGISTRATION: THE NEXT STEP TOWARD NATIONAL REGISTRATION?

“The recognition of Queensland’s RPEQ system from other States is noteworthy.” writes Dawson Wilkie (Chair and Regional Representative).



On 27 August 2019 the Legislative Council (upper house) of the Victorian Parliament passed the *Professional Engineers Registration Bill 2019*. It is anticipated that the registration process will start on the 1 July 2021.

This has been a long time coming; Queensland did the same thing back in 1929 so that qualified and competent professional engineers were recognised, and standards of practice adopted. The recognition of Queensland’s RPEQ system from other States is noteworthy. Victoria has now passed legislation and New South Wales has committed to all the recommendations of the Opal Tower – Investigation Report, namely the introduction of registration of engineers working in the building sector in that State. Whilst this is a good start the real goal is national registration. Past attempts have been thwarted along State lines but perhaps this renewed enthusiasm might draw us closer to a single system.



Pictured: Professor Roger Hawken (Founder and Inaugural Chairman)

The Victorian legislation is currently being assessed by the Board, but it mostly replicates what we do in Queensland. Parallels between the *Professional Engineers Act 2002* (Qld) and the Victorian legislation include:

- Introduction of protected titled (e.g. registered professional engineer)
- Registers engineers in areas of practice -
 - Structural Engineering
 - Civil Engineering
 - Mechanical Engineering
 - Electrical Engineering
 - Fire safety Engineering
 - Any other prescribed area of engineering.
- A similar assessment process to Queensland
- Requirement for a Code of Conduct

The current *Mutual Recognition Act 1992* (Cwth) will apply which means that engineers already registered in Queensland will be able to apply for registration in Victoria, and obviously engineers registering in Victoria will be eligible for registration in Queensland. However, engineers will still need to be registered in Queensland to undertake a professional engineering service in or for Queensland, so nothing has changed in that sense.

There are some differences which the Board is currently working through to make the registration process between Queensland and Victoria as seamless as possible. An example is disciplinary action (e.g. what happens if a registered engineer is suspended) and how that will flow through to the other organisations, something that would not be required if there was a national system.

The engineering profession has been in the spotlight recently with events at Opal Tower and the ongoing saga of Mascot Towers. I recently spoke at regional engineering conferences on the history of BPEQ and the RPEQ system and what prompted its introduction. Our professional forebears saw what happened because of poor-quality engineering services and rushed civil works projects that were rolled out to stimulate jobs during the Great Depression. Professor Roger Hawken was the driving force behind the original Professional Engineers Act and the RPEQ system. The profession and the Queensland public owes Professor Hawken a great debt, but Hawken would have had greater national ambitions.

Almost 90 years since the introduction of the original *Professional Engineers Act* in Queensland it is pleasing to see Hawken's vision coming to fruition.

DAWSON WILKIE

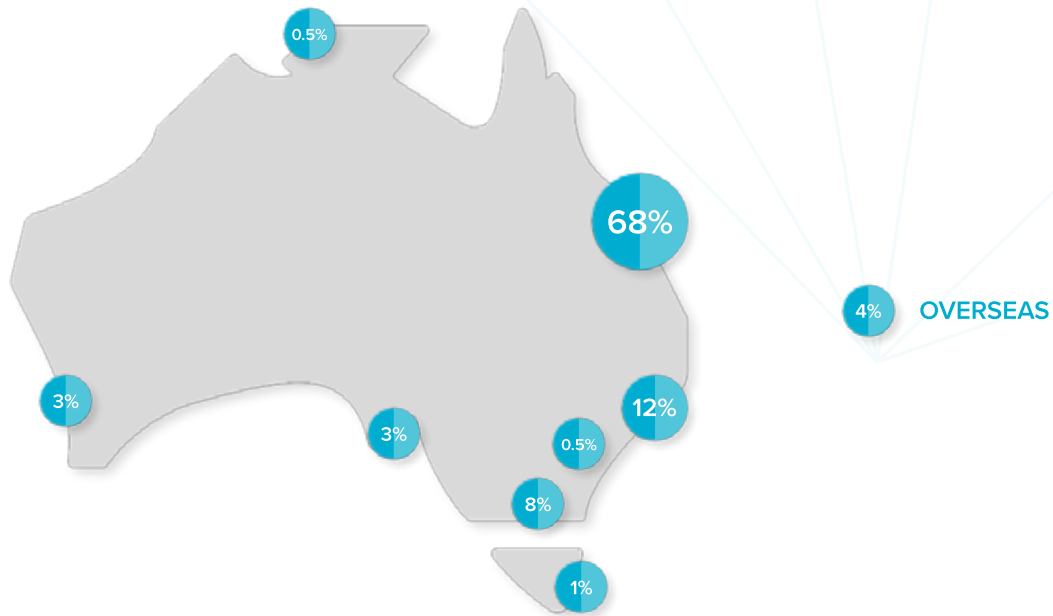
Chair and Regional Representative

BE Civil, FIE Aust, FIPWEAQ, RPEQ, GAICD, CPEng, EngExec, APEC Engineer

Dawson Wilkie was first appointed to the Board as Chair and regional representative in January 2015 and was re-appointed in April 2018. A qualified civil engineer working in private consultancy, Dawson has worked in the profession for more than 35 years. Graduating from the Queensland Institute of Technology in 1979, Dawson went on to work with the New South Wales Department of Main Roads and then in local government with Dubbo City Council and Townsville City Council. Dawson was the Managing Director of a medium-sized construction company and then the Chief Executive Officer at an engineering firm before moving into private consultancy.



HOW THE PROFESSIONAL ENGINEERS ACT APPLIES TO PROFESSIONAL ENGINEERING SERVICES FROM INTERSTATE AND OVERSEAS



BPEQ registers engineers from as far away as the United Kingdom and closer to home in adjoining states. At last count, 32% of RPEQs were based outside of Queensland. The primary reason that several thousand interstate and overseas engineers are registered is that the *Professional Engineers Act* applies outside of Queensland to professional engineering services being carried out for Queensland. The Act defines the concept of ‘extraterritoriality’:

6A Extraterritorial application of Act

1. This Act applies both within and outside Queensland.
2. This Act applies outside Queensland to the full extent of the extraterritorial legislative power of the Parliament.

The ‘extraterritoriality’ amendment was introduced in 2015 to clarify the application of the Act, not as an extension of its application. Parliament always intended for the Act to apply to professional engineering services carried out for Queensland from interstate or overseas. As such, there has been no change in how the Act applies.

Provision of professional engineering services can be broken down into four situations:

1. A person is located in Queensland and provides a professional engineering service for Queensland.
2. A person is located in Queensland but provides a professional engineering service for outside Queensland.
3. A person is located outside Queensland but provides a professional engineering service for Queensland.
4. A person is located outside Queensland and provides a professional engineering service for outside Queensland.

Whether a person needs to be registered as a RPEQ in each situation is discussed below.

Person in Queensland providing service for Queensland—registration required

This situation is simple. The person is located in Queensland, so the Act applies by virtue of the person’s presence in the physical jurisdiction of Queensland. The Queensland Parliament’s laws apply to persons physically situated in Queensland.

Person in Queensland providing service for outside Queensland—registration required

This situation is also simple. Again, the person is located in Queensland, so the Act applies by virtue of the person's presence in the physical jurisdiction of Queensland, regardless of where the professional engineering service is being provided for.

Person outside Queensland providing service for Queensland—registration required

This situation is more complex. The person is not located in Queensland so the Act does not apply simply by virtue of the person's presence in the physical jurisdiction of Queensland. The full power of the Legislature can have an effect outside Queensland, but there must be sufficient connection with Queensland.

When a person outside Queensland is carrying out a professional engineering service for Queensland, the connection with Queensland is clear: the service is for Queensland. If the Act did not apply to persons carrying out professional engineering services for Queensland from outside the State then the operation of the Act would be frustrated and the oversight of engineering services for the State could not be effectively exercised. Engineers could practice from a few steps over the New South Wales border and deliver professional engineering services for Queensland with no accountability to the Queensland public for the standard of those services. It would be impossible for the Act to protect the Queensland public, as intended, if the Act did not regulate professional engineering services for Queensland from interstate and overseas.

The Board has successfully prosecuted persons for contraventions of subsection 115(1) of the Act—carrying out professional engineering services when not a RPEQ—committed from outside Queensland for carrying out professional engineering services for Queensland. The case note presented in BPEQ's March 2015 e-news concerns the Board's prosecution of two unregistered persons who carried out professional engineering services for Queensland from interstate. The Board took this prosecution before the extraterritoriality amendment, which demonstrates that the Act has always applied to professional engineering services carried out from outside of Queensland for Queensland. The Board will continue to investigate and, if necessary, prosecute suspected offences committed by unregistered persons carrying out professional engineering services from outside the State.

Person outside Queensland providing service for outside Queensland—registration NOT required

This final situation is simple. The person is not in Queensland and the service is not for Queensland. Therefore, the Act does not apply either through physical jurisdiction or a connection to Queensland.

Conclusion

Further information about BPEQ policies and processes is available on BPEQ's website or by contacting BPEQ directly at admin@bpeq.qld.gov.au (registration and general inquiries) or legal@bpeq.qld.gov.au (legal inquiries) or by calling (07) 3210 3100.

While BPEQ staff will endeavour to offer help about processes and procedures, staff will not give legal advice.



FORMER BOARD CHAIR APPOINTED TO ENGINEERING EDUCATION PEAK BODY

Emeritus Professor Elizabeth Taylor has been appointed Deputy Chair of the Washington Accord Governing Group, part of the International Engineering alliance.

Professor Taylor served on the Board as Chair and academic representative from January 2003 to December 2011.

The Washington Accord is a multi-lateral agreement between bodies responsible for accreditation or recognition of tertiary-level engineering qualifications within their jurisdictions. The Washington Accord recognises qualification from signatory member countries as being of the same standard. This assists mutual recognition of engineering qualifications between countries and allows greater mobility for engineers wanting to work internationally. Signatory countries include:

- Australia
- Canada
- China
- Hong Kong
- India
- Ireland
- Japan
- Korea
- Malaysia
- New Zealand
- Pakistan
- Peru
- Russia
- Singapore
- South Africa
- Sri Lanka
- Taiwan
- Turkey
- United Kingdom
- United States

The Washington Accord is specifically focused on academic programmes which deal with the practice of engineering at the professional level.

The International Engineering Alliance seeks to improve engineering education and competence globally through widening the recognition and uptake of its constituent Accords (e.g. Washington Accord) and Agreements.

BPEQ congratulates Professor Taylor on her appointment.

UPCOMING CPD COURSES AND CONFERENCES

ENGINEERING EDUCATION AUSTRALIA

Fundamentals of Reliability-Based Maintenance
9 September 2019: Brisbane

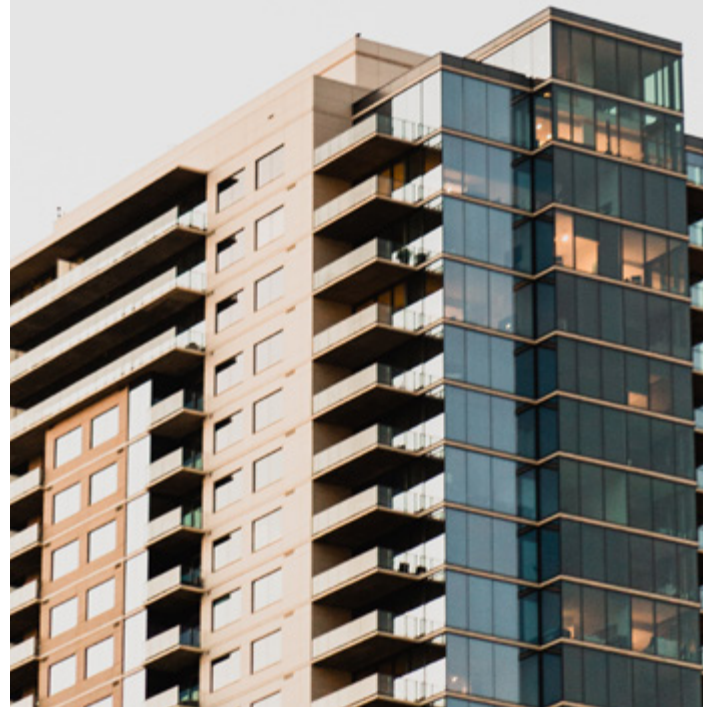
Asset Management for Engineering Teams
26-27 September 2019: Brisbane

IPWEAQ

Erosion & Sediment Control Workshop
(level 3)
10-12 September 2019: Brisbane

Type A, B & D Sediment Basin Design Workshop
12 September 2019: Brisbane

Bridge Inspections Workshop
(levels 1 and 2)
17-19 September 2019: Cairns



MACKAY MEET AND GREET WITH BPEQ

RPEQs from Mackay and surrounds are invited to a meet and greet with BPEQ on 18 September 2019 from 5:00pm - 7:00pm. This is a free event for RPEQs to meet with Board members and BPEQ staff to discuss the issues that matter to them. Drinks and refreshments will be served on the night.

Date 18 September 2019
Time 5:00pm-7:00pm
Venue Seabreeze Hotel Mackay, 72 Pacific Esplanade, Slade Point
RSVP 11 September 2019

For further information visit <http://bit.ly/2PdML1F> or contact admin@bpeq.qld.gov.au



RPEQ A WORLD BEATER

RPEQ Bishnujee Singh (Aerospace, Mechanical) has set a world record.

In addition to his RPEQ status, Bishnujee has his name in the World Book of Records London as the engineer with most number of Professional Engineer Registrations.

Bishnujee, who first became a RPEQ in 2013, holds 30 Professional Engineers Registrations.

Congratulations, Bishnujee!

WELCOME

WELCOME TO OUR NEWEST RPEQS

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

09222	Alexis	ABBOTT	Chemical
22607	Mohamed	ABDULLAH	Mechanical
22927	Benjamin	AGGARWAL	Mechanical
22953	Fahmy	AHMED	Electrical
22969	Bassim	ALSHALLAN	Electrical
22909	Davoud	ARAB	Mechanical
22970	Yogeshwaran	ARUMUGAM	Civil
09225	John	ATKINSON	Civil
22882	Akm	AZAM	Civil
19036	Farhad	AZIZIAN	Building Services, Electrical
22865	Ladan	BAGHERZADEH	Mechanical
22947	Christopher	BASSA	Civil, Management
22963	Jason	BAU	Civil
22887	Kate	BEARD	Civil, Environmental
22902	Pushparaj	BOOPATHY	Electrical
19684	Kevin	BOYLE	Fire Safety
22883	Richard	BRODRIBB	Electrical
22948	Daniel	BROOKS	Metallurgical
22936	Andrew	BROOM	Civil
22973	Anthony	BUTLER	Mechanical
22952	Low Nald	CHEE	Mechanical
22921	Xian Jian	CHEW	Mechanical
22956	Suvarchala	CHINTALAPUDI	Chemical
22894	So Yu Anita	CHOW	Building Services, Electrical
22978	Subrata	CHOWDHURY	Management, Mechanical
22802	Ke	CONG	Mechanical
08234	Margit	CONNELLAN	Civil
22924	Kejun	DAI	Electrical
22895	Bryan	DALZIEL	Mechanical
22930	Jignesh	DESAI	Mechanical
22926	Matthew	DEWEY	Civil, Structural
22946	Bhekusizi	DHLODHLO	Electrical
22960	Michael	DOWNING	Civil
22884	Christopher	DOWNS	Civil
22897	Lawrence	DUBE	Information Telecommunications & Electronics
22890	Adham	ELBARAWY	Mechanical
22938	Mohamed	ELWAN	Civil
22912	Okwuchi	EMEREOLE	Mechanical


21455	John	ERSKINE	Mechanical
22958	Elias	FADEL	Mechanical, Management
22875	Graeme	FENEMORE	Civil, Management, Structural
21992	Mahdi	FERASATKISH	Civil
22886	Colin	FISHER	Civil, Structural
14753	Willem	FOURIE	Electrical, Management
22935	Samuel	FYFIELD	Electrical
22870	John	GARCIA	Civil
22961	Thomas	GERSEKOWSKI	Civil
22863	Mohammad	GHALAMI SFAHANI	Structural
22929	Young Min	HA	Electrical
22966	Anh	HA	Management, Structural
22918	Md Mejbaul	HAQUE	Electrical
22976	Ryan	HARBOURNE	Structural
22928	Ruby	HEARD	Electrical
22934	Md Afzal	HOSSAN	Electrical
22925	Daniel	HUNDSCHIEDT	Mechanical
22967	Barnabas	ILKO	Structural
22906	Scott	ISTRIA	Information Technology and Telecommunications
22901	Daekyun	JEON	Civil
22943	Phillip	JONES	Mining
17588	Dhanashree	KALOKHE	Civil
22923	William	KEOGH	Mechanical, Structural
22917	Mitchell	KERR	Mechanical
22949	Madhav	KHADILKAR	Structural
22896	Darran	KNIGHT	Civil
22893	Tomasz	KRAWCZYNSKI	Geotechnical
22922	Michael	KRUETTGEN	Structural
22908	Simon	KUPKE	Information Telecommunications & Electronics
22950	Brian	LAMB	Civil
22876	Pei Wen	LAU	Chemical
22920	Laurens	LE BACQ	Electrical
10810	Michael	LEE STEERE	Electrical
22871	Lei	LI	Civil
22892	James	LIDSTONE	Electrical
12868	Huey	LIEW	Building Services, Mechanical
22940	Vrushal	LIKHITE	Chemical
22889	Lin	LIN	Electrical
22900	Weiting	LIN	Mechanical
22888	Zhuanhong	LIU	Electrical
22971	Adham	MAHMOUD	Civil
22944	Shaun	MALIN	Structural
22873	Anthony	MANN	Mechanical
22903	Scot	MARTIN	Mechanical
22877	Anthony	MATTHEWS	Civil
22868	Scott	MAULE	Electrical
22941	Stephen	MCHUGH	Chemical

17743	Mohammad	MORADI	Mechanical, Fire Safety
22977	Sumiyya	MUJAWAR	Structural
22881	Hao	NGUYEN	Information Technology and Telecommunications
14066	Trevor	NICHOLS	Chemical
22959	Rodrigo	OLAVARRIA CARRENO	Mechanical
22964	Sidney	OLIVE	Civil
22931	Violeta	PARAS	Civil
22942	Suman	PASUPULETI	Electrical, Management
22937	Darryl	PEACOCK	Electrical, Information Telecommunications & Electronics
22867	Mark	PRICE	Electrical
22913	Kok Choong	QUAH	Civil
22905	Benjamin	QUAST	Mechanical
22862	Atif	RAFIQUE	Electrical
22879	Sean	REID	Mining
22914	Anthony	ROWE	Electrical
22939	Lewis	RYAN	Electrical
22880	Luke	SADLER	Civil
22899	Muhammad Nouman	SAEED	Mechanical
22907	Mark	SALISBURY	Civil
22916	Matthew	SANT	Chemical
22878	Thomas	SCHULTZ	Chemical
22891	Amir	SEDAGHATNIA	Civil
22866	Ahmed	SERRY ABDLMONEIM WAHBY AHMED	Mechanical
22874	Shahnaz	SHARIFI	Civil
22954	Bernard	SHEN	Civil, Structural
22872	Gurbinder	SINGH	Mechanical
22945	Gurpreet	SINGH	Structural
22869	Gustavo	SIQUEIRA	Electrical
22919	Maulik	SONI	Structural
22968	Lauren	SPANN	Civil
22965	Craig	STURGEON	Mechanical
22951	Krishnan	SUBRAMONIAM	Electrical
22910	Thanneermalai	SUNDARAM	Electrical
22972	Ronald	TAN	Civil, Structural
22957	Tianwen	TANG	Civil
22898	Long	TRAN	Civil
22974	James	VARUGHESE	Civil - Public Works
22904	Saeid	VEYSI RAYGANI	Electrical
22933	Jacqueline	VINNICOMBE	Geotechnical
22885	David	WANG	Chemical
22911	Lu	WANG	Civil
22864	Jacob	WEBB	Building Services, Electrical
22932	Peter	WOOD	Civil
22962	Anthony	WRIGHT	Civil
11565	Bruce	WYMOND	Civil, Structural
18063	Tao	YANG	Structural
22915	Mina	YANG	Building Services


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