



BOARD OF
**PROFESSIONAL
ENGINEERS**
OF QUEENSLAND

Board of Professional Engineers of Queensland v Y

This case was a prosecution for three offences against the Professional Engineers Act 2002 (Qld) (“the Act”) brought by the Board of Professional Engineers of Queensland (“Board”) against an unregistered person (deidentified as Y) in the Magistrates Court of Queensland.

Charges

The charges against the alleged

- a single contravention of section 115(1) of the Act – carrying out professional engineering services while not a registered professional engineer (**Offence 1**);
- a single contravention of section 114(a) of the Act – using the title RPEQ while not a registered professional engineer (**Offence 2**); and
- a single contravention of section 113(1)(a) of the Act – holding oneself out to be a RPEQ while not a registered professional engineer (**Offence 3**)

Y’s Background

Y had never held registration as an RPEQ. At the time of the conduct, Y was a chartered engineering associate (Mechanical Engineering Amusement Rides and Devices).

Conduct of Y

Offence 1

In October 2020, Y undertook an inspection of an amusement device. He then produced and signed an Amusement ride Safety Inspection Certificate – under regulations 240 and 241 of the *Work Health and Safety Regulations (Qld)* for the amusement device.

The Board alleged that conducting the inspection and producing the Inspection Certificate constituted the carrying out of “professional engineering services” pursuant to the Act.

Offences 2 & 3

In December of 2020 and again in early 2021 the Office of Industrial Relations Queensland advised Y that regardless of a person’s qualifications and experience, it is a requirement that a competent person carrying out annual or major inspections of amusement devices must be an RPEQ.

Subsequently in June 2021 Y produced a written inspection report for another amusement device and in producing the inspection report Y included the words ‘RPEQ’ in the signature block.

What the Court Said and Consequences for the Engineer

Y pleaded guilty to the three charges in the Magistrates Court. Y was fined \$4,000 and ordered to pay a total of \$20,000 costs to the Board. The conviction was not recorded.