

# Engineers Registration Bill 2018

During the development of the engineers registration scheme, the Department of Treasury and Finance has consulted the engineering profession, industry stakeholders and across the public sector through stakeholder meetings, roundtable discussions and the release of a public consultation paper. The consultation process has provided valuable feedback and informed key design aspects of the proposed registration scheme.

The Engineers Registration Bill 2018 is currently being considered by the Victorian Parliament.

There will be further consultation on a number of important elements of the scheme, which will be subject to a regulatory impact statement (RIS). Public consultation and a public RIS process will commence after the Bill passes the Upper House.

For any questions that are not resolved through the Frequently Asked Questions, queries can be sent to [information@dtf.vic.gov.au](mailto:information@dtf.vic.gov.au).

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# 1. An engineers registration scheme for Victoria

## 1.1 Why is the Government proposing to introduce a registration scheme for engineers?

Despite the fundamental role in the economy that engineers have, the complex and important work they perform and their pivotal role in ensuring public safety, most engineers are not required to hold any kind of formal registration or licence. .

The Victorian Labor Government therefore made a commitment to work with relevant stakeholders on the introduction of a mandatory, statutory registration scheme, and work with other jurisdictions to develop a nationally consistent registration scheme for engineers.

The Victorian scheme aims to:

- enable consumers of engineering services to make more informed choices about the engineer they engage;
- maintain public confidence in the standard of services provided by engineers;
- ensure the qualifications and experience of engineers working on Victoria's infrastructure pipeline are checked;
- promote the development of the Victorian engineering industry;
- increase the export of engineering services;
- help to promote professional development within the engineering profession and uphold the standards of practice of professional engineers;
- reduce the risk of loss and harm to the public; and
- facilitate labour mobility with respect to jurisdictions in Australia and elsewhere that have registration schemes.

The scheme reflects that the engineering profession is increasingly globalised. Some of Australia's trading partners such as Japan, some provinces in Canada, some states in the United States, Korea, Singapore, New Zealand and Malaysia have registration schemes for engineers. A registration scheme will help Victorian engineers compete in this global marketplace by giving consumers of engineering services the assurance that the engineers they engage:

- are suitably qualified and experienced, and
- will comply with well-recognised and internationally understood professional benchmarks such as Washington Accord-level degrees.

## 1.2 How will an engineers registration scheme help Victoria deliver infrastructure projects effectively?

Victoria continues to invest \$10.1 billion a year over the budget and forward estimates – giving our cities, towns and communities the infrastructure they need.

An engineers registration scheme is part of the Government's plan for infrastructure, which has involved:

- the establishment of Infrastructure Victoria to prioritise infrastructure projects and coordinate funding;
- the establishment of the Office of Projects Victoria and the appointment of the Chief Engineer to equip Victoria with a capable infrastructure project delivery capacity;
- the creation of the Project Leadership Academy;
- the introduction of the Major Project Skills Guarantee to ensure all designated Major Projects provide opportunities for engineering graduates; and
- strengthening the Victorian Industry Participation Program (VIPP) to ensure government procurements created jobs and capacity.

Victoria's registration scheme will ensure highly-qualified and experienced engineers develop and oversee the State's most important projects, including the Metro Tunnel, the West Gate Tunnel Project and the Level Crossing Removal Program.

Given the size of the infrastructure spend, increasingly engineering services are being supplied from overseas. The registration scheme provides the government and major construction companies a practical means to check the qualifications and experience of those supplying services.

### 1.3 What is the current status of the engineers registration scheme?

The Engineers Registration Bill 2018 was passed by the Legislative Assembly on 29 March 2018. It was introduced into the Legislative Council on 1 May 2018.

The Engineers Registration Bill 2018 and Second Reading Speech are publicly available under the list of Bills in the Parliamentary Documents section of the Victorian Legislation and Parliamentary Documents website: <http://www.legislation.vic.gov.au/>

### 1.4 How is the current situation an anomaly?

Registration will address an anomaly that sees professional engineers as one of the only professions that do not have a mandatory licensing or registration scheme. This stands in contrast to other leading professions in Victoria, such as lawyers, doctors, nurses, architects and teachers, as well as many trades such as electricians and plumbers. It is an anomaly that outside of residential construction, engineers who design the systems that these groups often work within, are not regulated.

Given the impact engineers can have on the state's economy and on public safety, including critical roles in our power and water systems, dams, roads and bridges, infrastructure plus manufacturing industries among others, the Victorian government has designed a scheme to address this anomaly.

The scheme ensures certain engineering work is completed by those who have a minimum level of qualification, experience and professional development. The scheme will enable the community and government to purchase engineering services with greater confidence.

## 1.5 Is registration a requirement in other states?

Queensland currently has a comprehensive registration scheme for professional engineers. The Victorian scheme has been largely modelled on the Queensland scheme to promote national consistency. Some other jurisdictions have also announced they will develop comprehensive professional engineers' registration schemes, including the Australian Capital Territory and Western Australia. New South Wales is also considering registration.

## 2. In other jurisdictions, professional associations such as Engineers Australia and Professionals Australia run voluntary accreditation programs. How will the engineers registration scheme work?

### 2.1 Who will need to be registered?

You will need to be registered if you meet all three of the following conditions:

- you provide 'professional engineering services';
- these services fall within one of the five areas of engineering: civil, structural, fire safety, electrical or mechanical engineering; and
- your work does not fall within one of the broad exemptions:
  - working under direct supervision; or
  - working to a prescriptive standard (a prescriptive standard is defined as being a document which contains procedures or criteria for engineering services which do not require scientifically-based calculations).

### 2.2 What are 'professional engineering services'?

Any individual who provides 'professional engineering services' is to be registered.

Consistent with Queensland's legislation, 'professional engineering service' is defined to mean an engineering service that requires, or is based on, the application of engineering principles and data:

- (a) to a design relating to engineering; or
- (b) to a construction, production, operation or maintenance activity relating to engineering;

other than an engineering service that is provided only in accordance with a prescriptive standard. A prescriptive standard is a document which contains procedures or criteria for engineering services which do not require scientifically-based calculations.

## 2.3 What areas of engineering does the scheme apply to?

At the outset, the scheme will apply to five areas of engineering:

1. civil engineering;
2. mechanical engineering;
3. structural engineering;
4. electrical engineering; and
5. fire safety engineering.

In Queensland, these categories cover approximately 80 per cent of registered engineers.

The Bill also makes provision for other areas of engineering to be added through regulations in the future. It is expected other areas of engineering will be considered once the areas of engineering specified in the Bill are fully implemented.

The Bill includes a capacity to exempt specialised areas of engineering that overlap the general areas listed above. For example, automotive engineering can include elements of mechanical and electrical engineering. Regulations made under the Bill may exempt areas such as automotive engineering until a specialised accreditation scheme is available. If engineers engaged in other areas are already appropriately regulated (such as heavy vehicle engineering), they can also be exempted.

## 2.4 How will areas of engineering be determined?

Four of the five areas of engineering are already specified in regulations made under the *Building Act 1993*. These areas will continue to be defined with reference both to existing concepts under the *Building Act 1993*, as well as to definitions specified by professional associations such as the definitions listed under Engineers Australia's areas of practice for the National Engineering Register.

Other areas of engineering will rely on definitions specified by the profession themselves.

This approach will mean that the areas of engineering will reflect the contemporary structure of the profession.

## 2.5 What if I provide professional engineering services in more than one area of engineering?

An individual can seek registration in more than one area of engineering as long as they can demonstrate they meet the competency requirements for each area of engineering.

This is common practice with engineers currently registered in Queensland.

## 2.6 Who will be exempt from registration?

A person will be exempt from the requirement to be registered if they fall within the scope of the following two broad exemptions:

- (a) the direct supervision exemption; and
- (b) the prescriptive standard exemption.

These exemptions will mean many people who do engineering work are exempt from the requirement to be registered. They are designed to minimise the need for people to be registered where the risks arising from their work are relatively low.

## 2.7 What is direct supervision?

An engineer is working under direct supervision when a qualified and experienced registered engineer must review or sign off their work to ensure it is of an appropriate standard. These arrangements have worked successfully in Queensland for many years. Practice notes are issued by the Board of Professional Engineers Queensland (BPEQ) to guide professional engineers in complying with, and understanding the requirements of, the *Professional Engineers Act 2002 (QLD)* and the Code of Practice. According to the Queensland practice note, depending on the nature of the service being supervised, direct contact need not be in person, but may be through written correspondence (letters, drawings, or emails), telephone, or voice or video chat. It is expected Consumer Affairs Victoria will publish similar practice notes in due course.

## 2.8 What is a prescribed standard?

The prescriptive standard exemption enables people to avoid the need to be registered if the design work to be undertaken is straightforward, and does not require engineering judgement or advanced calculations.

Like Queensland's legislation, a 'prescriptive standard' will be a document that states procedures or criteria:

- (a) for carrying out a design, or a construction or production activity, relating to engineering; and
- (b) the application of which, to the carrying out of the design, or the construction or production activity, does not require advanced scientifically-based calculations.

These prescriptive standards are likely to be broad in scope, potentially ranging from formal publications such as Australian Standards, to written procedures of the engineer themselves or manuals. What constitutes a prescriptive standard is likely to be supported by a practice note published by Consumer Affairs Victoria.

## 2.9 What are the registration requirements?

The engineers registration scheme is founded on the principle that a minimum level of qualifications, experience and continuing professional development is required to carry out professional engineering services.

The precise competency requirements will be established in regulations or as part of the approval of each assessment scheme.

It is expected competency will include:

- a four-year Washington accord degree;
- five years' relevant work experience; and
- continuing professional development (CPD).

## 2.10 What is the Washington Accord?

The Washington Accord is an international agreement that sets out accreditation requirements for tertiary level degrees.

It is expected most assessment schemes will rely on Washington Accord standards as the basis for qualification. These degrees are normally of four years' duration and enable substantial equivalence in professional engineering qualifications to be determined.

This will mean the qualifications and experience of many foreign engineers can be assessed as directly compatible with local qualifications, and enable international engineers to be held to the same requirements as local engineers.

It is also expected assessment schemes will include in them the ability to assess equivalence to these standards.

## 2.11 What is the Continuing Professional Development (CPD) requirement?

It is expected the scheme will establish a requirement for 150 hours of CPD over three years. This reflects the current industry standard within Australia and internationally.

CPD can be completed in several ways, including: formal education and training; informal learning activities (including on the job learning); conferences and meetings; presentation and papers; service activity; and, industry involvement. There is no restriction on who can provide CPD activities.

Most engineers are already required to meet similar CPD requirements to maintain membership of professional associations.

## 2.12 What if I am a regionally based engineer?

The Victorian Government believes it is important to apply the same standards to critically important engineering work on our buildings, infrastructure and economic projects in regional and rural areas as apply in metropolitan areas. It is also important to protect the community in regional and rural areas.

There are many competent and experienced engineers in regional Victoria. The vast majority of professional engineers practising in rural and regional Victoria already meet the standards to be registered.

The standards that regional engineers will have to meet are the same as those in metropolitan areas. This means that among other things, CPD and supervision requirements will apply.

Regional engineers will not be required to travel to cities to undertake CPD, given that there will be a wide range of activities that can count as CPD, and a large amount of relevant content can be obtained in writing or through webinars, videos and online.

Similarly, it will be possible for this supervision to occur remotely, as currently occurs in Queensland. Depending on the nature of the engineering service being supervised, direct contact need not be in person, but may be through written correspondence (letters, drawings, or emails), telephone, or voice or video chat.

Further, the scheme recognises that many engineers work across areas of engineering by them to be registered in several areas.

The experience in Queensland also confirms the vast bulk of work undertaken by farmers does not require a registered engineer.

Finally it is important to recognise that these arrangements have worked successfully in Queensland for many years, a state with a more geographically dispersed population than Victoria.

## 2.13 What if I am based interstate or overseas?

Interstate and international engineers who provide professional engineering services for Victoria will be required to be registered.

Given there are many engineers working in Victoria from overseas, a check on qualifications and experience is an important protection for the Victorian community. Engineers from interstate or overseas who meet the standards of the assessment scheme will be treated in the same manner as local engineers.

It is expected that most assessment schemes will rely on a degree to Washington Accord standards as the basis for qualification. These degrees are normally of four years duration and enable substantial equivalence in professional engineering qualifications to be determined. This will mean that the qualifications and experience of many foreign engineers should be directly compatible with that required in Victoria enabling international engineers to be held to the same requirements as local engineers. It is also expected assessment schemes will include the ability to assess equivalence to these standards.

This will enable the community to have confidence that engineering work, covered under the Bill, completed by foreign engineers, will be completed or checked by a registered engineer.

It is expected engineers in other states will readily be able to meet registration requirements. Where those states have similar schemes, there will be no requirement for the engineers to be reassessed.

## 2.14 Why is registration state-based rather than being national?

Under the Commonwealth Constitution, the federal Parliament does not have a general power to require individuals to hold occupational licences.

At this stage, Queensland and Victoria are the only Australian jurisdictions to have engineer registration schemes in place or proposed. The design of Victoria's engineer registration scheme has been modelled on Queensland's scheme to facilitate mutual recognition and promote national consistency.

The Victorian Government will work with other states to ensure an engineer has to only be assessed once and this assessment enables registration in any state with a similar scheme.

## 2.15 Will mutual recognition be available?

Mutual recognition will be available under mutual recognition legislation for engineers registered in Queensland and New Zealand. This means engineers registered in one of those two jurisdictions will be entitled to registration in Victoria without needing to demonstrate qualifications and experience again (and vice versa).

Victoria and Queensland have started discussions about establishing automatic mutual recognition for engineers. If established, this will allow engineers to provide professional engineering services in both states without the need to be assessed twice or pay two lots of registration fees.

Should other states establish registration schemes, the Victorian Government will seek similar arrangements. These arrangements have already been achieved for other professions and trades.

## 2.16 How will mutual recognition work with respect to Queensland's titles?

Under the proposed Victorian legislation, the coverage of the legislation extends to making representations that person is registered under Victoria's legislation when in fact they are not. This is intended to be broad in operation and cover people taking titles such as 'registered engineer', 'professional engineer' or any other combination of words that may lead a consumer to believe a person is capable of providing professional engineering services when they are not permitted to. In this sense, it is broader than prohibitions relating to specific titles.

This prohibition will prevent engineers who are registered under Queensland's legislation (and therefore entitled to call themselves a registered professional engineer) from representing that they are registered under Victorian legislation. Instead, those Queensland engineers will also be required to be registered in Victoria. This requirement for registration will not apply should automatic mutual recognition be introduced.

## 2.17 Will the Bill impact on insurance held by engineers?

The Bill does not introduce any new insurance requirements for engineers.

It is likely that the introduction of registration will improve the ability of insurers to more readily determine that engineers are appropriately qualified and experienced when setting premiums for those engineers.

Advice from an insurance broker indicates that there is no discernible difference in premium rates in Queensland (where there is a registration scheme) compared to other jurisdictions.

## 2.18 Will the Bill and its restrictions on acting outside of an engineer's area of competence restrict innovation?

No.

As professionals, engineers should only work in areas where they are competent to do so. The Bill formalises this requirement.

The Bill does not prevent innovative solutions to engineering problems being developed by people who are appropriately qualified to develop those solutions. Indeed, countries with strong track records of innovation such as Korea require engineers to be registered.

## 2.19 Is the legislation retrospective?

The Bill relates to professional registration alone and is prospective. The scheme is expected to commence from mid-2019 using a staged registration process. It is envisaged the full scheme will be implemented by mid-2022. The detailed schedule for implementation will be included in the regulations.

# 3. How will the engineers registration scheme be enforced?

## 3.1 What activities are prohibited under the Bill?

The Bill prohibits a person from providing professional engineering services in an area of engineering covered by the registration scheme unless they are registered. It will also be an offence for a person who is unregistered to represent that they can provide professional engineering services, that they are an endorsed building engineer or that they are a non-practising engineer.

## 3.2 Will the engineers scheme lead to vexatious complaints?

Like any regulatory scheme, there is a risk that members of the public make complaints that may be perceived as being vexatious. However, it is important to ensure consumers of engineering services can raise concerns to ensure genuine concerns can be addressed. Consumer Affairs Victoria (CAV) has extensive experience investigating complaints, and only proceeds further if evidence of a problem exists. Further, CAV will have access to engineering expertise to assess cases. Determining whether this evidence exists is an important function of the investigation process, and the powers CAV has been granted will assist in determining the validity of complaints swiftly and effectively.

## 3.3 Will enforcement of the codes of conduct lead to criminal prosecution?

No.

Enforcement in relation to codes of conduct against registered engineers will be by discipline, which is a civil process. Discipline will occur through an impartial civil tribunal with extensive experience in oversight of regulatory schemes: the Victorian Civil and Administrative Tribunal.

### 3.4 Does the Bill provide for criminal enforcement against engineers who practise poorly?

No.

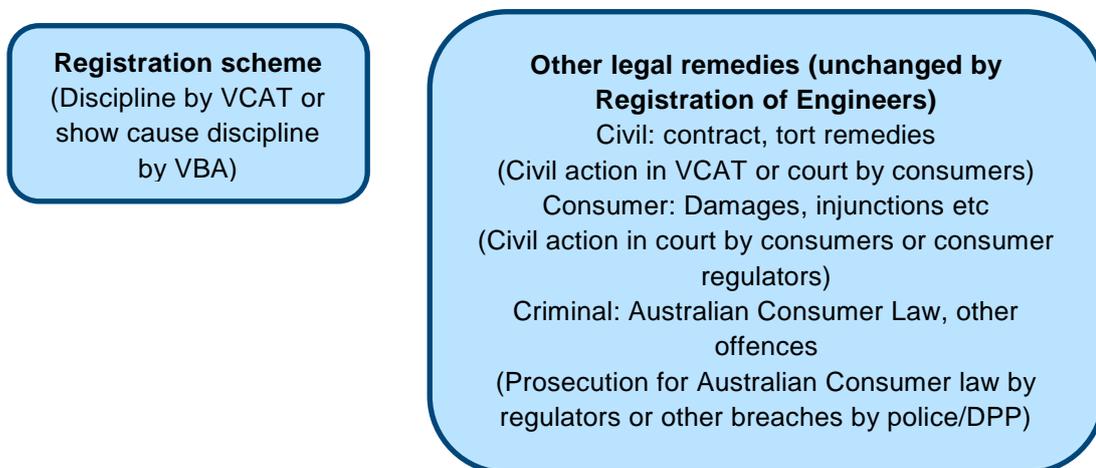
The offences in the Bill relate to unregistered practice, representing that a person can practice without being registered and providing false or misleading information. Poor quality practice will be regulated through civil disciplinary processes rather than criminal prosecutions.

Other remedies currently available to the public for poor engineering work will not be affected by the registration scheme.

Existing remedies , which exist with or without a registration scheme, include:

- Common law civil remedies. These include remedies available under tort law such as under the law of negligence and contract law.
- Consumer law civil remedies. Remedies are available to consumers and regulators. For consumers, these remedies include an ability to obtain damages in relation to breaches of the Australian Consumer Law (an exception exists in relation to the guarantee of fitness for purpose). Injunctions and other remedies are also available.
- Criminal remedies. As was highlighted in the case of the collapse of the CTV Building in New Zealand, if work results in death or injury, those responsible can potentially be exposed to criminal charges, including for offences such as manslaughter. In addition, there are criminal remedies available under the Australian Consumer Law.

The diagram below represents how the regulation of engineers is separate to these other legal remedies.



### 3.5 How will engineers be involved in the investigation and discipline of their fellow engineers?

Consumer Affairs Victoria (CAV) will appoint inspectors using current processes. CAV's inspectors will be able to enter with expert engineers to provide technical assistance. This will ensure resourcing for investigations is appropriate and investigators will be able to draw on expert, experienced engineers when assessing a case.

When conducting disciplinary hearings, the President of the Victorian Civil and Administrative Tribunal has the power to constitute a panel how they see fit. This will give the President scope to appoint a panel comprising a single legal member for simple matters such as directions hearings, while for more complex disciplinary matters the President could establish a panel comprising members with both legal and engineering expertise. It is likely expert evidence from engineers will be provided in any hearing. This flexibility will ensure disciplinary processes are effective, while keeping costs to a minimum.

It is expected that like the current Queensland Professional Engineers Registration Board's practice, the Consumer Affairs Victoria (CAV) will publish studies of disciplinary cases to inform and educate the profession.

### 3.6 Will the entry powers proposed in the Bill allow entry into home offices without consent or a warrant?

No.

As part of a residence, a home office is not subject to the provision authorising entry without consent or a warrant.

## 4. Who will administer the engineers registration scheme?

### 4.1 What is co-regulation and how will it work?

Co-regulation describes a situation where industry is involved in the development and administration of a regulatory scheme, with government providing the legislative backing to enforce the requirements under the scheme. The proposed registration scheme for engineers would be implemented under a co-regulatory model.

The co-regulatory model will enhance the registration of engineers as it leverages expertise from both the engineering profession and government.

### 4.2 What is the role of industry under the scheme?

The proposed co-regulatory model establishes a clear division of responsibility between industry and government. This will see:

- (a) an engineer's qualifications, experience and continuing professional development assessed by professional associations that hold the expertise to conduct such assessments and are competent in doing so; and
- (b) enforcement and compliance remaining the responsibility of the State.

Bodies such as professional associations will be able to apply to government to become assessment entities that are able to assess eligibility under the scheme. However, membership of the relevant entity will not be a requirement. It is expected that there may be more than one entity providing assessments in a particular area of engineering. This competition will help to keep costs low for applicants.

### 4.3 What is an assessment scheme?

Bodies, such as professional associations, will be able to apply to provide services as an assessment scheme in the area of engineering for which they have the expertise to do so.

Assessment schemes will:

- examine the qualifications and competencies of applicants for registration;
- report to the Business Licensing Authority about the applicant's eligibility for registration; and
- audit registered engineers' compliance with continuing professional development requirements.

There are nine professional associations that provide assessment schemes under the Queensland registration scheme.

To date, Engineers Australia and Professionals Australia have indicated an interest to provide this service in Victoria. It is expected that many other organisations will do the same.

### 4.4 What are the roles of the three government regulators who will jointly administer the scheme?

The Business Licensing Authority (BLA) will:

- perform the role of the lead regulator;
- determine applications for registration and renewal;
- determine applications for endorsement on the basis of a report by the Victorian Building Authority authorising a registered engineer to engage in the building industry;
- approve and revoke the approval of assessment schemes; and

maintain a Register of Professional Engineers, including processing changes following disciplinary action.

Consumer Affairs Victoria will:

- provide the 'back office' support to the BLA;
- monitor compliance with the Engineers Registration Act 2018 following its passage through the Victorian Parliament;

- investigate and apply to the Victorian Civil and Administrative Tribunal to discipline engineers in relation to an engineer's registration; and
- prosecute offences under the Act.

The Victorian Building Authority will:

- consider applications for endorsement referred by the BLA to determine whether a registered engineer can engage in the building industry and report to the BLA;
- investigate and discipline engineers in relation to an engineer's endorsement under the *Building Act 1993*.

## 5. What will I need to do to apply for registration?

### 5.1 What is the registration process going to be?

Under the co-regulatory model, there will be two steps to the registration process for the applicant.

1. The applicant will seek assessment of their qualifications, experience and continuing professional development in their nominated area of engineering by an assessment scheme. This may incur a fee.
2. The applicant will seek registration with the Business Licensing Authority (BLA) by submitting:
  - an application as well as any prescribed information;
  - a report by an assessment scheme regarding the engineer's qualifications and competencies; and
  - the prescribed fee.

An engineer will also be required to renew their registration with the BLA every three years and pay their renewal fees.

The BLA will make an assessment as to whether the person is eligible to be registered.

This will include consideration of whether the person is a fit and proper person to be registered.

If satisfied the person is eligible for registration, the BLA will issue a certificate to the applicant, which must then be produced on demand to certain persons, including inspectors and consumers of engineering services.

In addition, if an engineer wishes to be engaged in the building industry, they will be required to hold an endorsement.

### 5.2 What is an 'endorsement' and what is an 'endorsed building engineer'?

If an engineer wishes to be engaged in the building industry, they will be required to hold an endorsement.

The Business Licensing Authority will refer all applications for endorsement to the Victorian Building Authority (VBA) for a report. The BLA will make its decision based on the report.

In addition to the standard processes to be registered, the endorsement process will enable the VBA will check whether an applicant is a 'fit and proper person' to be engaged in the building industry. This involves checking a range of personal and financial probity matters, including whether the engineer is covered by the required insurance under the *Building Act 1993*.

### 5.3 How much will registration cost?

A regulatory impact statement (RIS) analysing fees needs to be undertaken before fees can be set. The fees RIS will be completed by Consumer Affairs Victoria and there will be a public consultation process prior to the scheme's commencement. The Government believes the benefits for consumers and engineers will justify the registration costs under the scheme.

The registration fee under Queensland's registration scheme is \$279.50 per annum (including a one-off application fee of \$59.55). If an engineer is not practising (e.g. on maternity leave, career break or retired), they may choose a non-practising registration at a cost of \$109.95.

It is expected that, with a three-year registration process in Victoria, total fees will be lower than those in Queensland.

### 5.4 Will applicants for registration have to be a member of a professional association?

No.

An applicant seeking assessment of their qualifications and experience in their nominated area of engineering by an assessment entity will not have to be a member of the assessment entity.

### 5.5 What happens if I am already registered with a professional association?

Many professional associations include the assessment of qualifications and work experience as part of professional registration programs. When a professional association becomes an assessment scheme, an engineer who is already registered with that association is not required to be assessed again. Instead, they can generate a letter online and submit that letter with the completed application form to the Business Licensing Authority for registration.

## 6. What if I'm already registered as a building practitioner in the category of engineering?

### 6.1 How will the engineers registration scheme affect my building practitioner registration?

Engineers currently registered under the *Building Act 1993* as a building practitioner in the category of engineering will be taken to be registered under the new scheme for up to 5 years.

When their current registration under the *Building Act 1993* expires, these engineers will need to follow the process under the new scheme.

Therefore, building practitioner engineers who do not meet the qualification and experience requirements of a relevant assessment scheme will have up to five years to ensure they can meet the new scheme's eligibility requirements. Further detail will be included in transitional regulations.

Registration in all other categories of building practitioner other than engineering will be unchanged and will continue to be administered by the Victorian Building Authority.

### 6.2 Is it possible to be a registered building practitioner and a registered engineer?

Yes, if a person meets the eligibility for both registration schemes.

### 6.3 Will I still be able to carry out the same work as I do now?

If an engineer wishes to provide professional engineering services while engaged in the building industry, they will be required to be both registered under the engineers registration scheme and hold an endorsement.

If you want to do other work while engaged in the building industry (including engineering work under direct supervision or to a prescriptive standard), you will still need to be registered under the *Building Act 1993* if the Act requires you to be registered as a building practitioner.

### 6.4 Can I still be disciplined under the *Building Act 1993*?

Yes.

The Victorian Building Authority (VBA) will continue to receive complaints about and investigate contraventions of the *Building Act 1993*, including those relating to registered engineers.

The Bill also makes clear that the VBA can discipline endorsed building engineers in relation to their endorsement. The processes and grounds that the VBA will follow are those in the *Building Act 1993*.

## 6.5 Why is the registration period shorter (three years rather than five years)?

Registration will last for three years to align with the continuing professional development requirements.

## 6.6 Will I get a new registration number?

Consumer Affairs Victoria and the Victorian Building Authority will work together to finalise such details prior to the scheme's commencement.

# 7. When will I find out more information?

## 7.1 When will the engineers registration scheme commence?

The scheme is expected to commence from mid-2019 using a staged registration process. It is envisaged the full scheme will be implemented by mid-2022. The detailed schedule for implementation will be included in the transitional regulations.

## 7.2 When will I find out more information?

If the Bill is passed, the regulator will commence development of regulations and a Regulatory Impact Statement. This is will be informed by a public consultation process.

Consumer Affairs Victoria (CAV) and the Victorian Building Authority (VBA) will provide more detailed information about the engineers registration scheme and the transitional arrangements towards the end of 2018 to inform stakeholders of all relevant changes coming into effect.

The Code of Conduct will be developed in consultation with industry and approved by the Director of CAV. Engineers will have to comply with the Code of Conduct.

Professional associations that intend to apply to become an assessment scheme are likely to inform their members and the broader engineering sector about their prospective role in the scheme and any associated requirements through publications and updates on their websites.