

Queensland



Professional Engineers Act 1988

PROFESSIONAL ENGINEERS REGULATION 1992

**Reprinted as in force on 1 January 2003
(includes amendments up to SL No. 228 of 2002)**

This is the reprint current on the repeal date

Reprint No. 1E

**This reprint is prepared by
the Office of the Queensland Parliamentary Counsel
Warning—This reprint is not an authorised copy**

Information about this reprint

This regulation is reprinted as at 1 January 2003. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

Also see endnotes for information about—

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

Dates shown on reprints

Reprints dated at last amendment All reprints produced on or after 1 July 2002, hard copy and electronic, are dated as at the last date of amendment. Previously reprints were dated as at the date of publication. If a hard copy reprint is dated earlier than an electronic version published before 1 July 2002, it means the legislation was not further amended and the reprint date is the commencement of the last amendment.

If the date of a hard copy reprint is the same as the date shown for an electronic version previously published, it merely means that the electronic version was published before the hard copy version. Also, any revised edition of the previously published electronic version will have the same date as that version.

Replacement reprint date If the date of a hard copy reprint is the same as the date shown on another hard copy reprint it means that one is the replacement of the other.

Queensland



PROFESSIONAL ENGINEERS REGULATION 1992

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PROFESSIONAL ENGINEERS REGULATION 1992

[as amended by all amendments that commenced on or before 1 January 2003]

1 Short title

This regulation may be cited as the *Professional Engineers Regulation 1992*.

2 Fees

The fees payable for the purposes of the Act are the fees set out in Schedule 1.

3 Conduct of election

For the purposes of section 7(b) of the Act, the elected members of the Board are to be elected in the way specified in Schedule 2.

4 Divisions of engineering

For the purposes of section 19 of the Act, the divisions of professional engineering are—

- (a) aeronautical engineering; and
- (b) agricultural engineering; and
- (c) chemical engineering; and
- (d) civil engineering; and
- (e) computer systems engineering; and
- (f) electrical engineering; and
- (g) mechanical engineering; and
- (h) metallurgical engineering; and
- (i) mining engineering; and
- (j) naval architectural engineering.

5 Prescribed class of persons

For the purposes of section 30(c)(ii)(B) of the Act, the prescribed class of persons is the spouse or child of a registered professional engineer.

6 Insurance

For the purposes of—

- (a) section 30(d) of the Act, the prescribed amount of professional indemnity insurance is \$385 000; and
- (b) section 40B of the Act, the prescribed insurance cover for a registered professional engineering unit is professional indemnity insurance, in the name of the corporation of which the unit is part, of an amount of \$385 000.

7 Attendance before Board of applicant

The Board may require an applicant for registration—

- (a) to give to the Board, orally or in writing, further information relating to the application; or
- (b) to attend before the Board and provide information relating to the application.

SCHEDULE 1**FEES**

section 2

	\$
1. For registration as a registered professional engineer	38.00
2. Registered professional engineers' roll fee	71.00
3. For restoration of registration as a registered professional engineer	38.00
4. For issue of a replacement certificate of registration.	38.00

SCHEDULE 2

ELECTIONS

section 3

1 Notice of election

(1) The Board must, by Gazette notice, notify registered professional engineers that an election is to be held.

(2) The notice must—

(a) be published before 30 April in the year of the election; and

(b) specify—

(i) the number of registered professional engineers who are to be elected as members of the Board; and

(ii) the day (not less than 21 days after the publication of the notice) on which nomination of candidates for the election closes; and

(iii) the day (not later than 30 June) fixed by the Board for the election.

2 Returning officer

The registrar is the returning officer.

3 Roll of electors

(1) The returning officer must prepare a roll of electors.

(2) The roll must include the names, in alphabetical order, of all persons who are registered professional engineers on the day notice of the election is published.

(3) The chairperson must certify the roll as correct as soon as practicable after it is prepared.

(4) The certified roll is to be the roll for the election.

SCHEDULE 2 (continued)**4 Nominations**

(1) A nomination of a candidate for election as a member of the Board must be signed by—

- (a) not less than 5 registered professional engineers; and
- (b) the candidate.

(2) The candidate must be a registered professional engineer.

(3) The nomination must be given to the returning officer not later than 4 p.m. on the day on which nominations close.

5 Withdrawal of nomination

A candidate may withdraw from an election by signed notice given to the returning officer not later than 4 p.m. on the day on which nominations close.

6 When ballot not required

If there are not more than 3 candidates for election, the returning officer must declare the candidates elected as members of the Board.

7 Election

If there are more than 3 candidates for election, the returning officer must conduct an election.

8 Ballot papers to be prepared and sent to voters

The returning officer must prepare and send ballot papers to each registered professional engineer whose name is included on the roll, together with an envelope, addressed to the returning officer and marked 'ballot paper only'.

9 Voting

(1) Each registered professional engineer is entitled to 1 vote.

(2) A vote is to be recorded by—

SCHEDULE 2 (continued)

- (a) placing a cross opposite the names of 3 candidates; and
 - (b) placing the completed ballot paper in the ballot paper envelope; and
 - (c) sealing the ballot paper envelope; and
 - (d) sending or delivering the ballot paper envelope to the returning officer.
- (3) The voter must not make any other mark on the ballot paper.
- (4) A vote is informal if the ballot paper—
- (a) is not completed in the way required by this clause; or
 - (b) is marked in a way that is not permitted by this clause.
- (5) The returning officer must place each sealed ballot paper envelope received by the returning officer in a locked ballot box.
- (6) A ballot paper received after 4 p.m. on the day of the election is not to be placed in the ballot box.

10 Scrutineers

- (1) Each candidate is entitled to appoint 1 person as a scrutineer.
- (2) The candidate must notify the returning officer of the appointment not less than 5 days before the day of the election.

11 Counting votes

The returning officer must, immediately after the close of the election—

- (a) open the ballot box in the presence of the scrutineers and 2 other witnesses; and
- (b) remove the ballot papers from the ballot paper envelopes; and
- (c) examine the ballot papers; and
- (d) count the number of formal votes for each candidate; and
- (e) count the number of informal votes.

SCHEDULE 2 (continued)

12 Declaration of result

(1) At the completion of the count, the returning officer must declare elected as a member of the Board the candidate who received the most votes and 2 other candidates who, in order, received the next highest number of votes.

(2) If—

- (a) 2 or more candidates receive the same number of votes; and
- (b) each of the candidates is entitled to be declared elected; and
- (c) the number of candidates entitled to be declared elected, together with any candidate (if any) already declared to be elected, is more than 3;

the returning officer is to determine who is to be declared elected from the candidates whose votes are equal by lot in the presence of the scrutineers and witnesses.

13 Minister to be notified of result

The returning officer must notify the Minister of the persons who have been declared elected as members of the Board under section 6 or 12.

14 Destruction of ballot papers

(1) The returning officer must keep the ballot papers for 6 months after the election.

(2) The Board may, after the end of the period mentioned in subsection (1), direct the registrar to destroy the ballot papers.

(3) The returning officer must destroy the ballot papers in the way directed by the Board, or, if no direction is given, in the way that the returning officer considers appropriate.

ENDNOTES

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2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 1 January 2003.

3 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
AIA	= Acts Interpretation Act 1954	(prev)	= previously
amd	= amended	proc	= proclamation
amdt	= amendment	prov	= provision
ch	= chapter	pt	= part
def	= definition	pubd	= published
div	= division	R[X]	= Reprint No.[X]
exp	= expires/expired	RA	= Reprints Act 1992
gaz	= gazette	reloc	= relocated
hdg	= heading	renum	= renumbered
ins	= inserted	rep	= repealed
lap	= lapsed	(retro)	= retrospectively
notfd	= notified	s	= section
o in c	= order in council	sch	= schedule
om	= omitted	sdiv	= subdivision
orig	= original	SIA	= Statutory Instruments Act 1992
p	= page	SIR	= Statutory Instruments Regulation 2002
para	= paragraph	SL	= subordinate legislation
prec	= preceding	sub	= substituted
pres	= present	unnum	= unnumbered
prev	= previous		

4 Table of earlier reprints

Reprints are issued for both future and past effective dates. For the most up-to-date table of earlier reprints, see the latest reprint.

If a reprint number includes a letter of the alphabet, the reprint was released in unauthorised, electronic form only.

TABLE OF EARLIER REPRINTS

Reprint No.	Amendments included	Effective	Reprint date
1	none	14 May 1993	9 June 1993
1A	to SL No. 191 of 2000	7 July 2000	21 July 2000
1B	to SL No. 239 of 2000	15 September 2000	25 September 2000
1C	to SL No. 154 of 2001	31 August 2001	14 September 2001 (Column discontinued) Notes
1D	to SL No. 228 of 2002	30 August 2002	

5 List of legislation

Professional Engineers Regulation 1992 SL No. 146 of 1993

made by the Governor in Council on 18 December 1992

notfd gaz 14 May 1993 pp 471–2

commenced on date of notification

rep 1 January 2003 (2002 No. 54 s 145)

amending legislation—

Public Works Legislation Amendment Regulation (No. 1) 2000 SL No. 191 pts 1, 3

notfd gaz 7 July 2000 pp 857–8

commenced on date of notification

Professional Engineers Amendment Regulation (No. 1) 2000 SL No. 239

notfd gaz 15 September 2000 pp 222–5

commenced on date of notification

Public Works Legislation Amendment Regulation (No. 1) 2001 SL No. 154 pts 1, 3

notfd gaz 31 August 2001 pp 1618–19

commenced on date of notification

Public Works Legislation Amendment Regulation (No. 1) 2002 SL No. 228 pts 1, 3

notfd gaz 30 August 2002 pp 1557–61

commenced on date of notification

6 List of annotations

Insurance

s 6 amd 2000 SL No. 191 s 5

Repeal

s 8 om R1 (see RA s 40)

SCHEDULE 1—FEES

sub 2000 SL No. 239 s 3; 2001 SL No. 154 s 5; 2002 SL No. 228 s 17