

# Why Registration

- Registration is a way of preventing unscrupulous or untrained practitioners operating in a field where they are not qualified, either never having the qualification or not maintaining the knowledge of current practice. Now there is no mechanism to prevent such people from continuing to operate unless they are charged, usually after a catastrophic event, with criminal negligence or sued for economic loss.
- If chartered status or membership of the National Engineering Register were compulsory to practice as an engineer, then registration is unnecessary but that would be closed shop like some other professions with all the attendant problems.
  - EA would then become
    - a) an unresponsive monopoly (some would say it already is unresponsive)
    - b) have two conflicts of interest between
      - i) discipline and membership fees and
      - ii) protection of members vs protection of the public
- Registration obliges clients, engineers and builders/manufacturers/operators to ensure that they are following safe practices, they are not making decisions outside their area of competence and that they can be disciplined before the event if they do.
- The proposed law only penalises you if you do something or claim to be able to do something for which you are clearly unqualified or, if qualified, you do not follow sound procedures and that then results in significant cost or risk to the client, the builder/manufacturer/operator or the public.
- The law does not say you can't exceed Australian standards. On the contrary it treats a couple of standards as the bare minimum eg AS 3000, the electrical wiring codes. The others are for guidance and it is up to you as an engineer that any variance from the code does not affect safety or product performance. If you can show that your design is superior to the standard, then you won't have a problem
- There is no evidence from Queensland that vexatious claims are an issue. There is no evidence of businesses being crippled while an investigation is ongoing. The records that investigators can demand are records that should be kept by any professional business in any case and only the records related to the specific case can be seized.
- The codes of conduct (code of ethics?) are not specific because it is not possible to provide specific answers to all possible cases. It is possible to demand that engineers operate with integrity and make all reasonable steps to ensure that the projects they deliver are fit for purpose, safe and economical which is what the codes expect.
- Typos and such mistakes are not offences (let alone criminal offences) unless they significantly affect the performance and outcome of the project. E.g. (oops that lifting apparatus should have been secured with 16 mm bolts not 6 mm is not an inconsequential typo)
- If you sign off on a project you are responsible for it. If you rely on others to do the work, it is your responsibility to ensure that all the team members are qualified to do the work, that they have proper procedures in place and follow accepted practice. That is what happens in surgeries, law offices and any properly organised manufacturer or construction company. It does not mean you have to supervise every piece of work. It means you must have a trusted chain of operation so that no-one is free to take shortcuts.
- There is no evidence that it criminalises engineering. The repeated use of the word criminal in the argument against registration shows a poor understanding of the difference between criminal and administrative law.
- The law cannot be retrospective. If there was no mechanism for registration how can you be fined for not being registered in the past. Similarly, if a claim against you arises after you cease practice it would have to be shown that the error arose while you were practicing and were then unregistered. Registration simplifies the process of checking the qualifications of other engineers on the project
- Victorian Engineers will pay a registration fee just like doctors, lawyers, nurses, teachers, pharmacists and architects and many para-professionals do, what is the fuss. Would you go to an unregistered doctor?

- Forget to pay the annual fee and you can be fined. Forget to pay your drivers licence and you will be fined. Are there part time driver's licences, nurse registration etc. If you are working part time as an engineer it is no different, you must keep up to date and in most cases, you should be insured, the cost of the registration fee is trivial compared to all the other costs of staying in business
- It does not impact on career flexibility. If some young start up engineer doesn't get their work checked by an experienced competent engineer and does not adhere to recognised safety standards, then she/he is putting people at risk. That should not be acceptable. It is ok to say, "Move fast and break things" if the product is a software game or app. It is not ok if it is a structure, machine or control system which can cause safety problems or large economic loss
- Non-engineers making engineering decisions can be penalised. Isn't that what we should all be aiming for. If the decision is based on adherence to an established code or engineered design or procedure, then it is not an engineering decision. If the decision requires engineering knowledge or judgement, then engineers should be involved. How is this not a good thing for society and the profession?
- It is a cost, but very little compared to the cost of the CTV building in Christchurch. You won't be forced to join a professional body such as EA or PA. You are required to have a certificate of competency and to demonstrate that you are up-to-date with current measures in your field of practice.
- The law is superior in many ways to that governing other professions in that it does not make a closed shop. Almost any professional body with which we have mutual recognition arrangements such as British, American or German engineering institutions can certify your competence.
- You will be required to keep your knowledge and skills up to date. As to the cost, if you insist on only going to expensive courses you might spend \$2,000. If you go to industry and professional organisation seminars and conferences, online courses etc you can do it for much less. Many PD events are free. Typical fees will be less than \$500 per year. If you are not prepared to invest in your own professional knowledge, don't have the gall to call yourself a professional.
- The law does protect the practice of engineering if not the formal title. The attempts to protect the title of Engineer in all English-speaking countries have all failed. This law makes the distinction between Engineering as a profession and all other practices which have appropriated the title. It is not perfect, but it is a step in the right direction.
- The law is not a magical cure all for the ills of the profession. All it attempts to do is ensure that if you claim to be a competent professional engineer that you are qualified to make that claim. It also penalises people who are not engineers, who yet take engineering decisions. Just as a driver's licence doesn't make you a good driver, at least someone has assessed that you can drive. Continuing the drivers licence analogy, just because you have drivers licence, you can't claim to be qualified to drive a B-double. Similarly, if a mechanical engineer might specify electric motors but unless qualified, cannot specify the wiring, control and electrical safety equipment.
- Registration makes it easier for customers to check your basic competence and it gives engineers some support against incompetent or unscrupulous employers/clients (or dare I say other engineers) who want to evade good practice