

Professional Engineers (Code of Practice) Amendment Regulation 2021

Human Rights Certificate

Prepared in accordance with Part 3 of the *Human Rights Act 2019*

In accordance with section 41 of the *Human Rights Act 2019*, I, the Honourable Mick de Brenni MP, Minister for Energy, Renewables and Hydrogen and Minister for Public Works and Procurement provide this human rights certificate with respect to the *Professional Engineers (Code of Practice) Amendment Regulation 2021* (Amendment Regulation) made under the *Professional Engineers Act 2002* (the Act).

In my opinion, the Amendment Regulation, as tabled in the Legislative Assembly, is compatible with the human rights protected by the *Human Rights Act 2019*. I base my opinion on the reasons outlined in this statement.

Overview of the Subordinate Legislation

The Amendment Regulation approves an amended Code of Practice for registered professional engineers of Queensland (RPEQs).

Section 108 of the Act provides that the Board of Professional Engineers of Queensland (Board) is responsible for making or amending a Code of Practice.

The purpose of the Code of Practice is to provide guidance to RPEQs as to appropriate professional conduct or practice. It may also be used as evidence in disciplinary proceedings. The Code of Practice is a statutory instrument within the meaning of the *Statutory Instruments Act 1992*.

A Code of Practice has no effect until approved under regulation and must be reviewed at least once every three years. The current Code of Practice was made by the Board on 22 March 2013 and commenced on 29 November 2013. A review was undertaken in 2017 and no amendments were proposed at that time.

In 2020, the Board reviewed the Code of Practice and consulted with key stakeholders. As a result, key changes were proposed including improving readability, strengthening existing principles and addressing responsibility for RPEQs to maintain appropriate professional indemnity insurance. The Board made an amended Code of Practice on 4 August 2020.

The Amendment Regulation approves the amended Code of Practice that will provide greater clarity for RPEQs as to appropriate professional conduct or practice. High standards of engineering services are integral to ensuring the safety of design and structures across many industries and in the community. The amended Code of Practice will promote the obligations that underpin professional engineering services, promote public confidence in standards of services provided by RPEQs and encourage accountability of the engineering profession in Queensland.

Human Rights Issues

Human rights relevant to the subordinate legislation (Part 2, Division 2 and 3 *Human Rights Act 2019*)

There are no human rights affected or engaged by the Amendment Regulation.

Conclusion

I consider that the *Professional Engineers (Code of Practice) Amendment Regulation 2021* is compatible with the *Human Rights Act 2019* because it does not limit human rights.

MICK DE BRENNI MP
MINISTER FOR ENERGY, RENEWABLES AND HYDROGEN
AND MINISTER FOR PUBLIC WORKS AND PROCUREMENT

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