



Speech by

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MEMBER FOR KAWANA

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ARCHITECTS BILL; PROFESSIONAL ENGINEERS BILL

Mr CUMMINS (Kawana—ALP) (3.26 p.m.): As we know, NCP—or national competition policy—was in retrospect an economic rationalist idea that went rabid. Now, national competition policy is about as popular as that other dysfunctional NCP, the National Country Party. But in accordance with the national competition policy's legislative review program, which requires amendment or repeal of all legislation that restricts competition, a review of the Professional Engineers Act 1988 was undertaken. The outcome of that review was support for the continued regulation of the profession with the elimination of anti-competitive elements that cannot be justified on public interest grounds. This review identified a preferred approach for the continued regulation of professional engineers as being a means of coregulation—that is, joint administration by the engineering profession and a statutory governing body.

The Professional Engineers Bill provides for the registration of engineers, but the bill does not set out to regulate the practice of engineering except to the extent necessary to ensure that professional engineering services are provided only by registered engineers. In order to become registered, an applicant engineer must demonstrate a fitness to practise and possess a sufficient level of proficiency in the areas of engineering, such as electrical, mechanical or civil for which he or she may be seeking registration.

I am very proud of my brother, Brady Cummins, who in fact is an aeronautical engineer. Probably close to 20 years ago—not long after I had finished learning my trade as an electrician—I, like other members, did not have a lot of confidence in some engineers. Some people used to think that engineering was purely out of a book and that they, without experience, could tell someone in a trade or similar field what they thought would be a way to do something when, in fact, people can gain a lot more from experience of how things work in practice as opposed to purely in theory.

As with the existing and all previous legislation, the bill provides that it be administered by a board of professional engineers of Queensland. The required levels of proficiency for registration will be established by regulation following the recommendations from the board. Accredited professional organisations will be responsible for assessing applications for registration against the established proficiency levels. Following a successful assessment and a demonstration of a fitness to practice, the board will register the applicant. In effect, the state will set standards for registration, professional associations will assess applications for registration against these set standards, and the board will register those applicants who have been assessed as meeting the standards and have otherwise demonstrated a fitness to practice.

The aim of this bill is to ensure that only competent persons provide professional engineering services. This I believe will afford a public level of health and safety protection while enhancing and promoting overseas business opportunities in every possible way. The Institute of Engineers Australia, Queensland Division, has expressed support for this bill. Again, in accordance with obligations under the national competition policy and in view of the fact that legislation governing architects exists across Australia, a review of the architects legislation was undertaken by the Commonwealth Productivity Commission. In broad terms, the Productivity Commission made a primary recommendation for all architects legislation to be repealed and an alternative recommendation for the adoption of certain principles in legislative enactments in individual jurisdictions which require building practitioners to be registered.

The Architects Bill 2002 provides for the registration of architects. This bill does not set out to regulate the practice of architecture, except in so far as it is necessary to do so for the purpose of providing registration. In order to become registered, an applicant architect must demonstrate a fitness to practice and possess a sufficient level of proficiency in the practice of architecture. As with the existing and all previous legislation, the bill provides that it be administered by a board of architects of Queensland. The required levels of proficiency for registration will be established by regulation following the recommendations from the board. Accredited professional organisations will be responsible for assessing applications for registration against the established proficiency levels. Following a successful assessment and demonstration of a fitness to practice, the board will register applicants. In effect, the state will again set standards for registration.

Accredited professional associations will assess applications for registration against the set proficiency standards and the board will register those applicants who have been assessed as meeting the standards and have otherwise demonstrated a fitness to practice. I did raise with the minister, the relevant departmental officers and the caucus advisory some concerns I had with the use of landscape architects and similar professions. Unfortunately, sometimes the Queensland public may need to be protected, for example, if they were to look up the phone book for a landscape architect. What is the difference between a landscape architect and a landscape gardener? They may not need any professional qualifications. It is disappointing, but as pointed out the title and the use of the word 'architect' is restricted to persons registered under the bill. The restriction on title, apart from being a normal part of professional regulation, allows the consumer of professional architectural services to know that a person using that title has a level of professional skill. Similarly on grounds of public interest and consumer protection, a person who is not an architect must not use the word 'architectural services', 'architectural design services' or 'architectural design' to describe any service provided by that person.

The aim of the bill is to ensure that architectural services provided by an architect are provided in a professional and a competent way commensurate with national and international standards of practice. This affords the public a level of health and safety protection while enhancing or promoting overseas business opportunities in every way possible. Again, the Queensland chapter of the Royal Institute of Architects has expressed support for the bill. In closing, I mention the immensely talented architects and professional engineers who have worked to ensure that the Sunshine Coast and indeed Queensland is a tastefully designed and properly constructed safe environment in which to live. I thank the minister and the various staff who addressed various issues of concern that I raised and I commend the bill to the House.