

3RD ANNUAL RESOURCES WORKFORCE SOLUTIONS

**Qld Regulatory Compliance:
Ensuring your site workforce has the requisite
qualifications and competencies.**

19-21 November 2012, Hilton BRISBANE

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Queensland Oil and Gas Industries

- In Qld, coal seam gas is governed by the *Petroleum and Gas (Production and Safety) Act 2004* (Qld), not by the coal mining legislation.
- The overarching requirement from s675 of the Act is that each person must have all the necessary competencies to undertake the allocated work they are assigned to perform.
- The *Competency Standard for the Petroleum and Gas Drilling Industry (2011) Version 1* came into force on 01 January 2012.



Qld Mining Industries

In Qld, for mining each person must have the competencies recognised by the Mining Safety and Health Advisory Committee:

- for coal mines under the *Coal Mining Safety and Health Act 1999* (Qld);
- for hard rock mines and quarries the *Mining and Quarrying Safety and Health Act 1999* (Qld).



Sorry Sir, but "impersonating a log" is not a very marketable skill...



Qld Mining Industries

- All coal mine workers in Qld **must have** Standard Induction 11;
- All 'supervisors' in open cut or underground coal or hard rock mines and quarries must have S123;
- A Site Senior Executive in a coal mine **must have** G3 and pass the law exam
- A Site Senior Executive in a hard rock mine or quarry **must have** S3 (RIIRIS301A).

Qld Mining Industries

What does **must have** mean?

- Gavin Taylor, Qld Chief Inspector of Mines in his letter to the industry dated 11 November 2011 made it clear that any person on a mine site who does not have the requisite competencies will be determined not to be operating at an acceptable level of risk. As such they must cease working until assessed to the standard.





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Registered Professional Engineer Qld (RPEQ)

The Board of Professional Engineers of Queensland administers the *Professional Engineers Act 2002* (Qld) and the *Professional Engineers Regulations 2003* (Qld).

- Compulsory registration of professional engineers in Queensland;
- Restricts the use of the words “professional engineer” and “consulting engineer” to registered professional engineers.



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Registered Professional Engineer Qld (RPEQ)

- If you want to know if someone is a Registered Professional Engineer Queensland (RPEQ), there is a searchable database of maintained by the Board of Professional Engineers at:

http://www.bpeq.qld.gov.au/imis15/BPEQ/Finding_an_RPEQ/Search_Register/BPEQ/

- The Act provides for a complaint process about an engineer's professional conduct.



Registered Professional Engineer Qld (RPEQ)

What mining oil and gas activities are covered?

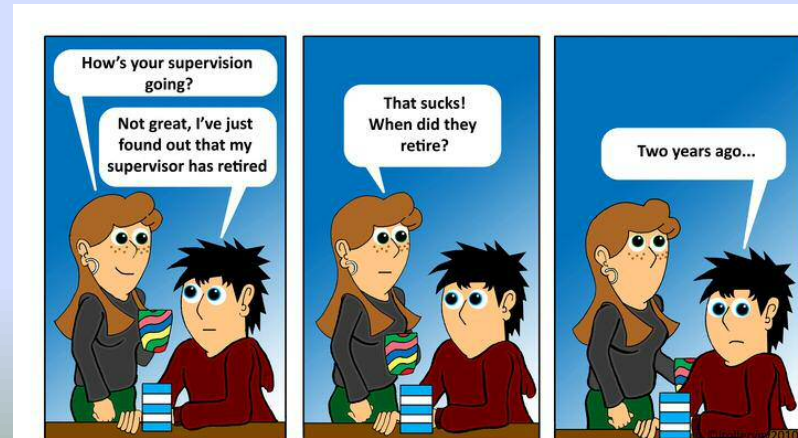
Schedule 2 of the Act defines professional engineering service as “an engineering service that requires, or is based on, the application of engineering principles and data to a design, or to a construction or production activity, relating to engineering, and does not include an engineering service that is provided only in accordance with a prescriptive standard”.



Registered Professional Engineer Qld (RPEQ)

Section 115, of the Act prohibits:

- anyone from providing professional engineering services unless they are registered; or
- are working under the direct supervision of an RPEQ registered in the same area of engineering; and
- only then if the RPEQ directs the person in the carrying out of the services and oversees and evaluates the carrying out of the services by the person.





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Registered Professional Engineer Qld (RPEQ)

- **The Wivenhoe Dam:** The Board of Professional Engineers Queensland commenced a prosecution of Wivenhoe Dam engineer John Ruffini under the Act for providing a professional engineering service while not being registered.
- **Shirtcliff/Fisher:** Engineers Australia, which oversees the registration of civil engineers began an investigation as did the University of NSW. A William Fisher RPEQ is on the searchable database of Registered Professional Engineers so they perhaps are also investigating with a view to a further prosecution.

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Registered Professional Engineer Qld (RPEQ)

Why do you need to be registered?

- The Board of Professional Engineers may prosecute if your workplace does not have an RPEQ on site under the auspices of whom all the *professional engineering services* are being provided.
- The successful prosecution of Wivenhoe Dam engineer John Ruffini under the Act will no doubt add weight to the class action for civil damages against the Qld State government. The lawyers are sure to use “employing an unregistered engineer” on the Wivenhoe Dam as further evidence of negligence.



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Registered Professional Engineer Qld (RPEQ)

How do you get registered?

- The AusIMM has been approved under the Act to assess competencies and run the continuing professional development schemes in the **areas of engineering** or disciplines of Mining, Environmental, Geotechnical (Mining) and Metallurgical.
- The AusIMM Chartered Professional Accreditation program and its relationship to the RPEQ Assessment and Registration found on the AusIMM website at:
<http://www.ausimm.com.au/content/default.aspx?ID=318>

Registered Professional Engineer Qld (RPEQ)

How do you get registered?

Applicants wishing to be assessed for RPEQ need to meet the following criteria under The AusIMM system:

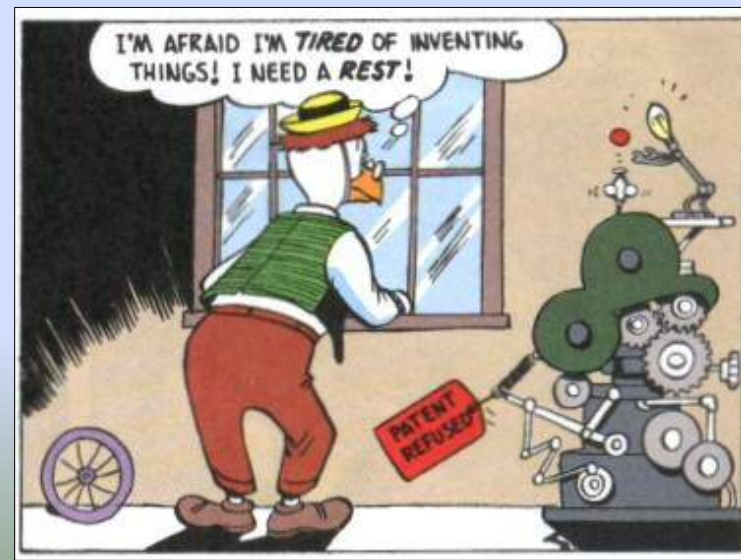
- A minimum four year degree in an Engineering discipline. Where a degree less than four years is held the CP Board may consider additional education and training as equivalence to a four year degree.
- A minimum five years of relevant professional experience in the discipline for which accreditation is being sought.



Registered Professional Engineer Qld (RPEQ)

How do you get registered?

- Engineers Australia is the accreditation and assessment entity for the Areas of Engineering:
Aerospace, Biomedical, Building Services, Chemical, Civil, Electrical, Environmental, Management, Mechanical, Structural, Naval Architecture, Information Telecommunications and Electronics Engineering (ITEE) and Petroleum
- An applicant must apply for accreditation under the Engineers Australia Approved Assessment Scheme:
<http://www.engineersaustralia.org.au/professional-development/echartered>





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Registered Professional Engineer Qld (RPEQ)

How do you get registered?

- After your successful assessment you must apply to the Board of Professional Engineers for registration as an RPEQ.
- The accrediting entities either Engineers Australia or the AusIMM notify the Board of Professional Engineers of your accreditation and assessment.
- You are then registered in the area of engineering for which you are accredited.
- You must make a separate RPEQ application for each area of engineering. RPEQ Mining v RPEQ Geotech (Mining).



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Registered Professional Engineer Qld (RPEQ)

Maintaining & updating registrations & competencies

- Maintaining and updating registrations and competencies is prescribed by legislation and by the CPD programs of accrediting entities such as Engineers Australia, the AusIMM, the MMAA.
- Section 54AA of the *Petroleum and Gas (Production and Safety) Regulation 2004* (Qld) provisions relating to “undergoing training”, “direct supervision” and “competent person”.

Breaches of legislative requirements make liable for **criminal prosecution** and **civil damages** and affect:

- the workers who are unregistered or lack the competencies; and
- the companies that employ them knowing they are not registered or lack the competencies.



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Thank you **19-21 November 2012, Hilton BRISBANE**

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