

Recognised Engineering Body RECOGNITION APPLICATION FORM

Design and Building Practitioners Act 2020
Design and Building Practitioners Regulation 2021

October 2022

Registration of professional engineering bodies – pathway 2

Important information

1. This form is for an organisation to apply for recognition as an engineering body with a professional engineer recognition or registration scheme by NSW Fair Trading pursuant to the *Design and Building Practitioners Act 2020* (Act) and the *Design and Building Practitioners Regulation 2021* (Regulation).
2. The information you provide on this form will be used to consider eligibility for recognition by the Secretary in accordance with the provisions of the Act and the Regulation. For further information, see the *Professional Engineering Body Recognition Guideline* (Guideline).
3. An organisation that is a recognised engineering body is able to:
 - a. Register or recognise an individual under the registration or recognition scheme as a Professional Engineer; and
 - b. Represent that it is an engineering body which has been recognised by the Secretary to register or recognise Professional Engineers.
4. An organisation that is a recognised engineering body must comply with the general conditions of recognition in the Regulation and any specific conditions of recognition imposed by NSW Fair Trading in order to maintain its accreditation scheme's recognition. For further information, see Part 3 of the Guideline.
5. For further information and to view the Guideline, visit [FairTrading](#) or email: dbpprofessionalbodyapplications@customerservice.nsw.gov.au

How to lodge this form

Email to: dbpprofessionalbodyapplications@customerservice.nsw.gov.au

Documents supporting the application can be emailed if they are less than 5MB in total.

If your documents exceed 5MB, please submit via Kiteworks. You will need to setup an external client email account in [Kiteworks](#), using “create account” option, then email the large file attachments via [Kiteworks](#) only.

It may take up to 60 business days from the date of application for a decision to be made by the Secretary.

If you have any questions, contact NSW Fair Trading at: dbpprofessionalbodyapplications@customerservice.nsw.gov.au

Engineering body details

Legal name of Applicant Organisation

ABN or ACN or Incorporation number

Phone

Address

Suburb

Postcode

Website

Organisation's email address

Designated contact person

Provide details about the designated contact person to whom NSW Fair Trading will direct all communications relating to the assessment process, and if the engineering body is recognised, all ongoing communications.

Given name(s)

Family/Surname

Position

Work phone

Work email

Postal address

Suburb

Postcode

Office address

Suburb

Postcode

Scheme contacts

Provide the contact details of the persons involved in the operation of, management of and the day-to-day affairs of the recognition or registration scheme.

Given name(s)	Family/Surname
<input type="text"/>	<input type="text"/>
Position/Role	
<input type="text"/>	
Given name(s) – Scheme Manager	Family/Surname
<input type="text"/>	<input type="text"/>
Given name(s) – Application Manager	Family/Surname
<input type="text"/>	<input type="text"/>
Given name(s) – Insurance Manager	Family/Surname
<input type="text"/>	<input type="text"/>
Given name(s) – CPD Manager	Family/Surname
<input type="text"/>	<input type="text"/>
Given name(s) – Audit & Investigations Manager	Family/Surname
<input type="text"/>	<input type="text"/>
Given name(s) – Complaints & Dispute Resolution Manager	Family/Surname
<input type="text"/>	<input type="text"/>
Given name(s) – Discipline Manager	Family/Surname
<input type="text"/>	<input type="text"/>
Given name(s) – Compliance & Reporting Manager	Family/Surname
<input type="text"/>	<input type="text"/>

Add more rows as required.

Scheme details

Provide the following scheme details for publication on the NSW Fair Trading public website.

Name of the scheme

Physical address

Suburb

Postcode

General enquiry phone

General enquiry email

Link to recognition or registration scheme

Classes of professional engineer

- ☐ professional engineer — civil
- ☐ professional engineer — electrical
- ☐ professional engineer — fire safety

- ☐ professional engineer — geotechnical
- ☐ professional engineer — mechanical
- ☐ professional engineer — structural

Application attachments

The following must be provided with the application (for more information, see Part 2 of the Guideline):

The professional body must provide/attach:

- ☐ The prescribed fee.
- ☐ Evidence of incorporation.
- ☐ Corporate structure including any parent and subsidiary corporations, related and associated bodies corporate, and the providers of outsourced services relating to the recognition or registration scheme.
- ☐ For governance and oversight of the recognition or registration scheme, the governance and oversight body code(s) and charters/terms of reference.
- ☐ Certificate of Currency demonstrating adequate professional indemnity and public liability insurance, including the activities of assessing and recognising or registering Professional Engineers.
- ☐ Financial statements that demonstrate the body's financial capacity and financial resources to operate the recognition or registration scheme.
- ☐ Organisational chart demonstrating sufficient staffing capacity to operate the recognition or registration scheme, including timely assessment of applications, auditing, and prompt resolution of complaints and discipline matters, identifying the scheme Registrar and Compliance Officer.
- ☐ A brief description of the roles and responsibilities of any directors and/or officers involved in the management of the applicant body.
- ☐ A documented strategy for professional engineers if the body's recognition is cancelled (incorporating the requirements of the Regulation clauses 47, 60, 61).
- ☐ A documented process for the receipt, assessment and determination of applications for recognition or registration of professional engineers under the scheme, including:
 - (i) a process for notifying the Secretary of any applications refused by the recognised engineering body, and
 - (ii) a process for managing actual or perceived conflicts of interest within the recognised engineering body's conflict of interest policy in carrying out an assessment of an application, and
 - (iii) objective assessment and verification criteria, including the qualifications, experience, knowledge, skills and continuing professional development requirements that an applicant must meet in order to be recognised or registered as a professional engineer under the scheme, and
 - (iv) the way in which the competence of applicants will be assessed, and
 - (v) a process for the internal review of decisions made by the recognised engineering body in relation to the receipt, assessment and determination of applications, and
 - (vi) a process for imposing conditions on a professional engineer's recognition or registration
- ☐ A written declaration that the applicant body, and each director and officer applicant body, is a suitable person for approval as a recognised engineering body with a recognition or registration scheme.
- ☐ A written declaration that if a close associate of the applicant body exercises a significant influence over the applicant body or its business, the close associate is a fit and proper person.
- ☐ A written commitment to agree an Information Sharing Agreement with NSW Fair Trading in respect of the applicant body recognition or registration scheme.

The recognition or registration scheme must be a single document providing:

- ☐ The process for the receipt, assessment and determination of applications including details on the way in which the competence of applicants will be assessed.
- ☐ The assessment criteria, including the qualifications, experience, knowledge, skills and continuing professional development requirements that an applicant must meet to be recognised or registered.
- ☐ The details of the process for imposing conditions on a professional engineer's recognition or registration.
- ☐ The process for the internal review of decisions made by the recognised engineering body in relation to the receipt, assessment, and determination of applications.
- ☐ The process for notifying the Secretary of any applications refused, suspended, cancelled or disciplinary action taken by the recognised engineering body.
- ☐ The Audit program to ensure registration requirements are continually met by those registered.
- ☐ The process for the body to assess insurance requirements of professional engineers.
- ☐ The process for identifying and managing conflicts of interest.
- ☐ Adequate continuing professional development requirements for professional engineers.
- ☐ The details of the continuing professional development audit program.
- ☐ The process for receiving and managing complaints and resolution of disputes involving professional engineers who are recognised or registered under the scheme.
- ☐ The process for taking disciplinary action including the grounds for taking the action, the assessment process, types of disciplinary action that may be taken and the process for internal review of the decision.
- ☐ The website content and location containing a searchable register and information pertaining to the application process, fees, complaints management, dispute resolution, disciplinary action and conditions that may be imposed on engineers.
- ☐ The standard terms and conditions imposed on Professional Engineers by the recognition or registration scheme.

Privacy Collection Notice

The Department of Customer Service (the Department) on behalf of the Commissioner for Fair Trading (NSW Fair Trading) gives priority to protecting the privacy of your personal information. We do this by handling personal information in a responsible manner and in accordance with *Privacy and Personal Information Protection Act 1998* (PPIP Act).

The personal information contained in the application is collected and held by NSW Fair Trading.

Why we collect your personal information and how we use it

The personal information you provide in connection with this application for recognition of a professional engineering body will be collected by Fair Trading NSW for the following purposes:

1. Determining whether the professional engineering body meets the requirements of recognition as an engineering body with a professional engineer recognition or registration scheme under Part 5 Division 3 of the *Design and Building Practitioner Act 2020* (the Act) and Part 5 of the *Design and Building Practitioner Regulation 2021* (the Regulation).
2. Internal administrative purposes, including liaising with you in relation to the application.

The personal information captured in the application is provided voluntarily. However, the consequence of not providing your personal information is that the application may not be able to be determined.

Personal information we collect

We may collect the following personal information:

- your full name (including any former names), position title, signature, contact details (address, email, phone number, mailing address and residential address), driver licence number, place and date of birth.
- proof of identity information, which may include your passport, driver licence, Medicare card details or other proof of identity.
- supporting documentation, including references as required by the Act and Regulation.
- additional personal information if it is required to satisfy the eligibility requirements for recognition.

How we may disclose this information

The personal information provided in this application may be disclosed to the following individuals:

- The designated contact person for the scheme.
- Persons involved in the operation, governance, management, and day-to-day affairs of the recognition or registration scheme.
- Officer holders within the scheme.
- Nominated CPD auditors.
- Referees of directors or officers of scheme.

If required, we may also make enquiries and exchange information with other NSW government agencies (including the NSW Police Force), or other States, Territories and/or the Commonwealth for the purpose of assessing your application and for compliance purposes.

Unless stated otherwise, we will not disclose your personal information to anybody unless you have given consent, or we are authorised or permitted to do so by law.

Further information

Please see the Department's Privacy Management Plan and the NSW Fair Trading Privacy Statement for more information about how we handle your personal information, how you can request access to or correct the personal information we hold about you (if the information is inaccurate, incomplete, not relevant or out of date) and who to contact if you have a privacy enquiry or complaint. Alternatively, you can email us at brdprivacy@customerservice.nsw.gov.au.

Please view our [privacy collection notice](#) for more information about how the personal information you provide in this form will be handled.

Declaration

I certify that the information provided on this form is correct.

Given name(s)	Family/Surname
<div></div>	<div></div>
Position	
<div></div>	
Signature	Date
<div></div>	<div></div>

WARNING

It is an offence to provide false or misleading information to the Department of Customer Service. Part 5A of the *Crimes Act 1900* contains offences relating to the making of false or misleading applications or providing false or misleading information or documents. Those offences have a maximum penalty of imprisonment for 2 years or a fine of \$22,000 (or both).

Office use only

Date received	Approved/Refused	Date of decision	Reg. number
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Reviewed by			
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Approved by			
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