

Continuing Professional Development (CPD) Guidelines for Professional Engineers

These are Guidelines issued by the Secretary of the Department of Customer Service (the Secretary), under Schedule 3 of the *Design and Building Practitioners Regulation 2021*.



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1. Glossary of terms

Words and expressions used in these Guidelines have the same meaning as they have in the *Design and Building Practitioners Act 2020* (the Act) and the *Design and Building Practitioners Regulation 2021* (the Regulation) unless otherwise specified.

CPD	continuing professional development.
CPD activity	means an activity of relevant education and training approved in these Guidelines and given a value in hours by the Secretary.
CPD year	a Registered Professional Engineer's CPD year is 12 months commencing on their date of registration and the anniversary of that date each year.
Guidelines	means this document.
Pathway 1	Person applies to Fair Trading providing evidence of required qualifications, skills, knowledge and experience. Person needs to successfully complete CPD as per requirements set by Fair Trading.
Pathway 2	Person applies to Fair Trading providing evidence of registration or recognition from a professional engineering body approved by Fair Trading (recognised engineering body). Person needs to successfully complete CPD requirements as per requirements set by the professional engineering body and approved by Fair Trading.
Pathway 3	Person applies to Fair Trading providing evidence of registration or recognition from a professional body of engineers operating with the Professional Standards Scheme approved by the Professional Standards Council. Person needs to successfully complete CPD as per requirements set by the Professional Standards Scheme.
Recognised engineering body	means a professional engineering body recognised by Fair Trading to register or recognise professional engineers.
Registered Professional Engineer	means a person who is registered or recognised under the <i>Design and Building Practitioners Act 2020</i> as a professional engineer.
Professional engineering work	means professional engineering work under the <i>Design and Building Practitioners Act 2020</i> .
Professional Standards Scheme	means a Professional Standards Scheme under the <i>Design and Building Practitioners Act 2020</i> .
Registration	means registration granted under the <i>Design and Building Practitioners Act 2020</i> from 1 July 2021 for a period of 1, 3, or 5 years as specified in the notice of registration, unless cancelled.

2. Introduction

The Design and Building Practitioners Regulation 2021 (the Regulation) outlines the professional standards and qualifications that must be met by professional engineers from 1 July 2021 in NSW. Clauses 2 and 5 of Schedule 3 of the Regulation require professional engineers to complete continuing professional development requirements each year.

Continuing professional development (CPD):

- helps professional engineers stay informed, up-to-date, skilled and knowledgeable;
- improves professionalism and performance in the building and construction industry through relevant learning; and
- enhances consumer protection and public confidence in the building and construction industry.

A person has three options (referred to as “Pathways”) to become registered as a Registered Professional Engineer under the Act. The particular CPD requirements that apply depend on the manner by which the person is registered. Please visit the Fair Trading website for more information on the pathways to becoming a “registered professional engineer”.

The following table identifies the three pathways to become registered and the CPD requirements that apply to each pathway:

Pathway to registration	Description of pathway	CPD requirements
Pathway 1	Eligibility and ongoing registration requirements set by Fair Trading	50 hours of relevant education and training per CPD year as approved in these Guidelines (see sections 3 and 4 of the Guidelines). <i>Note: in the future Pathway 1 engineers may also be able to satisfy CPD requirements by completing a program offered by an approved professional body – however there are currently no approved professional bodies.</i>
Pathway 2	Eligibility and ongoing registration requirements set by recognised engineering body in accordance with a scheme approved by Fair Trading	Satisfy the CPD requirements imposed by the recognised engineering body. <i>Note: there are no recognised engineering bodies at this stage.</i>
Pathway 3	Eligibility and ongoing registration requirements set by professional body of engineers that operates with a Professional Standards Scheme.	Satisfy the CPD requirements that are imposed by the professional body of engineers in accordance with the Professional Standards Scheme. <i>Note: there is currently no professional body of engineers that operates with a Professional Standards Scheme.</i>

This document identifies:

- 1) CPD obligations for engineers registered under Pathway 1 (sections 3 and 4 of the Guidelines);
- 2) CPD obligations for engineers registered under Pathway 2 (section 5 of the Guidelines);
- 3) CPD obligations for engineers registered under Pathway 3 (section 6 of the Guidelines);
- 4) record keeping requirements (section 7 of the Guidelines);
- 5) how to apply for an exemption from some or all of the CPD requirements (section 8 of the Guidelines); and
- 6) consequences for non-compliance with the CPD requirements (section 8 of the Guidelines).

This document also provides a template for Registered Professional Engineers to record CPD activities to meet their record keeping requirements under the Regulation (see **Appendix 1**).

Registered Professional Engineers must also complete any additional CPD requirements imposed on them by the Secretary (see clause 2(2) of Schedule 3 of the Regulation).

3. Pathway 1 – General

3.1 Calculating completion of hours under Pathway 1

Registered Professional Engineers under Pathway 1 are required to successfully complete at least 50 hours of relevant education and training approved in these Guidelines. Each CPD activity approved in these Guidelines is allocated a value in hours, depending on the activity (see section 4 of the Guidelines). The use of hours is intended to align more closely with other jurisdictions including Victoria and Queensland where 150 hours of CPD is required over 3 years. This makes it easier for engineers to understand and comply with their CPD requirements if working in Queensland or Victoria as well. The CPD requirements are intended to be structured and deliberately focused on activities which are relevant to the engineer's area of practice.

Where the course provider has designated the time it will take to complete the course, a Registered Professional Engineer is to count that amount of time towards their total hours of relevant education and training. A Registered Professional Engineer cannot count any additional time.

For a CPD activity to be counted towards a Registered Professional Engineer's 50-hour total requirement, it must have taken at least 30 minutes to complete. Activities under 30 minutes may not be counted. CPD hours are then to be calculated in increments of 0.5 hours. Where the actual time spent on a CPD activity is not in 30 minute increments, the actual time spent must be rounded down to the nearest 30 minutes. This means that a 2 ¼ hour seminar would be rounded back to be 2 hours and a 2 ¾ hour seminar would be rounded back to be 2.5 hours.

A Registered Professional Engineer is not entitled to count the time spent on any one course more than once in any CPD year.

For example:

If Jill participates in a CPD course that the course provider states will take 2 hours and it takes Jill 2.5 hours to complete the course, she can claim 2 hours towards her CPD obligations.

If Jill participates in a CPD activity and the provider has not specified how long the course will take and Jill completes it in 2 hours and 15 minutes, she can claim 2 hours because she must round down the time.

If Jill participates in a CPD activity that takes her 20 minutes to complete, she cannot claim any time for that activity towards her CPD obligations.

3.2 Surplus CPD hours for CPD requirements under Pathway 1

Where a Registered Professional Engineer earns more than 50 CPD hours in a CPD year they can carry forward up to 10 surplus CPD hours into the next CPD year.

A Registered Professional Engineer that carries over CPD hours into the next CPD year must still meet minimum CPD hour requirements for each mandatory topic area (see section 4.2 of this paper). However, surplus hours can be used towards the mandatory topic area requirements.

For example:

If a Registered Professional Engineer earned 60 hours in one year, 10 hours could be carried to the next year. In the second year, the engineer would only need to complete an additional 40 hours to satisfy their CPD requirement.

Surplus hours cannot carry across multiple years.

For example:

A Registered Professional Engineer who completes 80 hours in CPD year 1 can only carry over 10 surplus hours for CPD year 2. The remaining 20 surplus hours cannot be carried over to CPD year 3.

4. Pathway 1 – Relevant education and training approved by the Secretary

4.1 CPD requirement

Under clause 5(2)(c)(i) of Schedule 3 of the Regulation, Registered Professional Engineers under Pathway 1 are to satisfy their CPD requirements under the Regulation by completing at least 50 hours of approved relevant education and training each CPD year.

The following categories do not apply to Registered Professional Engineers under Pathway 2 (see section 5 of these Guidelines for CPD requirements for those engineers) and Registered Professional Engineers under Pathway 3 (see section 6 of these Guidelines for CPD requirements for those engineers).

4.2 Approved education and training

Mandatory CPD topic areas

The objective of the CPD Scheme is to encourage practitioners to participate in CPD that will promote learning outcomes in essential areas. For this reason, certain topics are mandatory and 20 hours must be formal CPD activities.

In order for a Registered Professional Engineer to successfully complete 50 hours of relevant education and training for the CPD year:

- a) at least 20 hours must be relevant to the engineer's area of practice (including reinforcing and updating knowledge of the National Construction Code);
- b) at least 3 hours must cover risk management;
- c) at least 3 hours must address business and management skills; and
- d) the remainder must address activities relevant to the engineer's career and interests, provided it is relevant to their work and class of registration.

For education and training undertaken by a Registered Professional Engineer to be relevant, the subject matter must be relevant to the engineer's class/es of registration and area/s of practice.

CPD hours may be earned by undertaking education and training activities that fall within either the "Formal" or "Informal" categories described below, noting the limits on some categories. At least 20 CPD hours must be undertaken from the "Formal" category and a maximum of 30 hours may be earned from the "Informal" category.

Please see the summary of CPD requirements in the table below:

Approved education and training – Formal

Approved formal education and training involves participating in structured and organised activities, where there are clear objectives and learning outcomes, including an assessment measure, and where attendance or participation can be evidenced. This does not include courses used to satisfy mandatory qualifications for registration as a professional engineer (however course work for higher levels of education can be used to satisfy CPD hours).

Some of the approved formal activities are limited to ensure that a Registered Professional Engineer undertakes a varied CPD program. Please see the maximum hours for CPD activities listed below in e), f), and g).

Examples of formal activities include:

- a) courses available from the Construct NSW Learning Management System to satisfy requirement to keep knowledge of the National Construction Code current;
- b) courses available from the Australian Building Code Board National Construction Code CPD system;
- c) provider-delivered activities that include a structured assessment task that genuinely tests participants' understanding of content;
- d) provider-delivered activities that are structured to include significant interaction between the presenter and the participant, such as a structured workshop where participants are required to complete an individual or group task;
- e) preparation and delivery of formal CPD activities – this may involve time spent researching, writing articles, developing assessments for all types of formal CPD activities, but does not include time spent delivering material (*a maximum of 5 hours per CPD year may be claimed in this category*);
- f) activities relating to the teaching of a subject, directly related to the engineer's class/es of registration, at a tertiary level that involves significant preparation and/or scholarship, such as the development of a new course and/or lecture content and/or the definition of new curriculum (*a maximum of 10 hours per CPD year may be claimed in this category*); and
- g) authorship of published peer-reviewed academic articles or books – limited research and writing activities (*a maximum 5 hours per CPD year may be claimed in this category*).

Approved education and training – Informal (maximum 30 hours each CPD year)

Approved informal education and training involves activities undertaken by the individual, like self-directed learning, reading and research. To qualify, the CPD activities must be in addition to activities already undertaken in the normal course of practice or employment.

Activities that fall within this category may be undertaken to earn **up to a maximum of 30 hours each year**.

Examples of activities in this category include:

- a) engineering related lectures and seminars that do not satisfy requirements for formal CPD activities above;
- b) self-directed study of practice notes, reading technical/professional journals, listening to technical/professional podcasts, etc.;
- c) talks and presentations by peers, including group and team discussions, or workshops, online discussion forums on a subject matter that is relevant to a professional engineer's work;
- d) involvement in mentoring or coaching programs where personal and practical skills relevant to an engineer's work are developed;
- e) tutoring at a tertiary level in an area relevant to an engineer's work where there is no

significant preparation and/or involvement in the development of new content or curriculum; and

- f) professional activities and teaching in an area relevant to an engineer's work including researching and writing articles for journals or other publications and preparing and/or presenting material for courses, conferences, seminars or symposia.

Features of approved informal CPD activities include:

- a) new knowledge and skills are acquired from, or shared with, peers;
- b) learning outcomes can be identified;
- c) activity is intended to be educational and is in addition to activities already undertaken in the normal course of practice or employment; and
- d) consideration has been given as to how the knowledge and skills gained from the activity may be applied to practice or employment.

Examples of activities that do not constitute approved informal education and training and can't be counted as CPD hours are:

- a) activities already undertaken in the normal course of practice or employment;
- b) social activities;
- c) networking;
- d) running a personal website, blog or newsletter; and
- e) participation in marketing events.

4.3 Multiple classes of registration

A Registered Professional Engineer is required to meet their CPD obligations under each class of registration. This includes the requirements for 20 hours formal and 6 hours mandatory CPD hours on ethics, risk management and business and management skills. If an engineer is registered under multiple classes of registration, this does not necessarily mean that they are required to complete more than 50 hours of CPD.

However, if a Registered Professional Engineer is registered in multiple areas of registration, 15 hours of CPD per year must relate to their area/class of engineering. For instance, if an engineer is registered as a Professional Engineer – Civil and Professional Engineer – Structural, 15 hours must relate to structural engineering and 15 hours must relate to civil engineering. We do understand that some CPD activities may relate to multiple areas and so in some circumstances may apply to both areas of engineering.

For example:

If a professional engineer earned 10 hours of CPD relevant to structural engineering and 10 hours of engineering relevant to civil engineering as well as 5 hours of CPD activities that related to both areas of engineering. This would satisfy the requirement when registered under multiple classes of registration.

5. Professional Engineers – Pathway 2

5.1 CPD Requirement

Under clause 5(2)(b) of Schedule 3 of the Regulation, an engineer who is recognised or registered by a recognised engineering body must satisfy the CPD requirements imposed by the body.

A Registered Professional Engineer under Pathway 2 may be required to complete additional CPD requirements if directed by the Secretary of the Department of Customer Service.

6. Professional Engineers – Pathway 3

6.1 CPD Requirement

Under clause 5(2)(a) of Schedule 3 of the Regulation, an engineer who is a member of a professional body of engineers that operates with a Professional Standards Scheme must satisfy the CPD requirements that are imposed by the body in accordance with the scheme.

A Registered Professional Engineer under Pathway 3 may be required to complete additional CPD requirements if directed by the Secretary of the Department of Customer Service.

7. Recording completed CPD

7.1 Record keeping

Registered Professional Engineers must keep written records specifying how they have satisfied their CPD requirements for each year and maintain those records for at least five years (see clause 3 of Schedule 3 of the Regulation).

The written records should be accompanied by evidence in support of the activities completed, such as:

- certificates of completion from an RTO, TAFE or Australian university; and
- records of attendance that specify the Registered Professional Engineer's name, course/training title and date/s, duration, trainer's name and training organisation.

If requested in writing, an engineer must provide copies of records of completed CPD to the Secretary (see clause 3(c) of Schedule 3 of the Regulation).

Appendix 1 provides a suggested template to record CPD activities. This is not a mandatory template. The template is an example only and the examples provided are to be deleted. Registered Professional Engineers can modify the template to suit their needs, as long as the minimum information is captured.

8. Exemptions and non-compliance

8.1 Exemptions

In certain circumstances, the Secretary may exempt a Registered Professional Engineer from some or all CPD requirements if the Secretary considers it is reasonably necessary to do so (see clause 2(2)(a)(ii) of Schedule 3 of the Regulation). While not exhaustive, some examples of circumstances in which the Secretary may consider it reasonably necessary to provide an exemption include:

- where the engineer is ill (or caring for someone ill) for a significant portion of the period of registration, and therefore is unable to complete CPD or carry out work in accordance with the Act;
- where the engineer is not working due to maternity leave, military leave, etc, or; and
- in circumstances where there is a pandemic or other declared natural disaster.

Registered Professional Engineers may apply for an exemption from the Secretary in writing by sending an email to: DBPRegistration@customerservice.nsw.gov.au

The request must include:

- the engineer's name and registration number;
- the CPD hours already undertaken by the engineer that CPD year;
- whether a partial or full exemption is sought;
- the reasons why the engineer has not, or cannot, meet CPD requirements and why the Secretary should consider providing an exemption;
- any dates that support the request (e.g. dates of leave); and
- any documentation to support the request.

Registered Professional Engineers who apply for an exemption will be advised by email of the outcome of the request within 28 days.

The Secretary may also publish a notice in the Gazette exempting a class of Registered Professional Engineer from some or all of the CPD requirements (see clause 2(2)(b) of Schedule 3 of the Regulation).

8.2 Non-compliance

Under section 64 and 66 of the Act, the Secretary may take disciplinary action if a Registered Professional Engineer does not meet CPD requirements, unless an exemption has been granted.

The Code of Practice for Registered Professional Engineers, under Schedule 4 of the Regulation requires engineers to remain informed of developments in practices relating to professional engineering work that are relevant to their area of engineering, and relevant law. A breach of the Code of Practice may also be grounds for disciplinary action and it is a condition of registration that an engineer must comply with the Code of Practice.

9. Appendix 1 – Template to record completed CPD

Name: _____

Class of registration: _____

Learning category	Name of course, seminar, book	Course Code or ID (if applicable)	Location and dates	Type of learning	Name of trainer, organisation, writer	Type of supporting documents	Actual Duration (in hours/minutes)	CPD hours earned (after rounding down if necessary)
CPD hours earned per year				Surplus hours earned				
Total CPD hours earned (year 1)			50	Surplus hours		0		-
Total CPD hours earned (year 2)			60	Surplus hours		10		10

Total CPD hours earned (year 3)	40	Surplus hours	0	-
Total CPD hours earned (year 4)	55	Surplus hours	5	5
Total CPD hours earned (year 5)	45	Surplus hours	0	-

Note: This is an example template. Registered Professional Engineers can modify the template to suit their needs if it contains the necessary information.