

Chartered Professional Engineer Rules change

Submissions analysis and next steps

March 2025

Executive summary

The Registration Authority for Chartered Professional Engineers is on a journey to strengthen the Chartered Professional Engineers (CPEng) system, so that it continues to be fit-for-purpose and so that registrants, regulators and the public have ongoing confidence in the work we do. Our goal is to improve public safety outcomes.

In October and November 2024, we consulted on a series of proposed changes to the Chartered Professional Engineers Rules 2002. We proposed:

- » Establishing a framework for new classes
- » Changing how we do continued registration assessments; and
- » Strengthening the complaints and disciplinary system.

We received 180 submissions on the changes proposed. These submissions were productive, indicating support (or otherwise) for the proposals and raising matters for further consideration. We are grateful to registrants and stakeholders for submitting. Your feedback has, and will continue to, inform our work going forward.

Feedback received is summarised and analysed in this document. Due to the detailed nature of the proposals and submissions, in this document we have also endeavoured to respond to common points raised by submitters. Responses are noted throughout the document and in Section 4.

As this document outlines, there was broad support for the changes proposed. This led to the CPEng Board agreeing in February to proceed with the Rule changes proposed.

Publishing and implementing the Rule changes will take some time. Section 4 of this document provides information to registrants and stakeholders on timing and impact. Specifically, it provides information on the staged introduction of new classes.

We will keep you informed of how and when the changes will impact you. We will consult with you about the new classes proposed and we will provide guidance for you on changes to the continued registration and complaints processes.

Thank you for your support for the CPEng system and your involvement in this process to date.

Nāku, nā



Dr Richard Templer
Chief Executive, Engineering New Zealand

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Section 1: Overview

Background

Between October and November 2024, the Registration Authority consulted on a series of proposed changes to the CPEng Rules. The changes proposed included the introduction of classes, changes to continued registration requirements and changes to the complaints process. Further information can be found in the [consultation document](#).

This document summarises submissions received and outlines next steps.

Overview of submissions received

The table below outlines the number of submissions we received in the consultation. In total we received 180 submissions.

Type	Category	Subcategory	Count	Details
Written (21)	Individuals		14	-
	Groups/ organisations		7	<ul style="list-style-type: none"> » International Council on Systems Engineering (INCOSE) » Fonterra » NZ Geotechnical Society (NZGS) » Dunning Thornton » WSP NZ » The Institute of Chemical Engineers in New Zealand (IChemE) » Transpower
Online via Survey Monkey (159)	Individuals (145)	Engineering New Zealand member	123	-
		CPEng registrant	101	-
		CPEng Assessor	23	-
		Other interested party	8	-
	Groups/ Organisation (14)	Technical group	4	<ul style="list-style-type: none"> » Structural Engineering Society New Zealand (SESOC) » Society of Fire Protection Engineers NZ Chapter (SFPE) » Engineering General Practitioners » Undisclosed
		Regulator	1	» Selwyn District Council
		Employer	9	<ul style="list-style-type: none"> » Stantec Geoprosessionals and Structural Engineers » Holmes » Cook Costello » Redco NZ Ltd » Beca Ltd » LGE Consulting Ltd » Core50 » Undisclosed

Methodology

Over December 2024 and January 2025, staff at Engineering New Zealand reviewed each submission received, analysing results both quantitatively (raw numbers, including percentages) and qualitatively (key themes and recommendations to strengthen proposals). This document summarises the quantitative and qualitative findings.

For ease of analysis, written submissions were separated from online survey submissions. This is because no written submitter answered all the survey questions in their response, instead they concentrated on key points they wanted to get across.

To support our understanding of the online survey responses, we separated group/organisation submissions from individual submissions. This was to help us understand trends in individual submissions as compared with group/organisation submissions. We did this so group/organisation submissions were not lost in the large volume of submissions received.

Section 4 of this document covers responses to common concerns raised. Throughout the analysis we refer to key points covered in Section 4.

The Appendix of this paper summarises all the feedback received, the Registration Authority's recommendations and the CPEng Board's decisions. If you are interested in only the summary of submissions received, please refer to the Appendix.

The submissions analysis was provided to the CPEng Board in early February 2025 to support its decision-making on the proposed Rule changes. Decisions, rationale and next steps are outlined in this paper and have been approved by the CPEng Board.

Key observations

The following points summarise our observations of the consultation and response to key proposals:

- » **Success of the consultation:** Overall it is our view that the consultation was a success. We received significant feedback, the majority of which was productive and constructive. For the most part, the proposals we consulted on were understood by respondents. Many submitters helpfully commented on opportunities to strengthen our proposals.
- » **Classes proposal:** There was strong support for the addition of classes to the CPEng register, along with considerable comment on the extent and impact of the proposals.
- » **Continued registration process proposals:** There was support for changing the continued registration process, including the addition of annual commitments and declarations.
- » **Complaint process proposals:** Proposed changes to the complaints process were generally supported although there was some confusion on a couple of the proposals. This was to be expected and not surprising, given the familiarity of the average respondent with the process.
- » **Professional Engineering Geologists (PEngGEol) and Chartered Member:** Although outside the scope of the proposal, there were several significant submissions made on PEngGeol and Engineering New Zealand's Chartered Member class.
- » **Impact on individuals (including fees) and industry:** The Registration Authority received significant feedback by submitters on the possible impacts of the proposals on individuals and the industry. These points are addressed in Section 4 of this document, along with other common themes raised.

Section 2: Written submissions

Overall, the Registration Authority received 21 written submissions. These submissions were categorised into 'group and organisation' or 'individual' submissions.

Written submissions generally did not follow the outline of the questions asked in the consultation document and online survey. As such, Engineering New Zealand team members have reviewed the submissions and summarised key feedback. This section gives a summary of main points from groups' and individuals' written submissions and the detailed analysis of these points is in Section 4.

Overview of written submissions

GROUP SUBMISSIONS

In total, seven groups and organisations wrote to Engineering New Zealand directly about the CPEng Rules change consultation (as opposed to filling out the online survey). These groups/organisations were as follows:

- » WSP
- » IChemE
- » NZ Chapter of the International Council on Systems Engineering
- » Fonterra
- » New Zealand Geotechnical Society
- » Dunning Thornton
- » Transpower

Group and organisation submissions reflected a range of views on the proposed changes, with some being supportive of the direction outlined in the consultation document and others expressing concerns about specific aspects of the proposals.

INDIVIDUAL SUBMISSIONS

In total, 14 individuals wrote directly about the CPEng Rules change consultation. These submissions reflected a range of views, highlighting areas of agreement, concern, and suggested improvements.

The review received broad support from most individual submitters, who acknowledged its intent to strengthen the CPEng system and improve public confidence. Many submitters highlighted the importance of ensuring the system remains relevant, robust, and practical for engineers across various contexts. However, concerns were raised by several submitters regarding the clarity of the proposed changes and whether they adequately address systemic risks and issues of professional competency. One submitter strongly opposed changing the Rules.

Some submitters provided thoughts on the framing of the work, including one submitter who considered the Rules review should have clarified what the public's expectations of the system are, what regulators expectations are and what registrants' expectations are. While we were not explicit about this in the consultation document, staff of Engineering New Zealand and the Registration Authority have solicited this information from many stakeholders and our understanding of these matters informed the proposals outlined.

WRITTEN COMMENTS ON CLASSES

Our proposal to introduce classes received considerable feedback. Six of the seven groups/organisations' written feedback supported the introduction of classes. Many highlighted the need for classes to align with high-risk activities to ensure public safety and accountability.

One organisation did not support our proposal to introduce classes due to concern on who can sign-off work and compliance costs.

Seven individual submitters (50%) outright supported the principle of introducing classes to better address risk and align with international frameworks. The Registration Authority received several comments on operationalising the class proposals, including there being a need to have a total list of classes to be introduced by the Registration Authority. Comments on the use of Bodies of Knowledge and Skills were also received. These comments will be considered as the changes are implemented.

Two individual submitters strongly opposed the introduction of classes and stated that they risk fragmenting engineering practice into narrowly defined areas and creating barriers for general engineers, including compliance costs and limiting who can sign off work. These submitters also raised concerns about exclusionary practices that would particularly disadvantage small firms and rural practitioners. These comments have been seriously considered by the Registration Authority.

Two written submitters noted the lack of clear definitions for terms such as “high risk” and “significant risk” and that this could lead to inconsistent application across different engineering fields, potentially undermining confidence in the system.

Submitters recommended the following classes or practice fields:

- » Systems Engineering
- » Asset Management
- » Process Safety
- » Professional Engineering Geologist (see points below and in Section 4)
- » Additional Design Verifier classes, if PADs are removed
- » Chemical Engineering (in consultation with IChemE, where there is public safety considerations)

These suggestions have been referred to the Registrar for review.

One individual submitter recommended additions to the draft Rules, to further clarify classes. This recommendation is being reviewed by Engineering New Zealand’s Legal Team as the Rule wording is finalised.

One individual submitter considered that classes should also be introduced where there is a potential financial or reputational risk.

FOCUS OF CLASSES

Two group/organisation submitters agreed with the proposed focus on high-risk engineering activities, as identified in the consultation document. They supported a focus on the fire, structural and geotechnical engineering.

Concern regarding the potential burden and complexity introduced by new classes was raised by three individual submitters. One submitter cautioned that the proposed approach could increase compliance costs and could cause inefficiencies by requiring multiple signoffs across various classes. Another submitter suggested aligning classes with existing legislation and associated compliance requirements within the building and construction sector (ie Electricity Act, or Plumbers, Gasfitters, and Drainlayers Act) to mitigate potential overlaps and duplication. A third cautioned against introducing classes prematurely, suggesting that this could impose unnecessary complexity and restrict the profession. The Registration Authority is taking these concerns and considerations seriously.

One individual submitter questioned whether the Registration Authority has a clear definition of significant public harm and suggested that this needed to be addressed before moving forward with classes.

PRACTICE AREA DESCRIPTIONS (PADs)

Two individual submitters proposed retaining PADs but making them more flexible to accommodate general engineers and small practitioners. One submitter highlighted inconsistency in the way PADs are currently applied, with some practice areas unnecessarily restricted based on arbitrary definitions of complexity or scope. A few submitters considered that PADs should be publicly available, something the Registration Authority has been opposed to.

PROFESSIONAL ENGINEERING GEOLOGY

One group’s submission focused on the place of professional engineering geologists (PEngGeol)s in the regulatory system. Concern was raised that PEngGeol does not fit within the proposals and there was no transparency in the consultation document on Engineering New Zealand’s future management of PEngGeol registration. The group recommended consideration of a CPEng class for PEngGeol. Following receipt of this submission, Engineering New Zealand has been in discussions with the group and is exploring options to strengthen PEngGeol registration. Future communications on this are planned.

Written comments on continued registration assessments

There were minimal written comments by groups/organisations on the second chapter of the consultation document (assessments and continued registration assessments). Two group submitters agreed that the current model for continued registration assessments could be improved by adopting a more risk-based approach recognising the requirement for work samples and interactive assessments placed unnecessary burden on practitioners in lower-risk fields. One group submitter specifically highlighted that this process often leads to administrative inefficiencies without corresponding benefits. Another group submitter noted that an engineer's expertise and international accreditation should be considered when assessing engineers.

Individual submitters provided considerable feedback on the continued registration assessment process, with concerns raised about the perceived rigidity of the proposals. There were mixed responses on whether the current reassessment process is burdensome. Three submitters did not agree that the current process is inflexible and needed change while four submitters agreed that change needs to occur.

Two individual submitters noted that changes to the continued registration assessment processes will need to work for small practices/firms. An additional two submitters raised concerns that reassessments imposed disproportionate burdens on sole practitioners who lack natural referees and whose work may not easily fit into the narrow assessment criteria.

Three individual submitters noted that the current reassessment process tends to undervalue experienced engineers who may not have recently undertaken "complex" work but retain the skills to do so. A further three individual submitters also commented that the focus of continued registration assessments should be on maintaining competency through Continuing Professional Development (CPD) and evidence of ongoing, quality work rather than overly prescriptive or box-ticking measures. One submitter recommended the Registration Authority consider CPD audits, outside of the six-yearly continued registration assessment cycle.

One organisation submitted that caution is needed on the proposed 'fit-and-proper person' declaration, noting that guidance is required to ensure that non-related medical issues do not limit engineers from practising. The Registration Authority agrees that further clarification and guidance is needed on the proposed annual declaration, and this will be progressed as the work continues.

One written submitter strongly opposed annual commitments and declarations.

Written comments on complaints

There were minimal written comments by groups/organisations on the complaints chapter. Three group submitters agreed that the Registration Authority should have discretionary powers to dismiss complaints where appropriate. The proposal to remove the 28-day stay was supported by two group submitters and two group submitters supported the proposal to appoint legal professionals to investigating and disciplinary committees, with one specifying that this change should not displace the number of competent engineers in those committees.

One group submitter supported the retention of dissenting provisions for disciplinary decisions.

Individual submitters broadly supported the proposed changes to the complaints and disciplinary processes, with three individual submitters expressing a desire to improve consistency and fairness.

Two individual submitters described the current process as inconsistent and unjust (at times), particularly for engineers facing vexatious or non-technical complaints. These submissions explicitly highlighted concerns about the fairness and proportionality of the current system, noting that these issues create undue stress and administrative burden for practitioners. One individual submitter highlighted a perceived culture of mistrust, where the actions of poor practitioners have led to overly stringent requirements being imposed on the profession. While the Registration Authority understands this view, a core component of its regulatory role is ensuring all concerns are reviewed and investigations initiated where necessary.

One individual submitter provided comments on the draft Rule wording introducing investigating and disciplinary committee deputy chairpersons. These comments are being reviewed as the wording of the Rules is finalised.

One individual submitter asked the Registration Authority to strengthen provisions or guidance on anonymous reporting of concerns or whistleblowing. We agree that further guidance is needed on this, as the current statutory system supports anonymous reporting/tipoffs that are consistent with natural justice. The Registration Authority will review the advice it provides on this as complaints guidance is drafted.

Additional written comments

Individual written submissions also identified broader systemic issues within the profession:

- » **Confusion with Chartered Membership:** Three submitters raised ongoing confusion between CPEng and Chartered Member (CMEngNZ) titles, with two expressing that this affects public confidence in the quality mark.
- » **Council registers:** Two submitters suggested that Council registers could play a greater role in identifying problematic engineers, as Councils often have firsthand knowledge of consistent issues.
- » **Impact on small firms:** Two submitters raised concerns about the risk of 'corporate capture' in any licensing scheme, where large firms dominate high-risk and safety-critical work at the expense of smaller practices. These submitters also explicitly called for addressing systemic issues, particularly focusing on the need for fairer representation of small practices in decision making processes. While these concerns were strongly articulated by these two submitters, other submissions echoed the importance of balancing regulatory processes to avoid creating inequities for small practices within the profession. As noted above, the Registration Authority is taking these concerns seriously.
- » **Fees/cost to industry:** Several submitters commented on the impact of the proposals on costs, both to registrants and wider industry.
- » **Ministry of Business, Innovation and Employment's (MBIE)'s occupational regulation work:** One submitter was concerned that our proposals would not align with MBIE's occupational regulation work, should this proceed in the future. They wondered if Engineering New Zealand is in communication with MBIE. Engineering New Zealand has regular catch-ups with MBIE's occupational regulation policy team and shared the consultation information with them. While one of the rationales for progressing with classes is the long delay in government's work on the occupational regulation of engineers, it is not our only reason for addressing this work. As outlined in the consultation document, our engagement with other regulators, the 2020 CPEng consultation and the findings of the Royal Commission on the Canterbury Earthquakes have led us to progress discussions on classes.

Section 3: Online survey submissions

We received 159 online submissions through Survey Monkey. This included 145 individual submissions and 14 group/organisation submissions.

Our analysis in this section provides a quantitative overview of answers to key questions (those that impact the formation, or otherwise, of new Rules). We then provide commentary, which is informed by subsequent questions asked to supplement answers to primary questions. For brevity, we have not provided every answer received, instead we have summarised key trends and comments.

Our quantitative analysis separates individuals from groups/organisations. This separation is to ensure we give appropriate weighting to submissions received from groups and organisations, recognising that these submissions reflect the views of many individuals.

Not every submitter answered every question. Total numbers of submitters change between questions. Our online survey allowed for this.

We have divided the analysis of the online survey into a summary of submissions on classes, assessments and complaints (the three chapters of the consultation document).

Classes

Introducing classes

Our first question asked respondents whether they support the Registration Authority introducing classes where there is a significant risk of public safety harm posed by substandard work, where there is a regulatory need and/or where there is a readiness of the profession for a class to be introduced. The table below outlines responses received.

Option	Individuals	Groups/organisations	Total
Strongly support	59 (42%)	5 (36%)	64 (42%)
Mostly support	44 (31%)	2 (14%)	46 (30%)
Neutral	17 (12%)	4 (29%)	21 (14%)
Mostly oppose	12 (9%)	1 (7%)	13 (8%)
Strongly oppose	8 (6%)	2 (14%)	10 (6%)
Total	140 (100%)	14 (100%)	154 (100%)

Overall, there was strong support for the proposal to introduce classes (72% of all respondents either strongly supported or mostly supported the proposal).

RATIONALE AND COMMENTS FROM THOSE SUPPORTING THE CLASS PROPOSAL

Of those that supported the proposal, the following reasons were selected (note that respondents could select more than one):

- » Allows for more tailored assessments based on different areas of expertise (79 individual and 4 group respondents)
- » Better serves the needs of public/regulators/profession (61 individual and 5 group respondents)
- » Improves public safety (60 individual and 5 group respondents)
- » Improves the quality of CPEng (58 individual and 5 group respondents)
- » Improves the overall fairness and transparency of the assessment/registration process (41 individual and 2 group respondents).

Nineteen respondents supporting the class proposal provided freeform comments. Comments focused on the opportunities classes provide (better accountability, better service to clients, etc), as well as areas that should be considered for classes (general practitioner, senior project manager). Those supporting the class proposal also advised caution with implementation, noting that further guidance is needed. We agree and have advised that further guidance is pending but will be provided as changes are implemented.

One organisation submitted that although it supports classes, its view is that the CPEng system has inconsistent outcomes, a lack of transparency, and low entry standards and that these must be addressed. Clear definitions and rigorous assessments are a must. We acknowledge these concerns and have been working for the past four years to address these issues and will continue to do so.

We also received comments on PEngGeol and its possible inclusion in the CPEng system. See Section 4 for further commentary on the PEngGeol.

RATIONALE AND COMMENTS FROM THOSE OPPOSING THE CLASS PROPOSAL

Of those that did not support the class proposal (23%) the following reasons were selected (note that respondents could select more than one):

- » Will not improve public safety (14 individual and 2 group respondents)
- » Will not improve the quality of CPEng (13 individual and 2 group respondents)
- » Concerns that classes will overregulate the profession and place too many limitations on professional engineers (12 individual and 2 group respondents)
- » Current system already works well without the need for classes (10 individual and 2 group respondents)
- » Concerns about financial implications for engineers (8 individuals and 2 group respondents)
- » Concerns about the assessment process being too onerous (8 individuals and 2 group respondents).

Thirteen group and individual respondents provided additional comments. These comments included concern that classes won't achieve the stated objective of reducing harm (such as the failure of the CTV building), that the CPEng system will become overly complicated and ineffective, that general CPEng registration will be devalued, and that additional confusion will be introduced with the introduction of classes in addition to fields.

There were comments on the cost of the change and its impact on fees and whether the cost/benefit analysis supports the proposed intervention. We have provided additional comments in Section 4 on this, as it is a common theme that emerged in the consultation responses.

Group submitters also noted concerns about international mobility, the need for long implementation timeframes and whether the proposals work for non-civil disciplines, notably chemical and mechanical. These points were discussed in passing in the consultation document. It is our view that the changes proposed will have no significant impact on international mobility and may help as more jurisdictions legislate occupational regulation for engineers. We agree long implementation timeframes are needed and note that the changes proposed over 2025 only set up the Rules for how to create new classes. These Rules will require appropriate consultation with affected stakeholders when a new class is eventually created.

One large employer did not support the class proposal, stating their view that classes are unnecessary. Instead of introducing classes, they advised refining and publishing practice area descriptions (PADs). The Registration Authority team and CPEng Board have considered this proposal, with a response being captured in Section 4 of this document.

When should a class be introduced?

To help structure our future work, we asked respondents when a class should be introduced. In total 108 individual and group respondents answered this question. Answers to this question will not change our drafting of the Rules but will help us set policies and guidance on the introduction of classes. The following table provides an overview of the responses to our proposed criteria for introducing classes. Percentages provided are of the total number of respondents (individuals and groups combined).

Criteria	Individuals	Groups/ organisations	Total
A significant risk of public safety harm posed by substandard work	96	10	106 (98%)
Where there is a regulatory need	67	8	75 (69%)
Readiness of the profession for a class to be introduced	39	5	44 (41%)
Another circumstance should be considered (please specify)	25	5	30 (28%)

Of those that provided 'another circumstance', the following circumstances were submitted:

- » Where classes align with mandated requirements in legislation (such as Building Act and Dam Safety regulations)
- » Where there are gaps in current classifications
- » Where there are large potential financial losses, environmental impacts or effects on the community, etc

Many submitters used the freeform text to further discuss wider opportunities and concerns with the class proposal. These comments are captured above under 'introducing classes' heading.

Defining a class

We asked respondents how classes should be introduced - whether they should have a clearly defined scope, entry through a competency assessment and whether having CPEng registration should be a prerequisite. A total of 136 respondents answered part or all of this question. There was strong support for all these proposals, as outlined in the table below.

	Individuals		Groups/organisations		Total	
	Agree	Disagree	Agree	Disagree	Agree	Disagree
Classes should have a clearly defined scope	109	10	12	2	121 (91%)	12 (9%)
Entry to a class should be through a competence assessment	105	15	12	2	117 (87%)	17 (13%)
Entry to a class should require CPEng registration	100	20	10	3	110 (83%)	23 (17%)

40 individuals and 8 groups provided additional comments on the operating parameters of classes. The following are themes of those comments:

- » **PEngGeol:** Non-CPEngs, such as PEngGeol, should be able to be in a class. Please see comments in Section 4 on this matter.
- » **Entry into classes for those currently registered:** Some respondents considered that entry into a class should require a new assessment, while others considered entry into classes should be based on current practice fields. Largely respondents supported additional assessments for entry into classes. While we understand the desire by registrants to be automatically moved from a field to a class, we do not think this will drive the change we need to see in the system. With clearly defined classes, it is our view that registrants will need to be assessed against these for entry.
- » **Learnings from other regulators:** Several respondents provided helpful information on the work of other organisations which may help the Registration Authority form classes (for example, Tauranga City Council's guidelines for geoprofessionals or Californian structural engineering testing). The Registration Authority team is grateful for this information.
- » **Multiple classes:** Some respondents commented that registrants should be allowed to enter more than one class. We agree with these comments.
- » **Bodies of Knowledge and Skills (BOKs):** A few respondents commented that current BOKS (ie, fire and geotechnical) will need to be reviewed before they are applied to fields. This must be done in consultation with the relevant technical group. We agree with these comments.
- » **Assessors:** A few individuals and groups commented on assessors, advising that training on classes would be needed. One submitter also commented that assessors would also benefit from wider training on matters such as unconscious bias. We agree that additional and ongoing training of assessors will be needed and will take the comments on unconscious bias into consideration.

Classes of registration

Our final question under classes asked respondents what classes we should prioritise, if we proceed with developing classes. A total of 130 respondents (groups and individuals) answered this question. The following table provides a qualitative overview of responses. Respondents could select more than one choice. Percentages provided are against the total number of respondents (groups and individuals).

Class of registration	Individuals	Groups
Not sure/Don't know	6 (5%)	1 (1%)
Fire	82 (63%)	8 (6%)
Building services	36 (28%)	1 (1%)
Civil	41 (32%)	4 (3%)
Façade engineering	45 (35%)	5 (4%)
Geotechnical	75 (58%)	7 (5%)
Heavy vehicle engineering	51 (39%)	3 (2%)
Structural	85 (65%)	7 (5%)
Transportation	36 (28%)	1 (1%)
Other (specified below)	51 (39%)	7 (5%)
» All types of engineering	» Engineering Geology	» Mechanical and mechanical structures
» Acoustic	» Environmental	» Passenger service vehicle engineering
» Aerospace	» General practitioner	» Power transmission
» Biological	» Hazardous Substances Storage Tanks	» Pressure vessel design
» Chemical and process	» Health and safety Heavy lifting equipment	» Process safety
» Complex geological	» High risk temporary works	» Recreation safety
» Construction	» High rise buildings	» Renewable energy
» Dam Safety	» Hydrological	» Software
» Electrical	» Lift and crane engineering	» Sustainability
» Electromechanical	» Power transmission	» Water
» Energy Management		» Well
» Engineering Design with AI Technologies		

It is worth noting that the introduction of classes in the building system (fire, geotechnical and structural) was strongly supported. This confirmed our earlier thinking.

Respondents also provided additional comments on their considerations for types of classes. Many noted that classes should not be too broad, and a few classes may be required in areas such as civil, structural and geotechnical. Other respondents considered that classes must align to regulatory requirements.

We received considerable justification for classes provided for consideration (100 responses). For brevity we will not capture all the justification provided in this document, however this information will inform our work going forward.

Additional comments on the class proposal

Many submitters provided additional comments on classes. The following new themes emerged from these comments:

- » **Transition considerations:** Sufficient guidance and communications is required, should the changes be implemented. The Registration Authority agrees with this and has been developing plans for guidance and communications.
- » **Number of classes:** Several respondents commented that the Registration Authority should only introduce classes in cases of high risk. Respondents considered that there is no need to duplicate classes on top of fields where there is no public safety risk. The Registration Authority agrees with these comments.
- » **Review work should be included in the scope of classes:** The introduction of classes must include coverage of those who review work (ie, design review or construction monitoring). We support these comments and will consider when/as classes are introduced.
- » **Post-nominals:** One respondent considered that post-nominals for those in a class should be introduced, and this would help distinguish those in a class from those in a field. Please see our comments in the consultation document on this and why we have not proposed the addition of new postnominals.
- » **System maintenance:** One respondent advised that there should be regular review points on assessment criteria. We agree with these comments and will work through this in implementation.
- » **Practice Area Descriptions (PADs):** As above, some respondents advocated for changes to PADs rather than the introduction of classes. Please see our comments on this in Section 4. Additionally, one group submitted that the Registration Authority's approach to PADs should be amended so that PADs do not overlap with classes. They recommended that instead PADs should focus on project type (for example, in structural - residential housing, commercial buildings and seismic assessments, etc). This is good advice, and the Registration Authority is considering how this can be implemented.
- » **Building system application:** One respondent considered that structural classes should be clearly defined by building types to help councils reduce confusion. We are supportive of this approach and will consult on this if/when structural classes are introduced.

Assessments

The second chapter of the consultation document outlined a proposal to change the current 'reassessment' process to one that is more streamlined and focused on risk. The chapter also proposed strengthening our processes by requiring annual declarations from registrations.

Removing work sample and interactive requirements

Currently every six years CPEng registrants are required to provide work samples and undertake an interactive. Our first question on continued registration assessments asked respondents if they supported our proposal to change the continued registration assessment process to focus on risk, removing the requirement for all registrants to provide work samples and undergo an interactive to show they meet the minimum standard for registration.

The table below shows the quantitative response. It indicates strong support for the proposal to change the continued registration assessment process (67% either 'strongly support' or 'support').

Option	Individuals	Groups/organisations	Total
Strongly support	35 (34%)	5 (36%)	40 (35%)
Mostly support	33 (33%)	4 (29%)	37 (32%)
Neutral	14 (14%)	1 (7%)	15 (13%)
Mostly oppose	12 (12%)	1 (7%)	13 (11%)
Strongly oppose	7 (7%)	3 (21%)	10 (9%)
Total	101 (100%)	14 (100%)	115 (100%)

Subsequent questions in the online survey asked for respondents' rationale for indicating their support or otherwise.

RATIONALE FOR SUPPORTING CHANGES TO THE CONTINUED REGISTRATION PROCESS

A total of 76 respondents supporting changes to the continued registration process (removal of work sample and interactive requirements) agreed that:

- » A risk-based approach better utilises the Registration Authority's resources (56 individuals (74%) and 6 group (8%) respondents)
- » The proposals would be less onerous reassessment process for engineers (46 individuals (61%) and 2 group (3%) respondents)
- » The proposals align with other professional regulatory practices (32 individuals (42%) and 2 group (3%) respondents)

An additional 12 individual and 6 group respondents provided written answers to the question, including the following feedback:

- » **Necessity of continued registration assessments:** Registration Authority proposals should go further and consider whether a continued registration assessment is even necessary. Other professional regulators do not require continued registration assessments. While we considered this possibility, the CPEng Act requires regular review of continued registration. This is a fundamental change to primary legislation that would need to be supported by officials and Ministers, as well as approved by Parliament.
- » **Audits:** Rather than six yearly reassessments, audits should be considered. As per our point above, changing the continued registration process is not possible through a Rule change. We did consider introducing audits but felt that six-yearly continued registration assessments, as well as the ability to assess competency at any time (see clause 11 of the CPEng Act) fills the place an audit would.
- » **Guidance:** Further guidance is needed before implementation. The Registration Authority agrees with this point and will be providing this as work progresses.
- » **'Back to the future':** Process proposed is like what was in place pre-2002. The respondent was unsure about how this new process would improve outcomes. This point is addressed in the consultation document, where we outline the need for 'right touch legislation' to focus on areas of risk, something that we understand was not a focus pre-2002.
- » **Class specific requirements:** One technical group noted that if entry to classes were rigorous there may not need to be rigorous continued registration requirements. We agree with this comment and note that our proposal is that continued registration requirements would be designed on a case-by-case basis as classes are designed.
- » **Quality control:** One respondent felt that further information on the selection of individuals to assist with quality control is needed. We agree and this will be highlighted in future guidance.

RATIONALE FOR OPPOSING CHANGES TO THE CONTINUED REGISTRATION PROCESS

Those who did not support our proposed changes to the continued registration process (23 individuals and groups) selected the following rationale:

- » Negative impact on the quality of engineers on the Register (14 individuals (61%) and 2 group (26%) respondents)
- » Work samples should always be required and reviewed (11 individuals (50%) and 1 group (13%) respondents)
- » An interactive (interview) should always be required (10 individual respondents (43%))
- » Reduces people's trust in CPEng (10 individual respondents (43%))

In addition to selecting the above rationale, 12 respondents opposed to the proposed changes provided additional feedback, as summarised below:

- » **Bias:** The current system requires CPEng referees. For those without CPEng referees (for example those in small firms), it can be tricky to become CPEng and to be 'reassessed' on referee checks. Respondents were concerned that the changes proposed will make this bias deeper. Please see Section 4 for follow-up on this point.
- » **Support for the current system:** Some respondents consider the current system provides confidence to industry that CPEng has been reassessed and is working well. They do not feel the requirement to provide work samples and interactive is onerous. As with comments in response to the classes proposal, some do not want a 'two-tiered' system. While we understand this rationale, it is our view that the current process is not 'right-touch' legislation in that all individuals are required undertake the same process, regardless of risk in their practice. By focusing on risk, the Registration Authority can manage its register better, supporting better public safety outcomes.

Annual commitment and declaration

In the consultation document we proposed requiring registrants to commit annually to the Code of Ethical Conduct and continued professional development (CPD), as well as declare that they are a fit-and-proper person. Total responses to this proposal are outlined in the table below.

Option	Individuals	Groups/organisations	Total
Agree	79 (79%)	11 (79%)	90 (79%)
Disagree	15 (15%)	2 (14%)	17 (15%)
Not sure/Don't know	6 (6%)	1 (7%)	7 (6%)
Total	100	14	114

With 80% of online submitters supporting the proposal for an annual commitment and declaration, our proposal to introduce this was strongly supported. This said, written comments on the proposal bring out further detail on concern about the nuances:

- » **Follow-through required:** If the Registration Authority introduces requirements for annual commitments/declarations, it must have the power to impose disciplinary actions if these processes are not complied with. The Registration Authority is reviewing this and plans to provide guidance on what happens to registrants if they refuse the annual commitment and declaration.
- » **'Fit-and-proper' person declaration:** The proposal to complete a 'fit-and-proper' person declaration received significant comments. Many advised that further guidance is needed. Some were concerned about the legal implications of requiring engineers to complete health declarations. One respondent was concerned about the financial disclosure prejudicing engineers when this has nothing to do with their ability to practise. Respondents considered this proposal requires further information/rationale. Further information on this proposal and the rationale for the disclosure is provided in Section 4.

Additional feedback on assessments

Our final question on assessments asked respondents if they had any additional information on assessments that they would like to share. 31 respondents provided additional information. The following are new comments that arose:

- » **System flexibility:** While most agreed to the changes proposed, some encouraged the Registration Authority to retain flexibility in the system to respond to individual circumstances. We agree with this, and it is our view that the changes proposed support increased flexibility and remove much of the rigidity of the current system.
- » **Continue to strengthen the quality of current processes:** While there is support for the changes proposed, specifically to the continued registration process, respondents encouraged the Registration Authority to continue to work to strengthen the current system, including support to assessors and standardising procedures. One respondent advised that stricter referee checks are needed. We are grateful for this feedback and will continue to review current operations.

Complaints

The complaints chapter of the consultation document asked the greatest number of questions. This is due to the detailed nature of the complaints process, as well as the number of changes we proposed to make in this area. We did not receive as many responses (either in the online survey or the written submissions) to our questions on complaints. We expected this. There were also more respondents who selected 'do not know/unsure' for their answer. We also expected this, as a lesser percentage of respondents would be familiar with the details of the complaints process.

Complaint questions summary table

To make our analysis of this section as succinct as possible, we have compiled the results of all the quantitative questions into the following table. Key discussion points follow the numeric results presented.

Question	Support	Oppose	Do not know/ unsure
Complaint referral to the Registrar	63 individuals	7 individuals	6 individuals
Where a complaint raises competency matters, do you support the Registration Authority referring the engineer to the Registrar for a competency assessment?	10 groups	2 groups	0 groups
	73 total (83%)	9 total (10%)	6 total (7%)
Summary of comments			
Strong support for the proposal. Those opposing generally preferred status quo and raised concerns that the proposal may cost more and increase liability. The Registration Authority has considered these concerns and does not consider the proposals will increase liability, rather this proposal provides another option for resolving the complaint. There has always been the possibility that the Registration Authority may remove registrants from the register, under appropriate grounds. There was also a view expressed that penalties through the disciplinary process are more severe than the possible outcomes of an assessment. This is true, a major component of a competence assessment is the review of an engineer's competence, which may give an engineer feedback on areas they need to improve on for continuing to practise. That said, removing an engineer's registration is a possible outcome of a competency assessment and we do not consider this process to be a lesser deterrent or soft option.			
Grounds for complaint dismissal	53 individuals	8 individuals	13 individuals
Do you support extending the Registration Authority and investigating committee's ability to dismiss a complaint on 'any other grounds' (noting that the power to dismiss will not be unlimited and still subject to CPEC oversight)?	10 groups	2 groups	0 groups
	63 total (73%)	10 total (12%)	13 total (15%)
Summary of comments			
Those supporting the proposal felt that it was an important change for removing vexatious, frivolous and/or superficial complaints. Those opposed did not support the proposal because they considered the grounds to be too vague and they advised that more specifics (or examples) are needed. Some worried that complaints won't be taken seriously. This is not the case. The Registration Authority proposed this Rule change to remove those complaints that are vexatious, frivolous and/or superficial. In any case, such decisions and reasoning would be subject to the independent oversight of Chartered Professional Engineers Council through the appeal mechanism.			
Investigating committees	57 individuals	10 individuals	8 individuals
Do you agree to the introduction of additional powers to the investigating committee to recommend an engineer undertake a competence assessment, be censured, offer an apology or undertake continued professional development?	11 groups	0 groups	1 group
	68 total (78%)	10 total (12%)	9 total (10%)
Summary of comments			
General support for the proposal. Some comments indicated a lack of familiarity with the investigating committee process. For example, respondents thought that decisions could be made by the investigating committee without a right of response from the parties. This is not the case. There were also comments on the amount of management and legal oversight of investigating processes, with respondents favouring more engineering involvement in the process. This is currently achieved through the composition of committees. Additionally, one respondent questioned the Registration Authority's ability to follow-up and enforce decisions. This process is managed through the reassessment process that all chartered professional engineers are subject to. Every engineer that has an order against them is questioned as to their compliance when they apply for continued registration.			
Registration Authority progressing complaints	57 individuals	7 individuals	11 individuals
Do you agree to the Registration Authority progressing complaints after the investigating committee, rather than complainants?	10 groups	0 groups	2 groups
	67 total (77%)	7 total (8%)	13 total (15%)
Summary of comments			
This proposal received little comment. One respondent considered the Registration Authority should focus its time on registration, not taking forward complaints. Another respondent raised concern about the Registration Authority being both prosecutor and judge. We note that under the Rules, the disciplinary committee is the decision maker.			
Deputy Chairperson	42 individuals	2 individuals	31 individuals
Do you agree with changing the committee alternative chairperson to deputy chairperson for role clarification?	10 groups	0 groups	2 groups
	52 total (60%)	2 total (2%)	33 total (38%)
Summary of comments			
Only supportive comments provided.			

Question	Support	Oppose	Do not know/ unsure
Other professional skills on committees	58 individuals	9 individuals	8 individuals
Do you agree to the Registration Authority including individuals with legal experience, professional disciplinary experience or investigation experience as members of investigating and disciplinary committees?	12 groups	0 groups	0 groups
	70 total (81%)	9 total (10%)	8 total (9%)
Summary of comments			
Strong support for the addition of legal expertise to ensure procedural fairness. Those who did not support the proposal provided comments noting that Engineering New Zealand lawyers already provide support for committees and that there may be other operational matters to address with complaints, such as timeliness. One respondent also considered that a member of the public should be on committees.			
Lawyers as chairs	43 individuals	21 individuals	11 individuals
Do you agree that there are instances where appointing a lawyer or other professional as a committee chairperson or deputy chairperson is appropriate	7 groups	3 groups	2 groups
	50 total (57%)	24 total (28%)	13 total (15%)
Summary of comments			
Those expressing support for this proposal noted that lawyers may be better equipped to manage the litigious and/or vexatious nature of some complaint resolution processes. Those against felt that engineers are best placed to understand the nature of complaints. Respondents also commented on the cost of a lawyer's involvement as chairpersons. We do not expect costs to increase with the position of lawyers on committees as chairpersons. Already the Registration Authority funds lawyers to sit on committees, as well as advise committees. We expect the amount of legal input to decrease if a lawyer were chairing some committees. We note that this is common in professional disciplinary processes across non-legal professions (for example the electrical workers and health practitioners).			
Public dissent	38 individuals	17 individuals	19 individuals
Do you agree committee members should not be able to publicly dissent to investigating committee and disciplinary committees' decisions?	9 groups	0 groups	3 groups
	47 total (54%)	17 total (20%)	22 total (26%)
Summary of comments			
Some written responses showed strong support for the proposal, noting that 'disagreement undermines the unity of the committee and confidence in the decision'. That said, some respondent expressed concern that the Registration Authority is proposing shutting down dissent, as disagreement is normal and should be managed. We agree disagreement within a committee is normal but do not consider dissenting opinions at this level of a complaints hearing assists with an efficient and competent disciplinary process. One respondent asked about the problem definition and whether this has happened in the past. We understand it has and do not wish to see this happen in the future, specifically with complaints that have a large public interest. When there is a decision that is marginal the committee will take this into consideration in making orders and the respondent has the right of appeal if they believe it is unfair.			
Disciplinary hearing heard on papers	42 individuals	12 individuals	21 individuals
Do you support the Registration Authority having the ability for disciplinary committee proceedings to be heard without an in-person hearing?	8 groups	1 group	3 groups
	50 total (57%)	13 total (15%)	24 total (28%)
Summary of comments			
General support for increased efficiency. Some respondents noted that flexibility in the process may reduce stress for parties because a 'one size fits all' approach doesn't work for everyone. Those opposed were concerned that the decision for the hearing to be on papers may be required/enforced rather than at the discretion of the parties. We note that this is not the intent of the proposal. If a hearing were to proceed on the papers, this would be unanimously agreed by the parties.			
28-day stay	30 individuals	21 individuals	24 individuals
Do you agree to the removal of the 28 day 'stay' on disciplinary decisions, noting that any decision of the disciplinary committee will be initiated immediately?	6 groups	0 groups	6 groups
	36 total (41%)	21 total (24%)	30 total (35%)
Summary of comments			
Those supporting noted that the proposal prevents further harm by immediate implementation. Those opposing considered that not enough notice would be given to the CPEng on the final decision. Final decisions can include cancelling or suspending of CPEng registration. CPEng disciplinary proceedings include natural justice processes prior to the implementation of a decision and there is adequate notice of the proposed decision before implementation. This is why the Registration Authority has decided this period is superfluous.			

Additional comments on complaints

The online survey asked an open question about whether respondents had any additional comments on complaints. The following points were raised and have not been covered above:

- » **Operational efficiency:** a couple of respondents asked the Registration Authority to focus on procedural efficiency, as the process is cumbersome and can be very lengthy. This is a significant focus of the Registration Authority team and annual efficiency targets have been set.
- » **Increased complaint numbers:** One respondent commented that the Registration Authority needs to see more complaints. We agree that our complaint numbers are low compared to the numbers we register and encourage the public, regulators and engineers to raise concerns when they arise.
- » **Transparency:** Several respondents commented on the need for greater transparency in the complaints process. This includes guidance on when lawyers are used and how/when investigating and disciplinary committee members are selected. The Registration Authority is working on this and is planning to publish further guidance in 2025.
- » **Size of committees:** One respondent recommended reducing the size of committees as this is something not addressed in the proposals. It is the Registration Authority's view that committees of three or five are required, depending on the complexity of the decision and work involved.
- » **Appeal and discovery powers:** One respondent advised that appeal and discovery powers need to be reviewed. Appeal provisions are set out in the CPEng Act and cannot be amended through a Rules review.

Concluding comments

At the end of the online survey we asked if there was anything else respondents wished to raise. 34 individuals and four groups provided comments. Many of these comments mirror those already captured in this analysis. The following were common themes:

- » Concern for increased bureaucracy
- » An encouragement to provide transparency wherever possible (one respondent asked for more information about the 28 day stay and appeals – please see notes above about our work to provide further guidance on the complaints process)
- » Reiteration that the Chartered Member class is confusing
- » Advice that assessments need to be as objective as possible and an encouragement for the Registration Authority to consider written tests for applicants
- » Ongoing concern over CPEng standards slipping
- » Ongoing concern that the CPEng system focuses too much on those working within building and construction. This is acknowledged by the Registration Authority because of factors outside its control (such as the reliance on CPEng by those in the building and construction industry). We are hopeful the changes proposed will also support improved outcomes in other safety critical areas.
- » Engineering New Zealand should advocate for less regulation impacting engineers. This is outside the scope of this consultation.
- » Further advice on title protection is needed. Under the CPEng Act, the title of Chartered Professional Engineer is protected. Historically Engineering New Zealand has advocated for protection of the title 'engineer' but this cannot be achieved under the CPEng Act/Rules.
- » Legal review/input. All the proposals outlined in the consultation document have had legal review. We have also contracted a legal drafting expert to support the Rules drafting as Engineering New Zealand can now publish its own Rules, without a requirement to go through the Parliamentary Council Office (government drafters).

Section 4: Responses to common concerns, summary, decisions, rationale and next steps

Responses to common concerns raised by submitters

Defining risk, significant harm and professional competency

Many submitters commented on the Registration Authority's definition of risk, significant harm and professional competency. These concepts were discussed in the consultation document, and we will expand on them more here.

- » **Risk** is the probability of something negative happening or the potential for harm. Our work on strengthening the CPEng system has been guided by Government guidance on when and how professions should be regulated. Cabinet Circular CO (99):6 defines the nature of risk posed by professions being the probability of significant irreversible harm occurring and the availability of other means to manage the risk. We know that the work of many CPEng has the probability of significant irreversible harm occurring. We also know that some systems have many mechanisms to manage risk (for example, research and development) while others do not (for example, the building and construction system).¹
- » **Significant harm** in the context of the proposals is harm to human life. In New Zealand, the Government's work on occupational regulation is focused on life safety. When we drafted the proposals, we reviewed whether we need to expand this definition to include environmental or financial harm, as proposed by one submitter. In consultation with other regulators, we agreed to align the focus to other regulatory regimes.
- » **Professional competency** is the skills, knowledge and attributes needed by CPEng to do their work. Currently we assess CPEng applicants against 12 engineering competency 'elements'. The proposals outlined in the consultation document will strengthen our assessment process by allowing us to focus on certain higher risk engineering activities (see the definition of risk above).

Implementation of new classes

Feedback on our proposal to introduce new classes indicated some differing understandings of how these classes would be implemented and the impact this would have. To clarify:

- » **New classes will not be introduced for everyone:** Classes will only be introduced where there is a significant risk of public safety harm posed by substandard work, where there is a regulatory need and/or a readiness of the profession for a class to be introduced.
- » **Consultation on new classes is required:** To introduce a new class, the Registration Authority is required to consult with registrants and impacted parties. No new class can be introduced without consultation on the details of that class.
- » **New classes will take some time:** As outlined below under the 'next steps' heading, it will take some time to introduce new classes. First, we need to provide further guidance on how classes will be introduced. This guidance is expected mid-2025. Secondly, the CPEng Board needs to approve the Registration Authority's plan to develop a class. These discussions will happen from late 2025. Third, we need to work with the relevant technical group and experts to develop the class before we consult on the details of it. Fourth, we need to consult. Finally, we need to introduce the class and work with registrants and key stakeholders to implement the class. At the earliest we expect new classes to be implemented from 2026. New classes will not all be introduced at once but will be phased.

¹ Engineering New Zealand. 2023. Quality Issues in the Building System: Overcoming Inadequate Structural Engineering Design. www.engineeringnz.org/programmes/advocacy/reports/quality-issues-in-the-building-system

Increased burden on the profession and industry

Many respondents commented on the potential increased cost and compliance burden for the profession. Entering this process, we were aware of these potential impacts and are grateful to respondents for expressing their views. Many respondents felt the increased burden would be felt most significantly by small firms and independent practitioners, particularly those in rural areas.

Regarding compliance costs, for those wishing to enter a class or classes, we expect there to be increased compliance requirements through assessments. As outlined in the consultation document, we are hopeful the introduction of classes will reduce the burden experienced by many in the profession from councils. However, we cannot confirm that at this time.

For those not in a class, compliance costs may decrease, with the changes proposed to the continued registration assessment process.

Regarding charges, we have committed to not significantly altering the CPEng charges during the implementation phase (except for annual inflationary increases), as we assess the impact of the changes on our operations. Following implementation, we will review and consult on charges. Initial impact assessment work done on these proposals indicates that the proposals may have some impact on charges (particularly for those in a class), but we cannot currently quantify this until class assessment requirements are defined and we fully understand the impact of changes to the continued registration assessment process.

Practice Area Descriptions

Several submitters commented that instead of classes the Practice Area Descriptions (PADs) could be standardised and made publicly available. We reviewed this option during the drafting of the consultation document and again following feedback, and at this time do not consider it a valid option. We believe introducing classes achieves the same goal by producing a coherent system for regulation of engineering practice in classes.

To understand our reluctance to use PADs instead of classes, it is helpful to revisit the problem we are trying to solve. PADs are not currently standardised but are used by every applicant as part of their application for initial assessment or continued registration. Every applicant writes their own individual PADs, between 15-25 words long, for the purposes of matching applicants to assessors. This is useful for our management of the system, but it means that all PADs are different. The Registration Authority cannot administer or regulate individual practice areas of every engineer. The current Rules provide the Competence Assessment Board (CAB) must decide whether to approve registration and when the next reassessment is due. In the absence of specificity on the register, the Registration Authority gets a considerable number of requests from registrants for their PADs. Councils use PADs for their engineers' lists so they can specify what work engineers can undertake in their region. This is not ideal because it means that the wider system is relying on self-selection, individual assessments (with limited quality assurance) and not standardisation. Under Rule 20, assessors must be confident that the applicant is still able to practise competently in their practice area. This leads to extra administration between assessors, applicants, the Competency Assessment Board and Councils who are working through individual PADs and litigating line by line whether the applicant is competent in a certain area. This ambiguity also leads to appeals, which are costly to engineers, the Council of Chartered Professional Engineers and the Registration Authority. We are unaware of any other professional regulatory system that works like this.

To standardise PADs across the register is a significant activity, impacting not only those who work in high-risk engineering, but anyone on the register. To standardise PADs would require us to fragment the work of engineers into small components, developing assessment frameworks for each of these components. It is our view that this is not appropriate for a profession who is ethically required to operate within the bounds of their competency. We do not want to micro credential engineers.

Recognising that PADs play a useful administrative role in the CPEng system, we are seeking to shift the system away from its reliance on them by introducing classes, which are standardised to meet the requirements of regulators. The introduction of classes lets us focus on high-risk areas of engineering, designing a sustainable and efficient system from the top-down rather than the bottom-up.

Impact of classes on the market

Several respondents expressed concerns that the introduction of classes will limit the availability of engineers and this will have a negative impact on the market. In response, we note two key points. The first is that currently CPEng registration is not mandatory by law, so classes will also not be mandatory. This said, other regulators (such as Councils) may require class registration for engineers doing business in certain areas. This leads to the second point, that classes are only intended to highlight the specific competency of a registrant. Engineers will only be limited from a class if they are not competent. Our role as the Registration Authority is to serve and protect the public and we believe this is in keeping with that role.

As classes are introduced, we will work with stakeholders and registrants on implementation to ensure the impact of these changes do not significantly impact the market within certain areas. We welcome ongoing discussion with impacted parties on this matter.

System bias

A few respondents raised concern that the changes proposed will increase the CPEng system's insular nature. Under Schedule 1 of the Rules, all CPEng applicants for initial assessment or for continued registration require two referees who are CPEng or equivalent. Therefore, you cannot become a CPEng or stay a CPEng unless you know a CPEng (or equivalent). This is challenging for many and something we will continue to review and provide guidance on. It is not the intention of registration to create a closed network of entry which is restricted by who you know. The role of referees is important in providing a risk management tool in ensuring those who enter the register have support from a peer. While we cannot see how changes proposed within the consultation document will worsen the systems bias for those who know CPEng, this is something we are aware of and will keep reviewing.

Operational challenges

Several submitters raised concerns about current operations of the CPEng system, including perceived 'slippage' of standards or other operational challenges. Many asked us to focus on efficiency and standards within the current system. Thank you for this feedback, as this has been reviewed by the team. Where possible in this document we have worked to address the concerns raised. Furthermore, we always welcome feedback on the system and invite registrants and stakeholders to email the Registrar with details at registrar@engineeringnz.org

PEngGeol

Feedback received on the consultation document raised many points about PEngGeol, with several submitters advocating for the inclusion of PEngGeol within the CPEng system. This point has been discussed extensively with both the CPEng Board and Engineering New Zealand Governing Board. Engineering New Zealand's management is currently working with the New Zealand Geotechnical Society on options to further strengthen PEngGeol registration. For now, PEngGeol registration will not be included in the CPEng system but please stay connected to Registration Authority and Engineering New Zealand communications as more information on this matter will be coming.

CPEng confusion with Chartered Membership

In the consultation document we acknowledged the confusion between CPEng and Chartered Membership. Engineering New Zealand's Governing Board has discussed this matter and has resolved to review Chartered Membership after the changes proposed to CPEng are implemented. It is the Board's view that CPEng changes must be embedded before the institution considers further change.

Fit-and-proper person declarations

Health and other factors (such as financial management) impact on professionalism. Engineering New Zealand's Code of Ethical Conduct (embedded in the CPEng Rules) mentions practising in a careful and competent manner (Rule 42E). A health condition or other previous history can impact on competence. Fit-and-proper person declarations are standard procedure for professional regulators (for example, lawyers complete an annual fit-and-proper persons declaration, as do medical practitioners who complete a declaration on their fitness for registration).

Without a fit-and-proper person declaration an engineer may be diagnosed with a health condition that impairs their ability to practise without support or management. If this engineer does not accept the medical diagnosis of their condition and does not take action to manage the condition (for example, taking medication that would enable them to continue practice safely), this engineer can pose a risk to public safety. Without a duty to inform, the regulator (in this case the Registration Authority) has no ability to intervene to prevent public harm.

If a registrant decided not to declare a health condition and something happens, the Registration Authority has grounds to remove them from the register for false declaration.

The Registration Authority agrees that further guidance on this is needed for it to be implemented.

Summary

The Appendix of this paper summarises feedback received. This consultation analysis document and the summary table in the Appendix were provided to the CPEng Board to support its decision on the Rules to be changed.

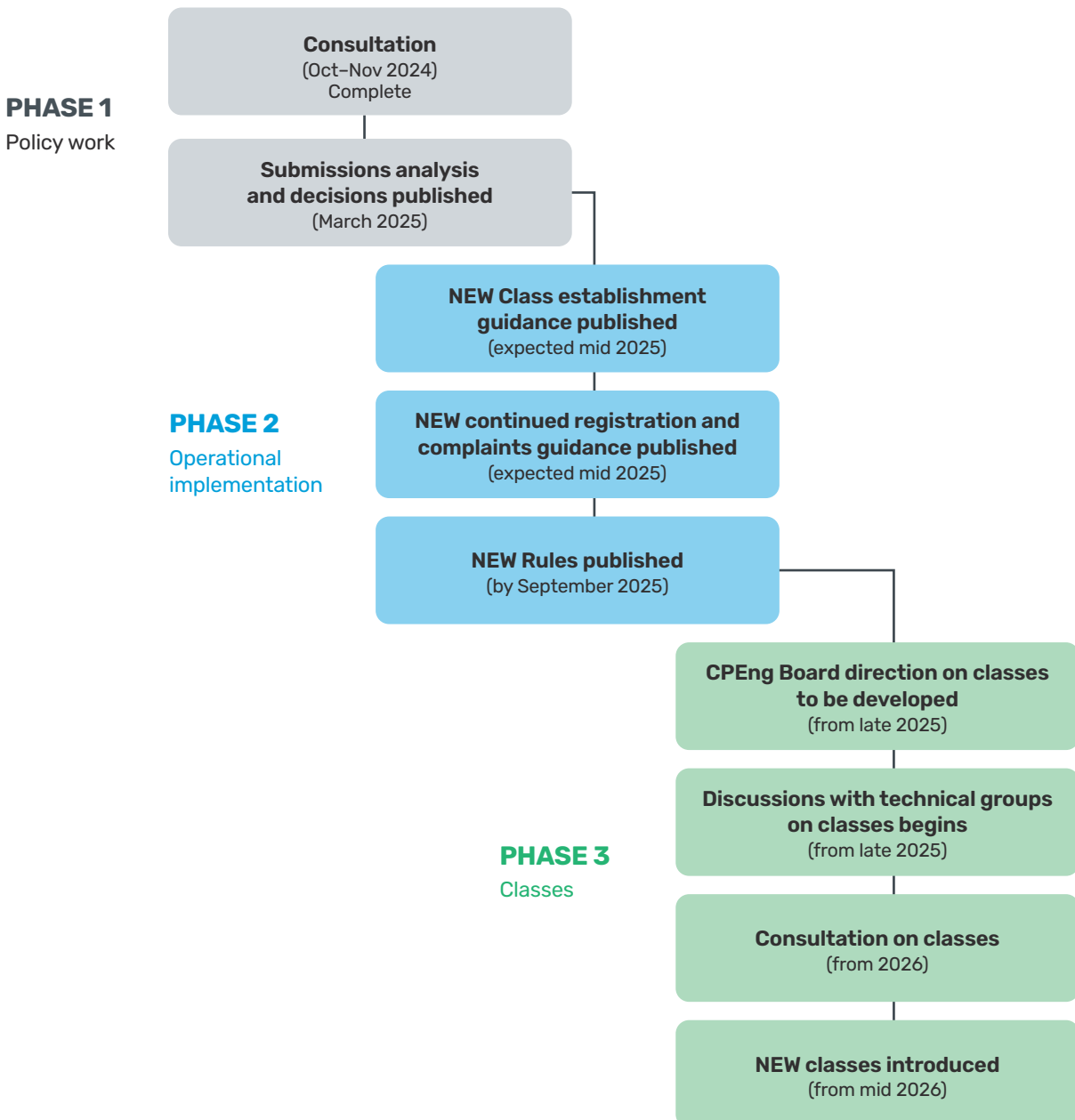
Decisions

The CPEng Board met on Monday 10 February 2025 to discuss consultation feedback received and make decisions on whether the Rules would be changed, as per the consultation proposals. The Board's decisions are captured in the Appendix of this paper. The Board has agreed to proceed with the Rule changes proposed, with some minor modifications to the wording of the draft Rules.

Next steps

Timing

Publishing and implementing the Rule changes will take some time. The figure below highlights the timeframes involved.



Impact

Registrants and stakeholders can expect the following changes (with timing):

- » Annual declarations: with annual billing in September 2025
- » Changes to the complaints process (ability to refer to the Registrar, additional powers for investigating committees, etc): immediately following publication of the new Rules
- » Changes to continued registration process (requirement for work samples and interactives): from early 2026
- » Consultation on new classes: from 2026
- » Introduction of new classes: from mid-2026.

If you need additional information, [see our website](#) – or get in touch at hello@engineeringnz.org

Appendix: Submissions summary table including recommendations and decisions

Online survey response data	Additional written feedback (from both written submissions and freeform online survey responses)	Management recommendation	Board decision, rationale and next steps
Introducing classes: Do you support the Registration Authority introducing classes where there is a significant risk of public safety harm posed by substandard work, where there is a regulatory need and/or where there is a readiness of the profession for a class to be introduced?			
<ul style="list-style-type: none"> » 72% support » 14% oppose » 14% neutral 	<p>Most written submitters supported classes, with only 3 of 21 opposing the proposal. Supportive comments focused on the opportunities classes provide, as well as opportunities on developing policies/guidance for implementing classes. Those opposed to the proposal were concerned about increased compliance costs and limiting the market. Some submitters recommended reconfiguring Practice Area Descriptions (PADs), rather than introducing classes. Please see comments in Section 4 about PADs.</p> <p>Those responding through the online survey strongly supported the proposals, although several groups/organisations remained neutral. Those opposed were concerned with increased compliance costs and disadvantaging independent practitioners and small businesses.</p>	<p>Proceed to change the Rules to introduce classes.</p> <p>Registration Authority team to review feedback as implementation progresses, providing guidance on classes, particularly the use of classes as opposed to practice fields and PADs.</p>	<p>Board noted that the Registration Authority had followed up with group submitters who were opposed to the proposal to introduce new classes. Board agreed to proceed to add to the Rules to introduce classes. This allows the Registration Authority to progress introducing new classes.</p> <p>The Registration Authority will consult on each class that will be introduced with the exception of the "general class", which has been consulted on.</p> <p>Guidance to be provided.</p>
Defining classes: Do you support our proposals for classes – that they have a defined scope, and that entry would be through assessment, following general CPEng registration?			
<p>Defined scope</p> <ul style="list-style-type: none"> » 91% Agree » 9% Disagree <p>Through competence assessment</p> <ul style="list-style-type: none"> » 87% Agree » 13% Disagree <p>Require CPEng registration</p> <ul style="list-style-type: none"> » 83% Agree » 17% Disagree 	<p>Written submissions largely did not cover how a class should be defined.</p> <p>Written feedback in the online survey asked the Registration Authority to consider introducing classes where they align with mandated requirements in legislation (such as Building Act and Dam Safety regulations), where there are gaps in current classifications and where there are large potential financial losses, environmental impacts or effects on the community, etc. Please see comments in Section 4 for more information on rationale for introducing classes and why this does not include anything outside of life safety.</p>	<p>Proceed with proposal to define classes through a defined scope and entry through assessment, following general CPEng registration.</p> <p>Registration Authority team to continue to review feedback as implementation progresses.</p>	<p>Proceed with proposal.</p>

Online survey response data	Additional written feedback (from both written submissions and freeform online survey responses)	Management recommendation	Board decision, rationale and next steps
Changing continued registration: Do you support our proposal to change continued registration assessment processes to focus on risk, removing requirements for all registrants to provide work samples and undergo an interactive to show that they meet the minimum standard for registration?			
<ul style="list-style-type: none"> » 67% Support » 20% Oppose » 13% Neutral 	<p>Except for a few submitters, written submissions did not focus on the continued registration process. Three of those commenting supported the status quo, considering that it is not overly burdensome and inflexible. Four supported the change, for the reasons outlined in the consultation document.</p> <p>Most of the written feedback in the online survey supported the proposed change for the reasons outlined in the consultation document. Some wanted the Registration Authority to go further and remove continued registration requirements and introduce audits (something challenging to do under the current legislative structure). Many submitters asked for further guidance if the changes are implemented. Of those opposing most thought that the proposed changes will decrease the quality of CPEng and trust in the system. Some were concerned about an increase in bias (see Section 4 for comments on bias).</p>	<p>Proceed with proposal.</p> <p>Registration Authority to provide guidance on continued registration requirements in advance of implementation.</p>	<p>Board agreed to proceed with the proposal to modify the continued registration requirements, removing the requirement that all applicants for continued registration must provide work samples and undertake an interactive. This will be at the discretion of the Registration Authority.</p>
Annual commitment: Do you agree to the Registration Authority requiring CPEng applicants and registrants to annually commit to the Code of Ethical Conduct/CPD and to declare that they are a fit-and-proper person? Why or why not?			
<ul style="list-style-type: none"> » 79% Agree » 15% Disagree » 6% Not sure/neutral 	<p>Only a few written responses mentioned the proposal for an annual commitment and declaration. One submitter strongly opposed the proposal. Another advised caution on the 'fit-and-proper person' declaration as they were concerned the medical disclosure may unintentionally impact on an engineer's ability to practise.</p> <p>Those providing additional comments through the online survey advised that follow-through is needed if registrants will not commit/declare annually. Others asked for further clarification, guidance and caution around the medical and financial declarations, expressing concerns that these declarations may inappropriately impact on an engineer's career. Please see comments in Section 4 on this.</p>	<p>CPEng Board to discuss the parameters of 'fit-and-proper' person declaration.</p> <p>Registration Authority's recommendation is to proceed with the proposals and to provide guidance on the fit-and-proper persons declaration, as per feedback.</p>	<p>Board agreed to proceed with the proposal.</p> <p>Guidance to focus cognitive medical declarations, rather than wider medical disclosures.</p>
Complaint referral to Registrar: Where a complaint raises competency matters, do you support the Registration Authority referring the engineer to the Registrar for a competency assessment?			
<ul style="list-style-type: none"> » 83% Support » 10% Oppose » 7% Neutral 	<p>No written submitters commented on this proposal.</p> <p>Of those completing the online survey, comments showed strong support for the proposal. Those opposing generally preferred status quo and raised concerns that the proposal may cost more and increase liability. The Registration Authority has considered these concerns and does not consider the proposals will increase liability, as there is always the possibility that the Registration Authority may remove registrants from the register, under appropriate grounds. There was also a view expressed that penalties through the disciplinary process are better than the possible outcomes of an assessment. As removing registration is a possible outcome of a competency assessment, we do not consider this process to be a lesser deterrent.</p>	<p>Proceed with proposal.</p>	<p>Board agreed to proceed with the proposal.</p>

Online survey response data	Additional written feedback (from both written submissions and freeform online survey responses)	Management recommendation	Board decision, rationale and next steps
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Grounds for complaint dismissal: Do you support extending the Registration Authority and investigating committee's ability to dismiss a complaint on 'any other grounds' (noting that the power to dismiss will not be unlimited and still subject to CPEC oversight)?

<ul style="list-style-type: none"> » 73% Support » 12% Oppose » 15% Neutral 	<p>Three group/organisation written submitters supported this proposal.</p> <p>Those responding through the online survey predominantly supported the proposal and felt that it was an important change for removing vexatious, frivolous and/or superficial complaints, as it takes away the need for the complainant's agreement to the decision. Those opposed did not support the proposal because they considered the grounds to be too vague and they advised that more specifics (or examples) are needed. Some worried that complaints won't be taken seriously.</p>	<p>Proceed with proposal.</p> <p>Registration Authority to provide further guidance on the complaints process, notably further information of 'any other grounds'.</p>	<p>Board agreed to proceed with the proposal, discussing details of the draft Rule wording.</p>
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Investigating committees: Do you agree to the introduction of additional powers to the investigating committee to recommend an engineer undertake a competence assessment, be censured, offer an apology or undertake continued professional development?

<ul style="list-style-type: none"> » 78% Support » 12% Oppose » 10% Neutral 	<p>No detailed written submitter feedback on this proposal.</p> <p>Online survey respondents show general support for the proposal. Some comments indicated a lack of familiarity with the investigating committee process and concern about how this proposal will be implemented and the follow-through involved.</p>	<p>Proceed with proposal.</p> <p>Registration Authority to provide further guidance on the complaints process.</p>	<p>Board agreed to proceed with the proposal, with the Registration Authority reviewing powers to enforce Investigating Committee decisions and providing advice to the Board on this.</p>
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Registration Authority progressing complaints: Do you agree to the Registration Authority progressing complaints after the investigating committee, rather than complainants?

<ul style="list-style-type: none"> » 77% Support » 8% Oppose » 15% Neutral 	<p>No detailed written submitter feedback on this proposal.</p> <p>Little additional feedback by online survey respondents on the proposal.</p>	<p>Proceed with proposal.</p> <p>Registration Authority to provide further guidance on the complaints process, including the role of the deputy chairperson.</p>	<p>Board agreed to proceed with the proposal.</p>
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Online survey response data	Additional written feedback (from both written submissions and freeform online survey responses)	Management recommendation	Board decision, rationale and next steps
Deputy Chairperson: Do you agree with changing the committee alternative chairperson to deputy chairperson for role clarification?			
<ul style="list-style-type: none"> » 60% Support » 2% Oppose » 38% Neutral 	<p>Only one written submitter commented on this proposal, providing helpful feedback on how to strengthen the draft Rule. This submitter did not consider the change necessary as it was their view that any member of the committee could step up as chairperson, should there be a need.</p> <p>Only supportive responses to this proposal were received through the online survey. Given the number of neutral responses, it is the Registration Authority's view that the proposal was not completely understood.</p>	<p>Proceed with proposal.</p> <p>Registration Authority team to refine Rule wording, as per written submitter comments with further explanation to help improve understanding.</p>	<p>Board agreed to proceed with the proposal.</p>
Other professional skills on committees: Do you agree to the Registration Authority including individuals with legal experience, professional disciplinary experience or investigation experience as members of investigating and disciplinary committees?			
<ul style="list-style-type: none"> » 81% Agree » 9% Disagree » 10% Neutral 	<p>Two written submitters supported this proposal.</p> <p>There was strong support for this proposal through the written comments of the online survey. Many supported the addition of legal expertise to ensure procedural fairness. Those who did not support the proposal provided comments noting that Engineering New Zealand lawyers already provide support for committees and that there may be other operational matters to address with complaints, such as timeliness. One respondent also considered that a member of the public should be on committees.</p>	<p>Proceed with proposal.</p>	<p>Board agreed to proceed with the proposal.</p>
Lawyers as chairs: Do you agree that there are instances where appointing a lawyer or other professional as a committee chairperson or deputy chairperson is appropriate			
<ul style="list-style-type: none"> » 57% Agree » 28% Disagree » 15% Neutral 	<p>No comment by written submitters on this proposal.</p> <p>Additional comments were received by those responding through the online survey. Those expressing support for this proposal noted that lawyers may be better equipped to manage the litigious and/or vexatious nature of some complaint resolution processes. Those against felt that engineers are best placed to understand the nature of complaints. Respondents also commented on the cost of a lawyer's involvement as chairpersons. Please see additional comments in Section 4 on this proposal.</p>	<p>Proceed with proposal, with additional detail/ advice provided as to when lawyers are to be used and more communications on the rationale for this change.</p> <p>Registration Authority to draft guidance on the complaints process.</p>	<p>Board agreed to proceed with the proposal.</p>
Public dissent: Do you agree committee members should not be able to publicly dissent to investigating committee and disciplinary committees' decisions?			
<ul style="list-style-type: none"> » 54% Agree » 20% Disagree » 26% Neutral 	<p>One written respondent opposed this proposal, considering that public dissent should be retained. There were no other comments on the proposal by written respondents.</p> <p>Of those submitting through the online survey, some written responses showed strong support for the proposal, noting that 'disagreement undermines the unity of the committee and confidence in the decision'. That said, some respondents expressed concern that the Registration Authority is proposing shutting down dissent, as disagreement is normal and should be managed.</p>	<p>Proceed with proposal as majority support and best practice for investigating and disciplinary proceedings but include more communication to explain this change.</p>	<p>Board agreed to proceed with the proposal, discussing details of the specific Rule wording.</p>

Online survey response data	Additional written feedback (from both written submissions and freeform online survey responses)	Management recommendation	Board decision, rationale and next steps
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Disciplinary hearing heard on papers: Do you support the Registration Authority having the ability for disciplinary committee proceedings to be heard without an in-person hearing?

<ul style="list-style-type: none"> » 57% Support » 15% Oppose » 28% Neutral 	<p>No written submitters commented specifically on this proposal.</p> <p>Of those submitting online, there was general support for increased efficiency. Some respondents noted that flexibility in the process may reduce stress for parties because a 'one size fits all' approach doesn't work for everyone. Those opposed were concerned that the decision for the hearing to be on papers may be required/enforced rather than at the discretion of the parties. We note that this is not the intent of the proposal. If a hearing were to proceed on the papers, this would be unanimously agreed by the parties.</p>	<p>Proceed with proposal and have some clearer communications on the intent of this change.</p> <p>Registration Authority to provide further guidance on the grounds under which disciplinary hearings can be heard on the papers.</p>	<p>Board agreed to proceed with the proposal.</p> <p>Rule drafting to be updated.</p> <p>Registration Authority to be very clear on the grounds under which disciplinary hearings will not be heard in person (ie if the respondent requests it).</p>
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28-day stay: Do you agree to the removal of the 28-day 'stay' on disciplinary decisions, noting that any decision of the disciplinary committee will be initiated immediately?

<ul style="list-style-type: none"> » 41% Agree » 24% Oppose » 35% Neutral 	<p>Two written submitters supported the removal of the 28-day stay. No other written submitters commented on this specifically.</p> <p>Of those responding through the online survey, those supporting noted that the proposal prevents further harm by immediate implementation. Those opposing considered that not enough notice would be given to the CPEng on the final decision. This is not the case. CPEng disciplinary proceedings include natural justice processes prior to the implementation of a decision and there is adequate notice of the proposed decision before implementation.</p>	<p>Proceed with proposal as best practice with supporting communications clarifying the notice period.</p> <p>Provide further guidance on complaints, including notification to parties of the outcome of investigating and disciplinary committees.</p>	<p>Board agreed to proceed with the proposal.</p>
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**REGISTRATION
AUTHORITY**
FOR CHARTERED PROFESSIONAL ENGINEERS



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The Registration Authority under the Chartered Professional Engineers of New Zealand Act 2002 is the Institution of Professional Engineers New Zealand (trading as Engineering New Zealand).