

NOTICES POLICY

CPENG REGISTER

FEBRUARY 2025

Background

The Chartered Professional Engineer (CPEng) Register's purpose is a tool for protecting public safety and maintaining professional standards. Under section 18(1)(d) of the [Chartered Professional Engineers Act 2002](#), the Registration Authority has discretion to include additional information it deems necessary or desirable for the purpose of the Register. This policy provides the decision-making framework for the Registration Authority to determine when notices should be placed on the Register, the types of notices to be included, and the process for registrants to request removal of notices.

Purpose

This policy outlines the principles and procedures for determining:

- a) When a notice should be placed on the CPEng Register;
- b) The types of notices that may be placed on the Register; and
- c) The process for registrants to request removal of a notice.

1. Scope and application

This policy applies to:

- The Registration Authority when making decisions about the content of the CPEng Register under section 18(1)(d) of the Chartered Professional Engineers Act 2002.
- All Chartered Professional Engineers whose details are listed on the Register.

2. Principles

The Registration Authority will consider the following principles when deciding to place or remove notices:

- **Transparency:** Information must enhance public confidence in the Register.
- **Proportionality:** Notices should only be issued where matters of significance need to be disclosed to the public, in the interests of public safety and to add value to the register. Notices must be relevant to professional competence or conduct.
- **Accuracy:** Notices must be factual, precise, and up-to-date.
- **Fairness:** Registrants must be notified of the issuance of a notice on the register and must be provided with guidance as to the duration the notice will remain on the register, and the process for removal of the notice.

3. Categories of notices

Notices may include, but are not limited to:

- **Disciplinary Notices:**

- Any order made on a disciplinary matter in the last 3 years, such as sanctions imposed, warnings, conditions, suspensions, or cancellations of registration.
- **Competence Assessments:**
 - Outcomes of competence assessments where remedial actions are required, conditions are imposed, or matters affecting public safety are discovered. Examples may include:
 - Engineers acting outside their competence in an unsafe manner.
 - Serious errors in work provided as evidence during an assessment that are public safety concerns.
- **Public Safety Information:**
 - Notice to contact the Registrar, where a complaint or concern is raised and there is an immediate risk to public safety.
- **Compliance Notices:**
 - Failure to comply with continuing professional development (CPD) requirements or registration renewal conditions.
- **Other Regulatory Notices:**
 - Any other information the Board deems relevant to fulfilling the purpose of the Register.

4. Decision-Making Criteria

The decision to place a notice on the Register will depend on the following factors:

- **Relevance:** Does the notice concern matters that impact public safety, trust, or the registrant's professional standing?
- **Timeliness:** Is the matter current and directly related to the registrant's status?
- **Legislative Requirements:** Does the notice comply with relevant legal requirements and the Act?

5. Notification and Appeals Process

- Notification:
 - The registrant will be informed in writing of the decision to place a notice. The communication will include:
 - The nature of the notice.
 - The reasons for the decision.
 - The period the notice will remain on the Register (if applicable).

6. Removal of Notices

A registrant may apply to have a notice removed if:

- The conditions of the notice have been met (e.g., completion of remedial actions), and/or;
- New evidence or information warrants reassessment of the notice, and/or;

- The notice exceeds its specified duration (if time-limited), and/or;
- There is no longer a public safety risk.

Registrants will be issued with guidance on how to get a notice removed, when they are notified of the notice being issued.

7. Implementation and Review

The Registration Authority will review this policy biennially or as necessary to ensure alignment with legislative and operational changes.