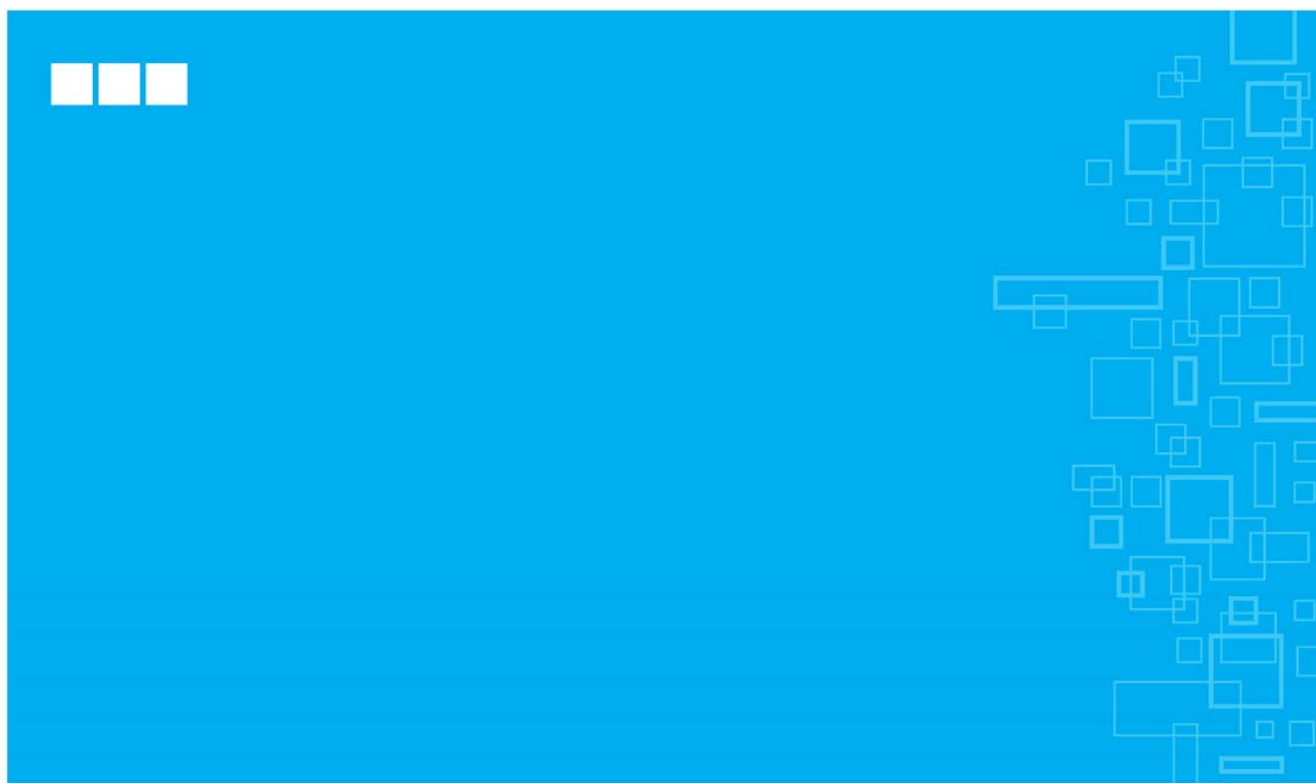


Superseded document

This document was superseded on 1 October 2020. We have kept it online for reference, but you should not use it for new projects from that date.

Visit the [Business Queensland](https://business.qld.gov.au) website for the most up to date versions of guidance material.





Guideline for the assessment of competent persons

Effective 14 November 2003

Guidelines for the assessment of competent persons

A building certifier may accept from a competent person certification that an aspect of the stage of building work complies. However the building certifier must assess the person as a competent person for the inspection, before the person inspects the building work. A building certifier must keep a record of the documents or information relied on and reasons for considering the person giving the certificate to be a competent person.

Section 5 of the Standard Building Regulation 1993 defines competent person as follows:

'**competent person**' for building work, means a person who:

- is assessed by the building certifier for the work as competent to practise in an aspect of the design, building or inspection of the building work because of the person's skill and experience in the aspect and
- if the chief executive approves guidelines for assessing a person under paragraph (a)-is assessed by the building certifier according to the guidelines and
- is registered or licensed under a law applying in the state to practise in the aspect.

Assessing whether a person is a competent person

When assessing whether a person has the appropriate skills and experience to perform in the role of a competent person, the following matters should be considered.

1. What aspects of building work are to be certified and what is the extent of the certification?

Certifiers must ensure the competence of a competent person is appropriate to the extent of certification being provided. For example, a certificate from a competent person may be certifying the structural adequacy of footings and boundary clearance compliance. The competent person must be competent to inspect and certify both aspects of building work and have a thorough knowledge of the relevant requirements of the Building Act.

2. Competent person to be registered or licensed under the law

To practice in certain aspects of designing, building or inspecting building works, some practitioners are required to be registered or licensed under various laws applying in Queensland. Examples of practitioners required to be registered or licensed include:

- An engineer registered as a professional engineer (RPEQ) with the Board of Professional Engineers of Queensland, under the *Professional Engineers Act 2002*
- An architect registered by the Board of Architects of Queensland under the *Architects Act 2002*
- A specialist tradesperson licensed by the Queensland Building Services Authority (BSA) under the *Queensland Building Services Authority Act 1991*. For example, a glazier, pest control operator, termite barrier installer, air-conditioning installer or residential waterproofer.

Only a registered professional engineer should provide certification where the design or inspection of the elements of a building constituted a professional engineering service. For example, a large and/or complex air-conditioning system such as one forming part of a required smoke-control system within a building would require engineering analysis to certify both design and construction compliance.

However, the installation of a simple system that did not require engineering analysis, such as a required mechanical ventilation system in a Class 1 building, could be certified by a person experienced in the installation of such systems, and whom the BSA licences.

Although an engineer may provide design certification of an element of a building, a person who is not an engineer may legitimately provide an inspection certificate for the element in certain cases. For example, an accredited building certifier would be competent to inspect and certify that the structural frame of a building complied with the design drawings prepared by an engineer. However, any departure from the design drawings would require certification by an engineer, preferably the design engineer.

3. Is the person a member of a professional association whose members would be competent to certify that a particular aspect of building work meets the appropriate requirements of the Building Act?

No, only a person registered or licensed under a law applying in the state to practise in the aspect of the design, building or inspection of the building work may be assessed as a competent person. However, membership of a professional association may be an indication of the competence of a practitioner. Professional associations have individual requirements that need be satisfied, such as, code of ethics, minimum academic and practical requirements in a particular aspect.

The building certifier should obtain details of the person's professional affiliations and enquire with those organisations as to the suitability and appropriateness of a person to undertake specific certification tasks.

The National Professional Engineers Register (NPER) as maintained by the Institution of Engineers, Australia lists engineers in a number of areas of practice. This enables easy identification of the engineering field within which the competences of practitioners have been assessed.

It should be noted that registration on NPER is not an alternative to registration as a RPEQ. The NPER should only be used to assist in the assessment of a RPEQ's competence. The NPER website www.nerb.org.au provides a full listing of qualified engineers. The Institution of Engineers, Australia can be contacted on free-call 1800 687 187.

As previously indicated, a person must be registered or licensed under a law applying in the state to provide certification of a component of work as a competent person. Various building product manufacturers also accredit persons as installers of their products. However these persons must be registered or licensed if they are to act as competent persons.

4. Has the person had specific experience in the type of work being certified?

The building certifier should obtain a resume from the person detailing projects or aspects of building work previously certified of a similar nature to the type of work being certified. For example, an engineer certifying a reinforced concrete structure, should be able to detail projects he/she has been required to inspect/certify involving reinforced concrete of a similar size and complexity.

5. Will the person show objectivity in their decision-making?

The building certifier should be careful of accepting certification from competent persons who may have questionable objectivity such as those certifying their own work. Whilst self-certification of an aspect of a stage of building work by a competent person is not unlawful, this practice is not considered to be desirable and should not be permitted to become standard practice.


6. Who should sign the certificate?

Certificates provided by a person should contain their personal signature. Certificates provided by a licensed company should contain the personal signature of the authorised person of the company who is competent to certify a material, system, method of building, building element design or other thing under the provisions of the Standard Building Regulation.

7. Documentation of reasons

Section 23(3A) of the Standard Building Regulation requires the building certifier to keep a record:

- containing details of the documents or information relied on by the building certifier in deciding the person giving the certificate is a competent person and stating the building certifier's reasons for considering the person giving the certificate to be a competent person.



Department of **Infrastructure and Planning**
PO Box 15009 City East Qld 4002 Australia
tel +61 7 3227 8548
fax +61 7 3224 4683
info@dip.qld.gov.au

www.dip.qld.gov.au