

## **Proposed Categories of Registration**

Submission to the Electrical Workers Registration Board (EWRB)  
14 July 2008

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### **Background to IPENZ**

The Institution of Professional Engineers New Zealand (IPENZ) is the lead national professional body representing the engineering profession in New Zealand. It has approximately 10,000 Members, including a cross-section of the engineering community from students to senior Fellows in management or governance positions in important design or construction organisations. IPENZ is non-aligned and seeks to contribute to the community in matters of national interest giving a learned view on important issues, independent of any commercial interest.

In making these comments IPENZ has drawn particularly on the knowledge of its Members, or members of kindred bodies, who supervise, work with, or work alongside electrical workers, or are otherwise aware of the issues.

### **Executive Summary**

IPENZ thanks the Electrical Workers Registration Board (EWRB) for the opportunity to comment on the second discussion paper on “Proposed categories of registration”.

IPENZ notes with approval that “design” is not to be included in “prescribed electrical work”.

IPENZ guards the right of “qualified engineers” registered before 1992 to continue to perform PEW without reference to EWRB, provided they have become chartered professional engineers.

IPENZ recognises the desire of some professional electrical engineers to register themselves with EWRB in order to extend their practices to the electrical trades. IPENZ approves of EWRB’s suggested registration requirements in this respect.

IPENZ recognises that there are many electrical designers who are not chartered professional engineers, but may be registered with IPENZ as technologists or technicians. IPENZ regards itself as a suitably qualified third party which can attest to the competence of technologists and technicians registered with itself.

## **Submission**

### **EWRB's first discussion paper in 2007**

In 2007 IPENZ submitted its view to the EWRB that it was premature to be considering licence classes related to design until the regulations limiting the definition were drafted and the timetable for enactment of the regulations and relevant sections of the Amendment Act published. In our view these regulations might be such that there would be no need for the EWRB to create a licence class of qualified engineers.

### **MED's 2007 discussion paper**

In December 2007 the Ministry of Economic Development (MED) released a discussion paper on the proposed electricity safety regulations. This proposed that design as PEW would be limited to low voltage installations, meaning that anything above 1000 V ac or 1500 V dc, traction supplies for trains and buses, and the extra low voltage equipment commonly used for machine control would be exempt from PEW regulation. Hence, much of electrical engineering design would rightly and properly be exempt.

However, design of low voltage installations would still have been PEW. These installations include power supplies for high-rise city buildings, shopping malls, hospitals, and industrial plant where megawatts of low voltage electricity are required. This sort of design is normally done by electrical engineers. The discussion document implied the bizarre situation of a professional engineer (registered with IPENZ) being required to be supervised by an electrician (registered with EWRB). This would be totally unacceptable.

### **IPENZ/ACENZ submission to MED**

In February 2008 IPENZ and the Association of Consulting Engineers (ACENZ) submitted to MED their joint disapproval of the idea that electrical design should be regulated as prescribed electrical work. IPENZ and ACENZ suggested following a precedent set in the Building Act 2004 to allow automatic licensing of people registered under other enactments to perform restricted building work. In the corresponding electrical regime, chartered professional engineers would be deemed to hold licenses that permitted them to design and supervise PEW on works and installations at all voltage levels, and that similar but more restrictive provisions be made for design technologists and design technicians.

### **MED's response**

On 23 June 2008 MED advised us that they would be proposing to the Minister and Cabinet that permission be given for a further round of consultation on an exposure draft of the regulations. IPENZ continues to be in favour of this, as it follows part of our recommendations to EWRB in 2007 and MED in 2008.

In the same communication MED advised that design would not be included in PEW. MED's reasoning was that if an electrical worker followed AS/NZS 3000:2007 Part 2, which is prescriptive in format, then design is implicit. If an electrical worker followed

the performance-based Part 1, then the design may have come from another party who is not controlled by electricity legislation. This party would be required to attest that the design complied with the legislation, and the signed design would become part of the CoC documentation. The electrical worker who installed the equipment would then have to attest that the installation complied with the design. Thus, the obligations of the designer and installer would be separated.

MED's "other party" could be a chartered professional engineer registered by IPENZ under the Chartered Professional Engineers of New Zealand Act 2002. Other parties could also be technologists and technicians registered by IPENZ and subject to disciplinary rules that correspond very closely to the statutory rules of the CPEng regime. IPENZ takes its disciplinary obligations under the CPEng Act very seriously, and follows very similar procedures when dealing with complaints against its non-chartered Members. Hence, MED and EWRB can have confidence that IPENZ can discipline errant members and CPEng registrants whether or not they are Members.

## **EWRB's second discussion paper**

This appeared before MED's "design not PEW" response of June 2008 and so has been overtaken by events in respect of its proposals to register electrical engineers and electrical designers.

Historically the Electricity Act recognised "qualified engineers" who by virtue of their qualifications in electrical engineering were entitled to carry out all the work of an electrician. EWRB recognises that "this provision has not been problematic". Some electrical engineers have practices that include design and installation or its supervision. IPENZ has no objection to this arrangement, which is essentially of a commercial nature. Hence, if any qualified engineer wished to become registered with the EWRB for trade purposes, IPENZ would not object.

IPENZ takes the view that an engineer registered with the EWRB for the purposes of electrical trades work should be subject to the disciplinary processes of the EWRB should a complaint be made in respect of that trades work. Similarly, should a complaint be made in respect of professional engineering work, IPENZ guards jealously its obligations to investigate and if necessary impose disciplinary actions.

IPENZ Members who were historically "qualified engineers" have expressed a desire to retain that status. The 2006 amendments to the Electricity Act deleted the definition of "qualified engineer" and MED's discussion paper was silent on whether or not Regulation 21 ("Qualified engineers may do any prescribed electrical work") would be revoked.

Engineers who were registered (under the old Engineers Registration Act) before the implementation of the 1992 Electricity Act are currently allowed as of right to carry out prescribed electrical work. IPENZ takes the view that provided these engineers have become CPEng, and thus assessed for competence at 5-yearly intervals, this right must continue.

Engineers who were registered after 1992 have never had an automatic right to carry out prescribed electrical work. IPENZ takes the view that such engineers who wished to register with EWRB for PEW trade purposes should take and pass the appropriate EWRB examinations. This provides a qualification pathway to the electrical trades that some engineers may find useful.