

## Update from the Board, July 2021: Design and Building Practitioner's Act - New Regulation

The new DBP Regulation is now active and in force on all projects. The NSW portal is now also active, and Engineers are now able to apply for registration as Professional Engineers and as Registered Design Practitioners. This update is to assist you in working through the registration process.

### Applications for Registration

You will need to register as **BOTH** a Registered Engineer and as a Design Practitioner. Further information is available on NSW Fair Trading websites:

- [Becoming a Registered Engineer](#) to work on class 2 buildings
- Eligibility criteria for [Becoming a Design Practitioner](#)

As part of the application everyone needs to take two online training courses and pass the associated quiz. You have to pass each course and download the associated Certificate. These courses are:

- [Navigating the Design & Practitioner's Legislation](#)
- [The Value of Australian Standards](#)

Once the courses are completed and you have also obtained a Police Clearance Certificate, then the **application for registration** can be made [with the NSW Government](#).

### Transitional Arrangements

There are several Transitional Arrangements in place to assist over the coming months. Key points to note are:

- Any applications to become registered received in the 6 months after 1st July will be 'deemed to be accepted'. This is to allow you to become registered and to submit Design Compliance Statements without NSW Fair Trading needing to review all applications in detail.
- There is a 12-month grace period in place for the need to demonstrate 'adequate insurance' as part of your application. This is in recognition of the current state of the insurance market in Australia. **All members are urged to check their PI Insurance coverage and renewal expectations and to check specifically for any exclusions relating to the DBP, which we understand have become prevalent.**
- Staged construction Certificates are allowed to continue but only those projects for which a stage has already been granted Construction Certificate and the work has commenced. For work on stages not yet started, the DBP will be required to be followed in full, including lodgement of all construction drawings and associated Compliance Statements for all Regulated Design Elements covered by that staged CC.

### Further Updates

ACSE NSW continues to take part in the NSW Industry Consultative Group, established by the Government, which meets fortnightly to discuss the application of the new Legislation, and to give feedback to the Commissioner's Office. ACSE and other industry bodies have been vocal in highlighting the insurance problems prevalent in the industry at this time and this has been noted for further investigation. We have also questioned whether Independent Peer Review (similar to Victorian Legislation) was considered, and we understand that this will be looked into further at the next review of the Legislation.

If members have specific points that they would like addressed to the NSW Industry Consultative Group, please get in touch. ACSE NSW will provide further updates in due course.