

HOUSE OF REPRESENTATIVES

Supplementary Order Paper

Tuesday, 29 March 1988

MINISTRY OF WORKS AND DEVELOPMENT ABOLITION BILL

Proposed Amendments

(The amendments proposed in this Supplementary Order Paper are in substitution for those contained in Supplementary Order Paper No. 31) Hon. RICHARD PREBBLE, in Committee, to move the following amendments:

New clauses 250A, 250B, and 250C: To insert, after clause 250, the following clauses:

250A. Qualifications of applicants for registration as engineers—(1) The principal Act is hereby amended by repealing section 6, and substituting the following section:

“6. (1) Subject to the provisions of this section, every person, being ordinarily resident in New Zealand, on payment of the prescribed fee, shall be entitled to be registered under this Act as an engineer who—

“(a) Holds or has passed—

“(i) A degree granted by a New Zealand university, which degree is for the time being recognised by the Board for the purposes of this section; or

“(ii) Any degree, diploma, certificate, or licence for the time being recognised by the Board for the purposes of this section; or

“(iii) A written examination or oral examination, or both, approved by the Board, which satisfies the Board that the applicant has an adequate academic knowledge of engineering; and

“(b) Has passed—

“(i) An interview or test conducted by the Institution of Professional Engineers of New Zealand; or

“(ii) Any other interview, test, or assessment— Which satisfies the Board that the applicant has had adequate advanced practical experience and training in engineering; and

“(c) Has had not less than 3 years' practical experience in engineering.

“(2) Whenever the Board decides to recognise any degree under subsection (1) (a) (i) of this section, or to withdraw any such recognition, the Board shall as soon as practicable cause notification of its decision to be published in the *Gazette*.”

(2) The following enactments are hereby consequentially repealed:

(a) Section 7 of the Engineers Registration Amendment Act 1944:

(b) Section 29 of the Finance Act (No. 2) 1953:

(c) Section 3 of the Engineers Registration Amendment Act 1977.

(3) Nothing in this section shall affect the registration of any person under the principal Act before the commencement of this section.

250B. Limitations as to age and character—Section 8 (2) of the principal Act is hereby amended by repealing the proviso.

250C. Appeals from decision of Board—(1) The principal Act is hereby amended by repealing section 12, and substituting the following section:

“12. (1) Any person who is dissatisfied with any decision of the Engineers Registration Board on that person's application for registration under this Act, or on the removal of that person's name from the register, may, by way of originating application, appeal to a District Court Judge against that decision.

“(2) The appeal shall be instituted, and notice of it given to the Engineers Registration Board, not later than 28 days after the Engineers Registration Board's decision has been communicated in writing to the appellant.

“(3) In deciding an appeal, the District Court Judge may substitute his or her own opinion for the opinion of the Engineers Registration Board upon any matter about which the Engineers Registration Board is required to be satisfied, and may exercise his or her own discretion over any matter confided to the discretion of the Engineers Registration Board by this Act.

“(4) The District Court Judge may order that the appellant be registered, or be registered conditionally or upon terms, or that the appellant's name be restored to the register, or may dismiss the appeal, with or without costs, as he or she thinks fit.”

(2) Sections 27 and 28 of the Finance Act (No. 2) 1953 are hereby consequentially repealed.

(3) Part IX of, and form E.R. 5 in the Second Schedule to, the Engineers Registration Regulations 1951 are hereby revoked.

EXPLANATORY NOTE

New clauses 250A, 250B, and 250C: The proposed amendments are in substitution for those contained in Supplementary Order Paper No. 31.

The only difference is that any appeal against a decision of the Engineers Registration Board is to a District Court Judge instead of to a Board of Appeal.