



THE ENGINEERS REGISTRATION REGULATIONS 1945

C. L. N. NEWALL, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 26th day of
March, 1945

Present :

THE HON. W. NASH PRESIDING IN COUNCIL

PURSUANT to the Engineers Registration Act, 1924, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council and for the purpose of consolidating and amending certain enactments heretofore in force, doth hereby make the following regulations.

REGULATIONS

DIVISION I.—GENERAL

PART I.—PRELIMINARY

1. These regulations may be cited as the Engineers Registration Regulations 1945.
2. These regulations shall come into force on the 2nd day of April, 1945.
3. In these regulations,—
 - (a) “ The said Act ” means the Engineers Registration Act, 1924, and includes the amendments thereof :
 - (b) Unless a contrary intention appears, expressions used herein have the meanings assigned to them by the said Act.
4. The respective regulations made under the said Act and set out in the table subjoined to this regulation are revoked :—

TABLE OF REVOKED REGULATIONS

Date of Enactment.	Short Title or Description.	Published in <i>Gazette</i>	
		Year.	Page.
22nd June, 1925	The Engineers Registration Regulations 1925	1925	1964
10th November, 1925	The Engineers Registration (Appeal) Regulations 1925	1925	3162
8th October, 1926	Amendment of Regulations of 10th November, 1925	1926	2905
26th September, 1927	Amendment of Regulations of 22nd June, 1925	1927	2932
30th September, 1929	Amendment of Regulations of 22nd June, 1925	1929	2572

TABLE OF REVOKED REGULATIONS—*continued*

Date of Enactment.	Short Title or Description.	Published in Statutory Regulations	
		Serial Number.	Page.
12th January, 1944	The Engineers Registration Regulations 1925, Amendment No. 3	1944/2	2
19th April, 1944	The Engineers Registration Regulations 1925, Amendment No. 4	1944/70	213

5. All registrations, certificates, appointments, and generally all acts of authority and all applications and other documents, matters, acts, and things, and all periods of time which originated or had effect under the regulations hereby revoked and are of continuing effect at the time of coming into force of these regulations shall enure for the purposes of these regulations as if they had originated under these regulations, and shall, where necessary, be deemed to have so originated.

PART II.—EXPENSES OF BOARD MEMBERS

6. Subject to section 15 of the said Act, the Travelling-allowance Regulations 1941 shall apply to and be deemed to be incorporated in these regulations so as to relate to the Board and its members.

7. For the purposes of these regulations the rate of the subsistence allowance referred to in Regulation 4 of the Travelling-allowance Regulations 1941 shall be at the rate of £1 5s. for every day or part of a day.

PART III.—REGISTRATION OF ENGINEERS

8. The Register of Engineers referred to in section 5 of the said Act shall be kept in accordance with Form A in the First Schedule hereto.

9. The entries in the register shall be made in the order in which the directions to make the entries given under section 7 of the said Act are received by the Registrar.

10. The Registrar shall also keep (either bookwise or by means of a loose-leaf or card system) an alphabetical index of the names of the persons entered in the register, and such index shall be deemed to be a part of the register.

11. The qualifications by virtue of which a person is registered shall be sufficiently indicated by a reference in abbreviated form to the statutory provision creating the relevant qualification for registration.

12. The direction in writing of the Board referred to in section 7 of the said Act shall be sufficient if signed by the Chairman and given pursuant to a resolution of the Board.

13. The certificate of registration issued under section 9 of the said Act shall be in accordance with Form B in the First Schedule hereto, and shall indicate the branch or branches of engineering to which the qualifications of the person registered relate.

14. Any person may inspect the register on payment of the fee hereinafter prescribed.

15. Any person may, on payment of the fee hereinafter prescribed, obtain a copy, certified under the hand of the Registrar, of the particulars entered in the register in respect of any person.

16. When the notice of refusal or removal referred to in subsection (1) of section 12 of the said Act is communicated to any person the Registrar shall therewith communicate the terms of any resolution of the Board setting out its reason for such refusal or removal.

PART IV.—APPLICATION FOR REGISTRATION

17. Application for registration of engineers shall be in form E.R. 1, set out in the Second Schedule hereto.

18. Any notification required by the said Act or these regulations to be given to any applicant for registration, whether before or after registration, shall be sufficient if sent by registered-post letter signed by the Registrar addressed to the applicant at the address stated by him in his application or any fresh address notified as hereinafter provided.

19. Any document submitted with an application for registration may be returned to the applicant by registered-post letter to the address given in the application or to any fresh address notified as hereinafter provided.

20. Any applicant may, either before or after registration, by writing addressed to the Board notify a fresh address, and the Board may direct an entry of such fresh address to be made in the register.

PART V.—ANNUAL PRACTISING CERTIFICATES

21. Application for an annual practising certificate shall be in form E.R. 2 set out in the Second Schedule hereto.

22. The annual practising certificate issued under section 3 of the Engineers Registration Amendment Act, 1944, shall be in form E.R. 3 set out in the Second Schedule hereto, and shall specify the branch or branches of engineering in which the person registered is accepted as qualified.

23. Any person may, on payment of the fee hereinafter prescribed, obtain a certificate under the hand of the Registrar stating the particulars entered in the annual practising certificate issued to any person.

PART VI.—EXAMINATION OF ENGINEERS

24. The Board may from time to time arrange for the holding of examinations in such branch or branches of engineering as it may think fit, and may fix the times and places at which examinations shall be held and the dates by which applications for examination must be received.

25. The subject-matter of examinations in any year shall be as follows :—

- (a) *For Civil Engineers.*—The subject-matter set out in the syllabus for the same year for the associate membership examinations issued by the Institution of Civil Engineers of Great Britain :
- (b) *For Electrical Engineers.*—The subject-matter set out in the examination regulations for the same year for the associate membership examinations issued by the Institution of Electrical Engineers of Great Britain :
- (c) *For Mechanical Engineers.*—The subject-matter set out in the rules for the same year for the associate membership examinations issued by the Institution of Mechanical Engineers of Great Britain :

Provided always that—

- (i) Any candidate who has passed in any subject of the examinations conducted by any of the three engineering institutions aforesaid and who has been exempted or would be entitled to exemption in any subject under the rules of such institution shall be exempt from examination in any similar subject in the corresponding examinations conducted by the Board.
- (ii) Any candidate who has passed in any subject of the examination conducted by any university college or other public institution in any language other than English and who satisfies the Board that the scope and standard of examination in that subject is at least equal to that required by these regulations for a similar subject shall be entitled to exemption from examination in such similar subject, but so that in any case the greatest number of subjects in respect of which a candidate shall be entitled to exemption shall be one less than the total number of subjects prescribed for the examination for which he is a candidate.

26. The standard of examination in respect of each subject-matter aforesaid shall be approximately equal to the standard required by the appropriate engineering institution hereinbefore mentioned.

27. Where the respective regulations referred to in Regulation 25 hereof permit the subjects of an examination to be taken in sections, then the subjects of an examination held by the Board may be taken in corresponding sections.

28. The Board shall give due notice by advertisement in the *Gazette*, and in such newspapers or periodicals (if any) as the Board may think fit, of the dates and places at which examinations will be held and of the dates by which applications for examination must be received.

29. Every candidate shall make application to the Board by writing under his hand, and shall indicate the branch or branches of engineering in which he seeks to be examined, and shall furnish a postal address to which communications from the Board may be sent to him, and shall pay the fee hereinafter prescribed.

30. The Board may from time to time appoint suitable persons to be examiners, and may fix and pay such remuneration to the examiners as the Board may think fit.

31. The Board may make arrangements for the conduct of examinations, and may employ and pay supervisors and hire examination-rooms.

32. The supervisor may require any candidate presenting himself at an examination to furnish such proof of identity as the supervisor may require.

33. The names of the persons who have passed the examination, together with the branch or branches of engineering in which they have passed, shall be notified by the Board by advertisement in the *Gazette*.

34. The Registrar shall in due course send by post to every candidate a notification showing the maximum marks obtainable in every paper or subject taken by the candidate, the marks awarded to the candidate in every such paper or subject, and an intimation as to whether the candidate has passed or has not passed the examination.

35. Except as aforesaid, no information of the result of any examination shall be given by the Board to any person, and no examiner shall disclose the result of any examination or any matter connected therewith except to the Board or as the Board may direct.

36. The Board may make arrangements with the University of New Zealand or any other institution for the conduct of examinations on behalf of the Board and of all matters incidental thereto.

PART VII.—CANCELLATION OF REGISTRATION

37. The name of every person removed from the register under section 11 of the said Act shall be published in the *Gazette*, and the Board may, if it thinks fit, state the ground of such removal.

38. Such publication shall take place after the time for appeal under section 12 of the said Act has expired. If no appeal is pending, or in case of an appeal, then after the decision of the Board of Appeal has been given.

39. Every certificate of registration issued to any person whose name is removed from the register as aforesaid shall be returned to the Registrar within one month from the date of the publication in the *Gazette* of the notification aforesaid.

40. Every such person who without just cause fails so to return any certificate shall be liable to a fine not exceeding £5.

PART VIII.—FEES

41. The fee for registration shall be £1 1s., to be paid before any entry is made in the register.

42. The fee for a certificate of registration shall be 5s., to be paid before the certificate is issued by the Registrar.

43. The fee for inspection of the register shall be 2s. 6d. for every name in respect of which the entries are inspected, or 2s. 6d. for every calendar year the entries made in which are inspected.

44. The fee for a certified copy of an entry in the register shall be 5s.

45. The fee for an annual practising certificate shall be £1.

46. The fee for a certificate of the particulars entered in any one annual practising certificate shall be 5s.

47. The fee to be paid on every application for examination shall be £2 2s.

48. Copies of the syllabus of subject-matter (if available) referred to in Part VI hereof may be obtained from the Registrar on payment of 1s. for each copy.

49. Copies of past examination-papers (if available) may be obtained from the Registrar on payment of 2s. 6d. for each set of all the papers set in any one examination.

DIVISION II.—APPEALS

PART IX.—BOARD OF APPEAL

50. Of the assessors to be appointed under section 12 of the said Act one shall be appointed by the Board by resolution duly passed, and the other shall be appointed by the appellant in writing as hereinafter provided.

51. No person shall be capable of acting as an assessor except an engineer duly registered under the said Act.

52. If by reason of death, sickness, removal, or any other cause the Magistrate named as provided by Regulation 56 hereof shall be unable to discharge the duties referred to in Part X hereof, any other Magistrate may discharge such duties in the place of the Magistrate so named.

53. If by reason of death, sickness, removal, or any other cause the Magistrate so named as aforesaid shall not be present at the time and place fixed for the hearing of the appeal, any other Magistrate for the time being present may act in the place of the Magistrate so named, and if no other Magistrate be available, the assessors may from time to time adjourn the hearing of the appeal for such period not exceeding fourteen days and to such place as they think fit.

54. If by reason of death, sickness, or any other cause any assessor appointed as aforesaid shall not be present at the time and place fixed for the hearing of the appeal, then the Board or the appellant, as the case may be, shall either at the time of hearing or previously thereto make a fresh appointment of an assessor and give notice in writing thereof forthwith to the Magistrate and to the other party, and the Magistrate may adjourn the hearing of the appeal for such time not exceeding fourteen days as he thinks fit.

PART X.—NOTICES TO AND BY PARTIES

55. Any person wishing to appeal shall give notice in form E.R. 4 set out in the Second Schedule hereto, and shall specify therein the name of the person whom he appoints to act as assessor on his behalf at the hearing of the appeal, and such assessor shall give in writing his consent to act.

56. Within a period of twenty-one days after receipt of such notice of appeal the Board shall inform the appellant of the name of the Magistrate before whom the appeal will be heard and of the assessor appointed by the Board, and shall at the same time forward to such Magistrate a copy of the Board's decision and the notice of appeal therefrom, together with a notice of the appointment of an assessor by the Board.

57. Any notice required to be given or document required to be served under this Division of these regulations may be given or served by registered-post letter, and if sent to an appellant may be addressed as provided by Regulations 18 and 20 hereof.

PART XI.—TIME OF HEARING

58. The Magistrate shall fix a convenient time and place for the hearing of the appeal, such time to be not more than forty-two days after the receipt by the Board of the notice of appeal referred to in Regulation 55 hereof.

59. The Magistrate shall cause at least seven days' previous notice of such time and place to be given to each assessor, the Board, and the appellant.

PART XII.—PROCEDURE AT HEARING

60. The Board of Appeal may, in its discretion, receive any evidence that it thinks fit (whether on oath or otherwise), and may act on any statement, document, information, or matter which in the opinion of the Board of Appeal may assist it to deal with the matters before it, whether the same would be legally admissible in a Court of law or not.

61. In matters not expressly provided for in the said Act or by these regulations the procedure of the Board of Appeal shall be such as the Magistrate may determine.

62. The Board of Appeal may from time to time adjourn the hearing or consideration or determination of the appeal as it thinks fit.

63. At the hearing of the appeal the appellant may himself appear or may be represented by some other person on his behalf, and the Board may be represented by any member thereof appointed by the Board, or by some other person appointed by the Board, but no solicitor or counsel shall appear or be heard.

64. If the appellant or his representative fails to appear at the hearing, the Board of Appeal may determine the appeal in his absence on such evidence as is available. If he appears, the evidence shall be taken in his presence or in the presence of his representative, or both.

65. The determination made in respect of an appeal shall be in writing signed by the Magistrate, and a copy of such determination shall be forwarded by the Magistrate to the appellant and to the Board, and the Board shall forthwith give effect to such determination. The Magistrate shall advise the Board whether or not the determination was unanimously arrived at.

PART XIII.—COSTS, FEES, AND EXPENSES

66. If the appeal is allowed, the appellant shall be entitled to costs to be determined by the Board of Appeal.

67. If the appeal is disallowed the appellant shall not be entitled to costs, and if in the opinion of the Board of Appeal the appeal is frivolous the Board of Appeal may direct that costs to be determined by the Board of Appeal shall be paid to the Board by the appellant, and such costs shall be a debt due to the Crown by the appellant.

68. The costs that may be allowed under this regulation may include allowances to the appellant or officials of the Board, as the case may be, and to witnesses at a rate not exceeding the scale of allowances to witness for the time being in force under the Magistrates' Courts Act, 1928, or any Act for the time being amending or replacing that Act.

69. The assessors hearing any appeal may be paid such fee and allowances as may be considered reasonable by the Board of Appeal, but so that in no case shall the amount payable to any assessor exceed a fee of £2 2s. per diem, together with such reasonable travelling-expenses as are actually incurred by the assessor in attending a sitting of the Board of Appeal.

SCHEDULES

FIRST SCHEDULE

[Form A

REGISTER OF ENGINEERS

Registration No.	Name.	Qualifications for Registration.	Address.	Date of Registration.	Reference No.

[Form B

ENGINEERS REGISTRATION BOARD OF NEW ZEALAND

THIS is to certify that, of, having satisfied the Board that he has been trained and had experience as, was on the day of, 19.., registered as an engineer under the Engineers Registration Act, 1924.

....., Chairman.

....., Registrar.

SECOND SCHEDULE

[Form E.R. 1

Engineers Registration Act, 1924

FORM OF APPLICATION FOR REGISTRATION

This form is to be filled up as directed and signed by the applicant and posted to the Registrar, Engineers Registration Board, Wellington.

Should any original documents or examination certificates be sent with this application, it is desirable that the letter be registered.

I, [*Insert full name*], of [*Insert place of abode and occupation*], do hereby make application for registration under the Engineers Registration Act, 1924; and I do solemnly and sincerely declare that—

1. I was born on the [*Insert date, month, and year*].

2. My education and experience in the practice of the profession of engineering are as follows: [*State where educated, giving names of primary and secondary schools, colleges attended, the town where situated, and the years of attendance; also state what positions you have occupied, the years so occupied in each position, and the nature of the engineering work carried out by you during each such period*].

3. I am [*Insert names of engineering institutions or societies of which you are a member or associate member, giving dates of election*].

4. I have passed the following examinations, in which I took the following subjects [*Give names of examinations, dates of passing, and subjects taken*]:—

Name of Examination.	Date passed.	Subjects.

5. I claim to have the fact that I am qualified as [*Fill in class of engineering in which you consider you are entitled to registration*] endorsed on my certificate.

And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the Justices of the Peace Act, 1927.

Signature of Applicant :

Declared at, this day of, 19.., before me—

.....
Justice of the Peace, Solicitor, or Notary Public.

(*To be filled up by Board.*) { Submitted to Board:, 19..
Action taken:
Registered No.,, 19..

Signed :

Chairman.

[Form E.R. 2

The Registrar,
Engineers Registration Board,
Wellington.

IN accordance with subsection (2) of section 3 of the Engineers Registration Amendment Act, 1944, I hereby apply for an Annual Practising Certificate in respect of the year ending 31st March, 19..

The prescribed fee of £1 is enclosed, and the required information is as follows :—

- (1) Full name :
 (2) Postal address of place of business :
 (3) Brief summary of positions held and duties since last application :—

Positions.	Dates.	Class of Work.

(4) Number of Registration Certificate :

Signature :

Date :

[Form E.R. 3

Serial No.

Engineers Registration Act, 1924

ANNUAL PRACTISING CERTIFICATE, 19..-19..

THIS is to certify that, who, by virtue of his qualifications in engineering, is a duly registered engineer, is granted under section 3 of the Engineers Registration Amendment Act, 1944, this Practising Certificate for the year ending 31st March, 19.., and is entitled to practise as a Registered Engineer.

Number of Registration Certificate :

Date of Registration :

Qualified under :

Dated this day of, 19..

....., Registrar.

[Form E.R. 4

NOTICE OF APPEAL

To the Chairman,
 Engineers Registration Board,
 Wellington.

TAKE notice that I, [Full name], of, [Full postal address and occupation], do hereby appeal under section 12 of the Engineers Registration Act, 1924, against the decision of the Engineers Registration Board conveyed to me by notice from the Registrar dated the day of, 19.. [Here insert either "declining my application for registration" or "removing my name from the Register"].

The following are the grounds upon which I make my appeal: [Here insert fully the grounds of appeal].

And I do hereby appoint [Name in full], of [Full postal address and occupation], as my assessor for the purposes of this appeal.

Dated at, this day of, 19..

.....
 [Signature of Appellant.]

I hereby consent to act as an assessor for the purpose of this appeal :
 [Signature of Assessor for Appellant].

C. A. JEFFERY,
 Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 28th day of March, 1945.

These regulations are administered in the Public Works Department.

(P.W. 30/922.)

By Authority: E. V. PAUL, Government Printer, Wellington.—1945.

Price 9d.]