

CHAPTER 261

ENGINEERS REGISTRATION

AN ACT TO PROVIDE FOR THE REGISTRATION OF ENGINEERS IN FIJI

[1st January, 1977]

Short title

1. This Act may be cited as the Engineers Registration Act.

Interpretation

2. In this Act, unless the context otherwise requires—
 - “Board” means the Engineers Registration Board established under subsection (1) of section 3;
 - “register” means the Register of Engineers required to be kept under the provisions of this Act;
 - “Registrar” means the Registrar appointed under subsection (1) of section 3.

Establishment of Engineers' Registration Board

3.—(1) There shall be established an Engineers Registration Board consisting of eight persons, five to be appointed by the Minister of whom one, who shall be a public officer, shall be the Registrar, and three to be appointed by the Minister on the recommendation of the Fiji Institution of Engineers. All members of the Board shall be persons entitled to be registered under this Act.

(2) The powers of the Board shall not be affected by any vacancy in its membership.

(3) Every member of the Board shall be appointed for a term of two years.

(4) If any member of the Board dies, retires or otherwise vacates his office, the vacancy so created shall within two months after the occurrence thereof be filled in the manner in which the appointment of the vacant office was originally made. Every person so appointed shall hold office for the residue of the term for which his predecessor was appointed.

(5) Subject to the provisions of this Act, the Board may regulate its own procedure and may frame rules for that purpose.

(6) The Board shall cause a proper record of its proceedings to be kept.

Functions of Board

4. The functions of the Board shall be to regulate the practice and activities of professional engineers within Fiji and to advise the Government in relation thereto.

Duties of Registrar

5. The Registrar shall keep a register called the Register of Engineers in which shall be entered the names of every person registered by the Board, his residential

and business address, his qualifications, date of registration and such other particulars as the Board may from time to time direct.

Publication of list

6.—(1) The Registrar shall publish in the Gazette in the month of January in each year the names of persons listed in the register as on the 31st December of the preceding year.

(2) The Registrar shall publish in the Gazette from time to time any names added to or deleted from the register.

Persons entitled to registration

7.—(1) Subject to the provisions of this Act, any person shall be entitled to be registered in the register who satisfies the Board that he—

- (a) holds a qualification cited by the Minister by regulation pursuant to his powers under section 16; and
- (b) has had not less than three years practical experience in engineering after obtaining such qualification.

(2) Notwithstanding the provisions of subsection (1), any person who is a citizen of Fiji who has been engaged for at least ten years in engineering work which is in the opinion of the Board of a sufficient variety, nature and standard and who has satisfied the Board as to his technical competence shall be entitled to be registered under this Act.

Application for registration

8.—(1) Any person wishing to be registered under this Act shall apply in writing to the Registrar submitting evidence to support his application and all facts set forth in his application shall be verified by the applicant by statutory declaration.

(2) The Board may approve, defer or refuse such application or request the applicant to provide such additional information as the Board may reasonably require.

(3) The Board shall not approve the registration under this Act of any applicant who is not, in the opinion of the Board, of good character and reputation.

Removal of names from register

9. If any person duly registered under the provisions of this Act shall—

- (a) be convicted of any offence for which the maximum punishment is imprisonment for a term of not less than two years;
- (b) be guilty of grave impropriety or professional misconduct;
- (c) be disentitled to practise engineering in a country in which he has been granted a recognised engineering qualification;
- (d) fail to pay the annual registration fee provided for in section 15; or
- (e) be prevented by any reason whatsoever from following efficiently the profession of engineering,

the Board may, after due enquiry, order that the name of such person be removed from the register.

Restoration to the register

10. A person whose name has been removed from the register may apply for reinstatement and upon receipt of satisfactory evidence of proper reasons for his reinstatement, the Board may approve such reinstatement.

Appeals

11. Any person aggrieved—

- (a) by the refusal of the Board to approve his application for registration within a reasonable time; or
- (b) by the removal of his name from the register; or
- (c) by the refusal of the Board to approve reinstatement of his name in the register within a reasonable time,

may appeal to the Supreme Court which may make such order as it may deem appropriate in the circumstances.

Unregistered persons not to use title of "Registered Engineer, Fiji" etc.

12.—(1) No person shall be entitled to take or use the name or title of "Registered Engineer, Fiji" or any other name, title, addition or description implying that he has been registered in Fiji unless he has been registered under this Act.

(2) Any person, who has not been registered under this Act who takes or uses any such name, title, addition or description as aforesaid whether expressed in words or by letters or partly in words and partly by letters, shall be guilty of an offence and shall be liable on conviction to a fine not exceeding two hundred dollars.

Offences

13. Every person who wilfully procures or attempts to procure himself or any other person to be registered under this Act by making or producing or causing to be made or produced any false or fraudulent representations or declarations either orally or in writing and every person who attends or assists therein, shall be guilty of an offence and liable on conviction to a fine not exceeding two hundred dollars or to imprisonment for a term not exceeding twelve months or to both such fine and imprisonment.

Evidence of registration

14.—(1) The list of names of persons registered in the register published in the Gazette under the provisions of section 6 shall be prima facie evidence in all cases before any court that the persons named in such list are registered under this Act, and the absence of the name of any person from such copy shall be prima facie evidence that such person is not registered under this Act.

(2) Notwithstanding the provisions of subsection (1), a certified copy under the hand of the Registrar of the entry of the name of a person in the register shall be evidence that such person is registered under this Act, and a certificate under the hand of the Registrar that a person is not registered in the register or that his name has been removed from the register shall be evidence of such non-registration or removal as the case may be.

Annual registration fee

15.—(1) Every person registered or reinstated under the provisions of this Act, other than an engineer who is a public officer, shall pay to the Registrar an annual registration fee of fifty dollars or such other amount as the Board may prescribe, due and payable on or before the date of registration or reinstatement, as the case may be, and upon each anniversary of such date during the currency of such registration.

(2) All fees collected by the Registrar under the provisions of this section shall be paid into the Consolidated Fund.

(3) Every person registered as an engineer under this Act shall, on payment of the prescribed annual registration fee, be entitled to receive a certificate of registration for that year under the hand of the Registrar.

Regulations by Minister

16. The Minister, after consultation with the Board, may from time to time make regulations citing any degree, certificate or diploma granted by a university, college, or other institution, which is recognised as furnishing sufficient evidence of the possession of the requisite knowledge and skill for the efficient practice of engineering in Fiji.

Regulations by Board

17. The Board may, with the approval of the Minister, make regulations prescribing such matters as are required to be prescribed or as may be necessary for the efficient discharge by the Board of its duties and functions under this Act.

Controlled by Ministry of Works and Communications.

CHAPTER 261

ENGINEERS REGISTRATION

SECTION 16—ENGINEERS REGISTRATION (PRESCRIBED
QUALIFICATIONS) REGULATIONS

TABLE OF PROVISIONS

REGULATION

1. Short title
2. Prescribed qualifications

Legal Notice No. 113 of 1982

Short title

1. These Regulations may be cited as the Engineers Registration (Prescribed Qualifications) Regulations.

Prescribed qualifications

2. The qualifications cited in the first column of the Schedule obtained from the institution cited in the second column of the Schedule shall be recognised for the purposes of paragraph (a) of subsection (1) of section 7 of the Act.

SCHEDULE
(Regulation 2)

PART I

INSTITUTIONS IN AUSTRALIA

<i>Qualification</i>	<i>Institution</i>
1. Bachelor of Engineering	Melbourne University
2. Bachelor of Engineering	University of Sydney
3. Bachelor of Engineering	University of New South Wales
4. Bachelor of Engineering	University of Tasmania

<i>Qualifications</i>	<i>Institution</i>
5. Bachelor of Engineering	University of Queensland
6. Associate Diploma (Engineering)	Queensland Central Technical College
7. Diploma of Engineering	Swinburne Institute of Technology

PART II
INSTITUTIONS IN NEW ZEALAND

<i>Qualification</i>	<i>Institution</i>
1. Bachelor of Engineering	University of Canterbury
2. Bachelor of Engineering	University of Auckland

PART III
INSTITUTIONS IN UNITED KINGDOM

<i>Qualification</i>	<i>Institution</i>
1. Bachelor of Science	Plymouth Polytechnic
2. Bachelor of Science	Brighton Polytechnic
3. Bachelor of Engineering	University of Wales Cardiff
4. Master of Science	University of Salford
5. Bachelor of Science	The City University, London
6. Bachelor of Technical Science	University of Manchester
7. Bachelor of Science	St. Andrews University
8. Bachelor of Aeronautical and Astronautical Engineering	University of Sussex
9. Bachelor of Science	Queens University of Belfast
10. Bachelor of Science	Hatfield Polytechnic
11. Master of Science and/or Doctor of Philosophy (Engineering)	University of Aston, Birmingham
12. Diploma in Engineering	Kingston College of Technology

PART IV
INSTITUTIONS IN INDIA

<i>Qualifications</i>	<i>Institution</i>
1. Bachelor of Science (Engineering)	Patana University
2. Bachelor of Technology	Indian Institute of Technology, Bombay
3. Diploma in Engineering	Maharaj Sayajirao University, Baroda

PART V
INSTITUTIONS IN UNITED STATES OF AMERICA

<i>Qualification</i>	<i>Institution</i>
1. Bachelor of Science	University of California

Controlled by Ministry of Communications, Transport and Works