



## **JOINT SUBMISSION TO THE NATIONAL COMPETITION COUNCIL**

### **REVIEW OF AUSTRALIA'S MUTUAL RECOGNITION SCHEMES FOR WORKERS**

#### ***RESPONSE TO THE CONSULTATION PAPER (INTERIM FINDINGS)***

Engineers Australia (EA), Consult Australia, Professionals Australia, and the Institute of Public Works Engineering Australasia (IPWEA) are pleased to provide this further joint submission<sup>1</sup> to inform the Council's independent evaluation of Australia's mutual recognition schemes for workers, and respond to the Council's interim findings.

Our organisations welcome the Australian governments' collective focus on occupational licensing, including professional engineer registration, as a significant opportunity to boost national productivity, competitiveness and labour mobility, and to reduce red tape.

We commend the Australian Government affirming in its 2026-27 Budget its intention, as part of its regulatory reform and productivity measures, to work with the states and territories on national occupational licencing to make it easier for engineers to work across jurisdictions. We support the Council's considerate and consultative efforts to support the evidence base for this work, through this review.

#### **Feedback on the Council's interim findings** (Consultation question 1)

Our organisations support the Council's interim findings and agree that the review has appropriately identified the critical issues facing Australia's mutual recognition schemes for workers. We also agree that a "one size fits all" approach is not suitable across all occupations.

In preparing our initial submissions, our organisations consulted extensively with our respective memberships. We acknowledge and appreciate that the Council has reflected members' experiences in its consultation paper.

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<sup>1</sup> Our previous joint submission is available at: [Joint Submission to Nat Comp Council Mutual Recognition Review.pdf](#)

We strongly support interim findings 5 and 14, which we consider collectively establish a clear and credible national harmonisation pathway for the engineering profession.

We encourage the Council to explicitly identify engineering as an occupation that would benefit from moving towards a national licensing framework. Our organisations – representing the full breadth of industry, including unions, businesses and individual professionals working in all sectors, including local government – are in agreement that Australia needs certainty, consistency, and mobility for engineers working across jurisdictions.

We also encourage the Council to explicitly endorse the Council of Federal Financial Relations (CFFR) continuing to pursue national occupational licensing for engineers as a priority reform to boost productivity and labour mobility, reduce regulatory red tape, and in doing so, increase competition for engineering services across the country.

### **Impact and effectiveness** (Findings 1-4; Consultation questions 2-7)

As per our initial submissions to the Council, it is questionable whether MR or AMR has improved productivity, workforce participation, reduced skills shortages or enabled faster workforce deployment for engineers across Australia. Our organisations have no particular concerns about safety or quality differences when it comes to engineers registered directly by their jurisdiction, compared with those practicing under MR or AMR. Further, we have no evidence of widespread ‘jurisdiction hopping’, ‘licence uplifting’ or weakened safeguards because of MR in the engineering profession.

However, information for consumers to determine the registration status and competence of a professional engineer is difficult to navigate and incredibly complex. A case study on public government registers of engineers is at [Attachment A](#).

The interim findings cover most factors that constrain the effectiveness of AMR, except explicit acknowledgement of the problems of the current ‘home State’ definition in the Act. This is highlighted by Consult Australia’s submission and its case study of Sarah, an engineer in SA, which is noted by the Council under finding 9. A sample survey of Consult Australia member businesses in 2021 indicated that:

- around 91% of those members provides services in multiple jurisdictions (including sole traders and small businesses).
- around 77% of those businesses employ professional engineers who are registered in a jurisdiction where they do not principally live or work.

In 2021, the Board of Professional Engineers of Qld noted that 5,414 engineers registered under that scheme were not based in Qld. This equated to over \$27 million in immediate cost for these registered individuals, assuming they all sought registration in either Vic or NSW when those schemes commenced, and up to over \$54 million if they sought registration in both states (based on assessment and registration costs in 2021, as well as 15 hours per individual to meet administrative requirements, at the engineer charge-out rate of \$250 per hour).

### **Implementation and alignment** (Findings 5-8; Consultation questions 8-9)

The key concern regarding implementation and alignment of AMR for professional engineers is where registration schemes are included in building legislation rather than in stand alone legislation. See for example the *Design and Building Practitioner’s Act 2020* (NSW) which is distinct from the regulatory

approach in Victoria with the *Professional Engineers Registration Act 2019* (Vic) which is separate to building legislation. These differing approaches can tend to cause regulators to be overprotective of their registration scheme as it is intertwined with building legislation; and taking a ‘building lens’ to all engineering practice can have unintended consequences for engineers in other sectors.

## **Experience of workers** (Finding 9; Consultation questions 10-12)

### ***How much time or resources do workers and/or employers spend understanding their obligations under Australia’s mutual recognition schemes?***

Setting aside initial registration, one Consult Australia small business member estimated that it takes 7.5 hours per year, per professional engineer, to *renew* registrations in 4 Australian jurisdictions. This includes membership with Engineers Australia as it provides the Chartered credential (or NER) and maintenance of continuing professional development, as Engineers Australia is an approved assessment entity for several government schemes, including in QLD and Vic. Below is the time breakdown per jurisdiction/entity per engineer for that business:

<b>Jurisdiction/entity</b>	<b>Admin process involved</b>	<b>Time spent (hours)</b>
NT	Completing documentation and payment of fee	1.0
QLD	Payment of fee	0.5
Tas	Payment of fee	0.5
Vic	Completing documentation and payment of fee	5.0
Engineers Australia	Payment of fee	0.5
<b>TOTAL</b>		<b>7.5 hours</b>

Noting the administrative burden of registration, some Consult Australia business members have invested in staff to manage the process, as indicated by a Consult Australia medium-sized business member that works across 2 jurisdictions in land development and infrastructure:

*My business employs a full-time position at approximately \$125,000 a year to manage employee registration and accreditations, as well as relevant regulatory requirements and design panels. Having a ‘driver’s licence’ type scheme for my professional engineers would not only help me obtain better value from this overhead elsewhere in the business but also give me more flexibility to deploy engineers to different projects across jurisdictions as needed.*

### ***Have workers and/or employers been deterred from obtaining work in other jurisdictions because of the time or costs involved in the mutual recognition process?***

Our organisations’ collective members, both individuals and businesses, have noted being deterred from working in jurisdictions because AMR does not function properly and there is no ‘driver’s licence’ model for engineering registration.

### ***How do notification requirements under AMR affect workers’ ability to accept short-term or urgent work?***

Consult Australia member businesses have advised that they often need to transition staff at short notice when projects are paused or stopped and move these staff to projects in other jurisdictions. Without functioning occupational mobility, it is difficult for businesses to ‘follow the investment’ and work nimbly.

### ***What regulatory practices or tools have most effectively supported workers to navigate MR or AMR?***

Consult Australia does not see any tools released by governments that support businesses to navigate MR or AMR. We hold that the key success to national registration is separation of engineering registration schemes from building legislation.

Similarly, Engineers Australia members consistently seek advice on meeting their registration obligations. As the professional association for engineers, and an approved assessment entity in most jurisdictions, Engineers Australia offers assessment guidance but cannot provide legal advice. Our members report seeking advice from the regulators, only to be advised they must seek their own independent legal advice.

### ***What aspects of Australia's mutual recognition schemes are most difficult to understand or contain the most significant information gaps?***

Very few government representatives understand the existing barriers to AMR, including the practical impacts of the current definition of 'home State'. Additionally, the misalignment of Areas of Engineering confuses engineers as to whether they even require registration at all, or whether a building industry endorsement is recognised from one state to another.

### **Opportunities to strengthen and streamline** (Findings 10-13; Consultation questions 14-17)

In the initial submissions our organisations proposed opportunities to strengthen and streamline MR and AMR. However, we collectively support a national licensing framework for the engineering profession and have focussed on that below.

### **The potential for a national licensing framework** (Finding 14; Consultation question 18)

Engineering meets all four of the Council's criteria for an occupation suited to adopting a national licensing framework, demonstrated below.

#### ***Council Criteria 1: The occupation has a large and mobile workforce, so that the reform will benefit the largest number of workers and businesses.***

The engineering profession has a large and highly mobile workforce, meaning that reform would deliver substantial benefits across the economy. Engineers play a central role in designing, delivering, operating and maintaining systems that underpin housing, energy transmission, water supply, transport networks, manufacturing and critical infrastructure that protects public safety and saves lives. For example, in the case of biomedical engineers, the operation of life-saving and life-enhancing medical devices, or software engineers who build systems for emergency response, or fire safety engineers who enable safe evacuation and safeguard lives and infrastructure.

There are more than 450,000 engineers in the Australian workforce, including over 240,000 in engineering roles, many of whom work across jurisdictional boundaries, and projects span multiple corridors. Around 91% of Consult Australia businesses (including sole traders and very small businesses) work across multiple jurisdictions.

## Count of qualified engineers by location and labour force status<sup>2</sup>

2021	ACT	NSW	QLD	NT	SA	TAS	VIC	WA	Total
Employed, away from work	293	7,942	3,090	104	744	200	4,296	2,158	18,831
Employed, worked full-time	6,707	104,327	54,722	2,158	18,536	3,515	95,532	44,121	329,618
Employed, worked part-time	1,246	21,230	10,931	388	4,449	1,247	21,469	8,332	69,292
Not in the labour force	2,161	40,995	18,360	372	6,344	1,895	30,711	11,699	112,540
Not stated	19	380	148	6	41	4	302	112	1,012
Unemployed, looking for full-time work	143	3,905	1,694	39	634	150	3,412	1,236	11,213
Unemployed, looking for part-time work	67	1,447	665	15	257	88	1,418	442	4,399
Total Labour Force	8,456	138,851	71,102	2,704	24,620	5,200	126,127	56,289	433,353
Total	10,636	180,226	89,610	3,082	31,005	7,099	157,140	68,100	546,905
Working in Engineering Occupations	4,812	78,396	42,071	1,388	13,348	2,587	67,195	33,356	243,157

Engineering also supports a significant small business base, with approximately 85,000 engineering and technical services firms employing close to 300,000 people across government, academia, and industry.

The need for a flexible, reactive and mobile engineering workforce is particularly evident during surge events, such as natural disaster recovery, major infrastructure rollouts, and responses to external shocks such as energy or supply disruptions.

**Criteria 2: The occupation is subject to AMR exemptions, so that the marginal improvement in labour mobility will be greatest.**

Engineering is subject to limitations that constrain the effectiveness of mutual recognition arrangements. Queensland's engineer registration scheme is the most comprehensive and mature in Australia; however, its exclusion from AMR arrangements significantly limits national consistency and mobility.

In addition, jurisdiction-specific requirements embedded in some state-based engineer registration schemes—such as additional endorsements for engineers in the building industry in certain jurisdictions—further complicate the operation of MR and undermine its intended benefits.

A national scheme could ringfence arrangements for professional engineer registration, maximising labour mobility and productivity benefits, while jurisdictions can include any sector-specific requirements in the relevant sector frameworks and arrangements.

**Criteria 3: Workers in the occupation frequently conduct work interstate remotely while continuing to work in their home state, so that the case for state-based licensing is weakest.**

Engineering practise frequently involves interstate and remote work and is not location-dependent. Engineers regularly contribute to projects across multiple jurisdictions simultaneously, often without

<sup>2</sup> Engineers Australia, *The engineering profession: a statistical overview, 15th edition*, 2023

relocating. Around 91% of Consult Australia businesses (including sole traders and very small businesses) work across multiple jurisdictions.

This is particularly evident in major national projects, including for infrastructure, energy systems, defence, shipbuilding, cybersecurity, digital engineering and technology, manufacturing and fabrication, and asset management.

***Criteria 4: There is tripartite support (from governments, industry and unions) for a national scheme, so that the costs associated with negotiating a single harmonised regime are minimised.***

There is strong and established tripartite support for a single, national scheme for engineer registration. Engineers Australia, IPWEA, Professionals Australia, and Consult Australia are united in advocating for a national scheme that enables engineers to register once and practise anywhere in Australia.

National registration is a priority for the engineering profession, supported by strong sentiment from our collective membership of individuals and businesses, and endorsement from industry and professional bodies across industry sectors. The case for establishing a single national scheme is also reinforced by the existence of well-established, internationally recognised professional standards that can underpin a nationally consistent framework aligned with Australia's needs.

#### ***Risks and mitigation moving to a national scheme***

The transition to a national registration framework for engineers presents several manageable risks.

First, if not co-designed with the profession there is a risk that professional standards could be lowered; this can be mitigated through alignment with internationally agreed standards and by drawing on established models, such as the Queensland registration framework.

Second, the success of a national scheme depends on participation by all jurisdictions. This risk can be managed through appropriate incentives, including mechanisms such as the National Productivity Fund, and through coordinated, tripartite advocacy across jurisdictions.

Third, clarity will be required regarding which practitioners are captured by the scheme. This can be addressed by modelling an existing framework, such as in Queensland; it is also an opportunity to provide clear and consistent guidance to engineers, employers and businesses. Clearer and more consistent guidance will improve compliance and ensure that the model does not unintentionally hamper collaboration and innovation.

Finally, a gradual or "staged" approach to reform risks undermining the productivity, labour mobility, and competitiveness gains that are urgently required. Given current national priorities in housing, energy, and infrastructure – that are reliant on a large, nimble engineering workforce – a more decisive approach is warranted. Therefore, we encourage the Council to endorse CFFR maintaining its current trajectory to a single national market for workers, including for engineers.

#### ***International comparators***

Through the International Engineering Alliance, Engineers Australia has visibility of the breadth of national engineer registration schemes, from those that mandate registration across all career stages, to those where registration is voluntary or operate within a landscape similar to the federated landscape in Australia. Leveraging lessons from this broader landscape will enable Australia to develop

a model for our purposes, and one which supports interoperability with other countries to support mobility in both directions.

There are international examples of practical, proportionate, and future-focused regulatory frameworks. These successful, national approaches support consistent registration across all areas of engineering and sectors, while strengthening public safety, professional accountability, and workforce mobility.

## The practical pathway for engineering

We are pleased to provide the Council with a recommended, practical roadmap for engineering to move to a national registration framework:

### Phase 1 - Design

1. The National Competition Council specifically calls out engineering as an ‘occupation which would benefit from moving towards a national licensing framework’ and endorses CFFR continuing to pursue national occupational licencing for engineers as a matter of urgency.
2. CFFR establishes a tripartite group to provide advice to Treasurers on the legislative approach and design elements of a national registration scheme for engineers.

#### Principles, legislative options, and design elements for the tripartite group to consider

The principles for a national scheme for the tripartite group to consider could be:

- a. **Promotes labour mobility** and makes it easier for engineers to work across state and territory borders and internationally, in turn improving competition for both engineers and their employers/clients.
- b. **Minimises regulatory burden**, including administrative and financial burden on engineers, employers of engineers, purchasers of engineering services, and costs for governments who administer the system.
- c. **Instils consumer and industry confidence in the profession**, protecting consumers and promoting competition through improved transparency.
- d. **Ability to update while maintaining consistency over time**, reducing the risk of jurisdictions diverging and reintroducing complexity and regulatory burden.
- e. **Practical to implement across a federal system**, including supporting governance arrangements that facilitate consistent administration and enforcement.

Options for the legislative approach could be:

- a. **Applied law** (likely the best model to achieve a national engineer registration scheme).
- b. **Commonwealth law**, either through referral of powers or a national law.
- c. **Mirror legislation**.

Design elements can be based on the current 'Queensland model' for engineer registration, particularly the features of:

- a. **Comprehensive coverage** of engineers across disciplines and sectors.
- b. **Enacted by a standalone Act** for professional engineer registration. Other requirements relevant to only a subset of engineering practice are kept in relevant Acts (e.g. building).
- c. **Co-regulatory model** benefitting from the expertise of assessment entities, for the assessment of competency and CPD compliance
- d. **Aligns with international standards** to facilitate global mobility, including qualifications, competence, experience, CPD and ethics requirements.
- e. **A public register** which is easy to find, access and navigate, and informative.
- f. **An empowered regulator** supported by the ability to apply sanctions, a robust complaints process, and an advisory board inclusive of engineers.

3. CFFR endorse the proposed model. Funds are released from the National Productivity Fund to enable implementation.

## **Phase 2 - Implementation**

4. States and territories introduce required legislation, meanwhile reviewing other relevant and linked legislation so as to simplify and align arrangements for engineers to practice.
5. Governance arrangements and regulator/s are established and/or transitioned from current regulator functions. Co-regulatory arrangements are enacted and assessment entities appointed. A national register and related digital architecture launched.
6. Transition arrangements are applied to current engineer professionals. A principle is adopted whereby any professional engineer already on a register, that has been assessed by an approved assessment entity, including Engineers Australia's National Engineer Register, is automatically registered under the national scheme.
7. Ongoing policy responsibility for the scheme is established. The Scheme is reviewed within five years of implementation.

## **Our organisations are advocating for national registration as a priority of the profession.**


Collectively, we represent Australian engineering professionals and businesses.

As demonstrated in our previous submissions to the review, our members describe the impact on productivity and competitiveness of fragmented state-based registration and mutual recognition arrangements not working as intended: projects delayed, costs increased, companies faced with an artificial disadvantage bidding for interstate work, inefficient allocation of engineers to projects based on registration status rather than skillset, and resources needing to be solely dedicated to navigating and managing multiple assessment and compliance processes.

This opportunity for reform, and implementation of national registration, would solve regulatory friction that has been in place for almost a century – since Queensland introduced its scheme in 1929.

Engineers are incredibly encouraged by collaborative government momentum to increase national productivity and competitiveness through mobilising a skilled workforce, and prioritising national registration for engineers as a key reform.

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### CASE STUDY: Public registers of engineers

Consumers are faced by incredible complexity should they wish to determine the competency of registered engineers under the current system. The existence of multiple state-based public registers makes it difficult for businesses and the public to easily verify credentials and assess capability, thereby reducing transparency and confidence in the market.

The current engineer registers are:

- individually published by state and territory governments, and therefore do not show the full scope of an engineer's registration to practice across the country
- not interactive and are not searchable across each other
- not intuitive to navigate as they are not consistently managed by the 'equivalent' department or agency in each jurisdiction
- not consistent in data fields
- sometimes sector-based, and therefore "engineer" is not in the title of the public register
- variable in terms of whether engineers practicing under AMR are integrated into a jurisdiction's public register for engineers, or are instead listed in that jurisdiction's separate public register of AMR notifications, and
- not consistent in providing information on disciplinary actions.

The further details below demonstrate the complexity consumers – and prospective employers – face when seeking information on the registration status of an engineer:

In **NSW**, engineers are captured in the [Design and building practitioners public register](#), alongside Building Practitioners, Design Practitioners and Principal Design Practitioners who are registered under the *Design and Building Practitioners Act 2020 (NSW)*. Public guidance on the website states "Before engaging a practitioner to do work it is important to check that they have a current registration for the work you want done."

The **ACT** maintains two public registers for engineers – the [Public register for ACT Professional Engineers](#), and, separately, professional engineers working in the ACT under the Automatic Mutual Recognition Scheme appear – alongside other occupations – on the ACT's [Automatic Mutual Recognition Public Register](#).

The **Northern Territory** hosts a [Public Register of Building Practitioners](#), which includes engineers registered in the NT. Engineers practicing under AMR in the NT are captured in a separate database, [Interstate building practitioner](#).

**Victoria's** Consumer Affairs hosts the Victorian [Professional Engineers public register](#), which includes both Victorian professional engineers as well as professional engineers operating under AMR in Victoria. Engineers are *not* included in Victoria's [AMR notifications public register](#).

In **Tasmania**, the public register for engineers is navigable via the '[Find a licensed tradesperson](#)' page. To search the register for an engineer, you must first select 'Building Services Provider', then 'Individual', before 'Engineer' is an option for filtering.

Registration for building engineering practitioners (structural, fire safety, civil, and mechanical engineers) in the **WA** building industry is not mandatory until 1 July 2027 and covers all three occupational categories (individual) as well as contractors (company). From 1 July 2027, engineers registered in participating states and territories will be eligible to use AMR, while MR is available now. Nevertheless, [WA Building and Energy licence and registration search](#) points to a 'Register of building engineers' which is a daily generated pdf showing both engineers and companies. WA also publishes a separate AMR register (also pdf) which its website indicates includes engineers. However, since mandatory registration (and therefore AMR notification) has not yet reached the implementation date, no engineers are currently listed on the AMR register.

In **Queensland**, the government's Board of Professional Engineers of Queensland maintains a registered professional engineer Queensland ([RPEQ](#)) [Directory](#), which includes both practising and non-practising RPEQs. The Directory includes the following disclaimer for users: *"The Board disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages, and costs which you might incur as a result of the information being inaccurate or incomplete in any way, and for any reason. The Board encourages you to make your own enquiries with the individual RPEQ. The Board cannot and does not guarantee the work of RPEQs."*

**South Australia** does not currently have a registration scheme for engineers. However, members of the public may be confused by PlanSA's [Accredited Professionals Register](#), which includes planning and building professionals from the public and private sectors who are decision-makers in the planning system involved in assessing development applications.