

Professional Engineers (Fees) Determination 2025

Disallowable instrument DI2025–235

made under the

Professional Engineers Act 2023, s 88 (Determination of fees)

EXPLANATORY STATEMENT

This explanatory statement relates to the *Professional Engineers (Fees) Determination 2025* as presented to the Legislative Assembly. It has been prepared to assist the reader of the instrument. It does not form part of the instrument and has not been endorsed by the Assembly.

The Statement must be read in conjunction with the instrument. It is not, and is not meant to be, a comprehensive description of the instrument. What is said about a provision is not to be taken as an authoritative guide to the meaning of a provision, this being a task for the courts.

Section 88 of the *Professional Engineers Act 2023* (the *Act*) permits the Minister to determine fees for the Act.

The purpose of this instrument is to determine the fees for the financial year 2025-26.

The Professional Engineers Registration Scheme opened for applications on 6 March 2024 in a phased manner across prescribed areas of engineering. It became mandatory to be registered from 6 March 2025 to provide professional engineering services in the ACT and/or from a location outside the ACT, but the services are provided for projects in the ACT (for example, provided for a project or purpose in the ACT).

The fees contained in this instrument were considered by Government in establishing the scheme and are based on fees charged for similar registrations and licences in the ACT, fees charged under engineer registration schemes in other jurisdictions and the costs to Government of administering the scheme including processing applications and compliance and enforcement activities associated with the Act.

The fees in the determination which applied in the 2024-25 financial year have been increased by 3.25% for the 2025-26 financial year based on the wage price index as per Government policy, plus an additional 0.35% as per the decision in the 2023-24 Budget, for a total increase of 3.60%.

The determination under section 88 of the Act is a disallowable instrument and must be presented to the Legislative Assembly within 6 sitting days after its notification day pursuant to section 64 of the *Legislation Act 2001*.

The instrument commences the day after its notification day.

This instrument revokes the *Professional Engineers (Fees) Determination 2024* (DI2024-33).

Regulatory Impact Statement (RIS)

A RIS is not required for this fee determination due to section 36 (1) (k) of the Legislation Act, which provides that a RIS need not be prepared for an amendment of a fee consistent with announced government policy.

Human rights

The Standing Committee on Legal Affairs (Legislative Scrutiny Role) terms of reference require consideration of human rights impacts, among other matters. In this case, no human rights are impacted.