

DBP Industry Communications Pack

The *Design and Building Practitioners Act* (DBP) commenced on 1 July. Thank you to all those practitioners who have already registered.

All the information you need is available on the NSW Fair Trading website:

<https://www.fairtrading.nsw.gov.au/housing-and-property/changes-to-class-2-buildings>

5 things you may not know about these changes:

1. Changes under the DBP apply to remedial works and existing buildings – not just new construction

These changes apply to building work for a class 2 building and a building with a class 2 part, including remedial work on an existing building. This includes construction, alterations or additions, fit-outs and repair, renovation and protective treatment.

- [Read our new FAQ 'Do these changes apply to remedial works?'](#) for more information on how this affects Professional Engineers, Design Practitioners and Building Practitioners conducting remedial works.

2. Professional Engineers currently working on class 2 buildings must already be registered – if not, you could be penalised

Professional Engineers who are currently working on class 2 buildings or buildings with a class 2 part and who meet the eligibility criteria must be registered by 7 July.

If you are not registered and you are conducting professional engineering work unsupervised, you could be penalised \$165,000 for a body corporate or \$55,000 for an individual. You could also be liable to repay any money paid to you for doing that work.

- Find out more about [who needs to register](#).

3. In some cases, compliance declaration requirements apply to designs and builds of temporary structures

Some designs for temporary structures for class 2 buildings and buildings with a class 2 part involving temporary shoring and ground anchors require a design compliance declaration.

Some Design Practitioners may also need to be registered as Professional Engineers to develop these designs.

- [Read our new FAQ](#) on how this affects Professional Engineers, Design Practitioners and Building Practitioners working on temporary structures.

4. Already registered? Your new obligations have commenced

Once registered, Professional Engineers and Design and Building Practitioners have new obligations to maintain your registration.

For **Professional Engineers**, these obligations include complying with the Code of practice, completing Continuing Professional Development (CPD) and keeping records. Insurance requirements will commence from 1 July 2022.

- Find out more about how Professional Engineers can [maintain your registration](#).

Design and Building Practitioners have new obligations relating to the Code of Practice, CPD, and record keeping. Insurance requirements will commence from 1 July 2022.

You also have new obligations for declaring and lodging designs and documents. Remember - building work on class 2 buildings cannot commence until regulated designs and compliance declarations are lodged on [NSW Planning Portal](#).

- Find out more about [maintaining your registration](#) and [new design and declaration requirements](#).

5. The duty of care introduced by the DBP applies to all industry practitioners – even if you don't need to register

Under the duty of care provisions, any person who carries out construction work has a duty to exercise reasonable care to avoid economic loss caused by defects.

This includes industry practitioners who don't need to register as a professional engineer or Design and Building Practitioner - such as plumbers and surveyors.

- Read our new [FAQ on duty of care](#)

What's new?

Visit the [NSW Fair Trading website](#) for the latest resources, including:

- **New video explaining the application process** for [Professional Engineers](#) and [Design and Building Practitioners](#)
- Answers to new questions about **duty of care, insurance, remedial works, and temporary structures** on [our FAQs page](#)
- [Forms and templates](#) to download to meet your new obligations for declaring and lodging designs and documents