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Approved Code of Practice on Cranes

Submission to the Department of Labour (DoL)

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Background to IPENZ

The Institution of Professional Engineers New Zealand (IPENZ) is the lead national professional body representing the engineering profession in New Zealand. It has approximately 10,000 Members, including a cross-section of the engineering community from students to senior Fellows in management or governance positions in important design or construction organisations. IPENZ is non-aligned and seeks to contribute to the community in matters of national interest giving a learned view on important issues, independent of any commercial interest.

In making these comments IPENZ has drawn particularly on the knowledge of its Members who work with many different types of cranes.

Executive Summary

IPENZ thanks DoL for the opportunity to comment on the most recent version of the Approved Code of Practice for Cranes (the ACoP). As an institution we are able to draw on the expertise and experience of our Members, especially those who are chartered professional engineers or design verifiers and thereby have special duties imposed by the ACoP and the Pressure Equipment, Cranes and Passenger Ropeways Regulations. Because of these duties imposed on our Members, we wish to be involved in the ongoing development of this ACoP.

Submission

IPENZ is the registration authority for both design verifiers and chartered professional engineers. Design verifiers (DVs) are a group of professional engineers who were recognised in law before the advent of the Chartered Professional Engineers Act 2002. The process for assessing their competence thus developed before that adopted for CPEng, and has been somewhat different. However, the DV assessment process has now been brought into line with that for CPEng, so that successful DV applicants will be CPEng with practice areas in design verification of one or more of the engineering systems that require design verification.

All chartered professional engineers are ethically obliged by law to undertake engineering activities only within their competence. In places where the ACoP imposes different duties on DVs and CPEngs, IPENZ expects and requires the engineers to undertake only those duties that are within their competence.

We note that there is a rather small number of DVs assessed as competent in cranes. Hence, it is possible that a project could be delayed by the non-availability of a DV. As IPENZ generally advocates light-handed regulatory regimes, we suggest that the requirements for DV be minimised by allowing CPEng registrants who have been assessed as competent in lifting equipment, but are not formally recognised as DVs, to perform more functions.

The texts on accident notification at 2.2 (2)(ii) and that on electrical protection at 3.1 (7) are existing examples of duties assigned to CPEng registrants. (We note that a separate submission from John Miller CPEng has suggested that the 3.1 (7) duty should be devolved to an “electrical inspector” as defined in the Electricity Regulations, so perhaps the wording should be “ a chartered professional engineer (electrical) or an electrical inspector is to certify...”)

The text on overhead travelling cranes at 13.2 (7) has in the past been contentious when DVs and CPEng were usually separate people. Now that DVs are to be CPEngs, and relying on the ethical obligation mentioned above, the nature of the problem has changed. We recommend that DoL bear in mind the possibility of a CPEng who is a DV and also an inspection body, and consider whether the administrative provisions at 2.5 (3)(b) are sufficiently robust.

Participants at a meeting at IPENZ National Office on 24 October 2008 between DVs who were already CPEng registrants and DoL officials decided that design verification could be expedited if the text at 6.2 (2) read “Sufficient documentation shall be provided...” rather than “should be provided...”

We conclude by noting that several IPENZ Members have independently made detailed submissions of a technical nature. IPENZ can assist DoL in developing this Approved Code of Practice for Cranes, and looks forward to a continuing collaboration in the task.

This completes our submission.

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