

*Professional Standards Act 2003 (Vic)*

**INSTRUMENT AMENDING THE  
ENGINEERS AUSTRALIA VICTORIA SCHEME**

**PREAMBLE**

- A. The Institution of Engineers Australia (Engineers Australia) is an occupational association;
- B. The Engineers Australia Victoria Scheme (the Scheme) commenced on 19 January 2010;
- C. This instrument of amendment is prepared, pursuant to section 18 of the *Professional Standards Act 2003 (Vic)* by Engineers Australia for the purposes of amending the Engineers Australia Victoria Scheme.

**AMENDMENT TO THE SCHEME**

- 1. This instrument has been prepared under the *Professional Standards Act 2003 (Vic)* (the Act) by Engineers Australia whose business address is 11 National Circuit, Barton, ACT 2600 and amends the Engineers Australia Victoria Scheme as follows:
  - (a) Replace all instances of “Engineers Australia Victoria Scheme” with “Engineers Australia Victoria Professional Standards Scheme”;
  - (b) After Clause 1.1, insert new clause as follows –

“1.2 The scheme is intended to operate in Victoria and in New South Wales.”;
  - (c) After Clause 3.5, insert new clause as follows –

“3.6 Notwithstanding anything to the contrary contained in this scheme, if in particular circumstances giving rise to occupational liability the liability of any person who is subject to this scheme should be capped both by this scheme and also by any other scheme under Professional Standards legislation (whether of this jurisdiction or under the law of any other

Australian state or territory) and if the amount of such caps should differ then the cap on the liability of such person arising from such circumstances which is higher shall be the applicable cap.”

- (c) In clause 5.1, replace the entire clause with “This scheme commences on 19 January 2010 in Victoria and on 24 February 2013 in New South Wales with the authorisation of the Minister.”
- (e) In clause 6.1, insert “in Victoria” after “commencement”;

## **COMMENCEMENT**

- 2. The amendment shall commence in Victoria on the date which is 2 months after the date of its publication in the Government Gazette of Victoria.