

# 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>

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## 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](#)

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## 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