

Register of Qualified Persons - Frequently Asked Questions

What is a Register of Qualified Persons?

The Register is a listing of:

- a) persons qualified to perform environmental audits for the purposes of an environmental audit program; or
- b) persons qualified to engage in a prescribed activity.

You can find more information relating to the Register of Qualified Persons under section 68 of the *Waste Management and Pollution Control Act 1998 (WMPC) Act*.

How is the Register of Qualified Persons administered?

The Northern Territory Environment Protection Authority (NT EPA) administers the Register of Qualified Persons under section 68 of the WMPC Act.

Who are Qualified Persons?

Qualified persons are a class of persons that the NT EPA considers, by virtue of qualifications or experience, to be qualified to perform environmental audits for the purposes of an environmental audit program or to engage in a prescribed activity in the NT, pursuant to section 68 of the WMPC Act.

In February 2022 the NT EPA recognised all persons accredited under the New South Wales (NSW), Victorian, South Australian, Western Australian and Queensland Environmental Auditor Accreditation Schemes as an approved class of persons suitable to undertake environmental audits in the NT.

Listings of persons accredited as site auditors under the above schemes are available online at:

- NSW Accredited Site Auditors:
<https://www.epa.nsw.gov.au/your-environment/contaminated-land/site-auditor-scheme/accredited-site-auditors>
- Victorian Accredited Site Auditors:
<https://www.epa.vic.gov.au/about-epa/public-registers/epa-appointments>
- South Australian Accredited Site Auditors:
https://www.epa.sa.gov.au/environmental_info/site_contamination/auditor_accreditation
- Western Australian Accredited Site Auditors:
<https://www.der.wa.gov.au/your-environment/contaminated-sites/53-contaminated-sites-auditors>

- Queensland Accredited Site Auditors:
<https://www.qld.gov.au/environment/pollution/management/contaminated-land/auditors/auditor-engagement>

What is an environmental audit?

Section 47 of the WMPC Act states that an environmental audit is an evaluation of any of the following:

- a) the ability of management systems or plans to manage waste or prevent, or control pollution;
- b) the extent to which actions required to be taken for waste management or the prevention or control of pollution have been taken or achieved;
- c) the extent, nature and source of wastes generated by an activity, premises or process;
- d) the likelihood of waste management problems or pollution resulting in environmental harm occurring and the adequacy of safeguards in place to prevent their occurrence or limit their impact;
- e) the extent to which compliance with the WMPCA, the *Water Act* or a code of practice has been achieved; and
- f) the types, amount, distribution or mobility of contaminants or waste present in the environment.

What starts the process of an environmental audit?

The NT EPA may require a person to carry out an environmental audit program as specified in a notice in writing (e.g. letter) or as part of a regulatory instrument (approval, licence or a requirement to undertake and audit notice) (refer to section 48 of the WMPC Act). The notice or order will specify the terms and scope of the audit and the reasons for it and other matters that the NT EPA thinks fit.

A Court may, in cases where a person is found guilty of an offence against the WMPC Act and on the application of the prosecutor, order a person to carry out the environmental audit program as specified in the court order (refer to section 49 of the WMPC Act).

Can a person undertake a voluntary environmental audit?

Yes. The results of a voluntary environmental audit are privileged.

Who engages the auditor?

The site auditor is engaged by the person who is required to carry out an environmental audit.

Are there fees involved in registration as a Qualified Person in the NT?

No. There are no fees if you are already accredited as an auditor under the NSW, Victorian, South Australian, Western Australian or Queensland Auditor Accreditation Schemes.

Do I need an auditors' insurance certificate to conduct audits in the NT?

Yes. The auditors' insurance certificate required under the NSW, Victorian, South Australian, Western Australian or Queensland accreditation needs to specifically cover audits carried out in the NT.

Does an auditor accredited under another jurisdictions auditor accreditation schemes and operating in the NT need to register before undertaking audits?

No. There is no need for auditors accredited under the NSW, Victorian, South Australian, Western Australian or Queensland schemes to register as a Qualified Person in the NT. The NT EPA automatically recognises auditors accredited under the above schemes and will refer people required to undertake an audit to the list of auditors recorded on the Public Register.

Do auditors have to comply with jurisdictional guidelines where they hold their primary accreditation?

Yes. An auditor would have to comply with the jurisdictional requirements where the primary accreditation is held.

Does an auditor have to notify the NT EPA if they have been requested to undertake an environmental audit?

Yes. An auditor is required to notify the NT EPA within 7 days of being requested to undertake an audit. This requirement is consistent with those detailed under audit scheme guidelines provided in other jurisdictions.

What will the NT EPA do with audit reports?

The NT EPA will conduct an administrative audit review to assess whether the report meets the required scope of work and objectives of the audit.

The NT EPA will require the auditor to justify the conclusions reached if the report does not meet the objectives and scope of work.

What happens to an environmental audit Report?

The results of an environmental audit report performed under an environmental audit program will be included on the Contaminated Land (Audit) Public Register. The Public Register can be found on the NT EPA website.

Are there procedures for disciplinary action for persons providing information to an auditor and the auditor?

Yes. Offences are set out in section 52 of the WMPC Act.

In summary these are:

- 1) a person required to carry out an environmental audit program must provide the auditor with all information relevant to the audit.
- 2) a person must not provide an auditor with information that the person knows to be false or misleading in a material particular.
- 3) a person required to carry out an environmental audit program must not submit results or information that he or she knows to be false or misleading in a material particular.
- 4) an auditor:
 - a. must not provide a person required to carry out an environmental audit program with results or information relating to an environmental audit if he or she knows the results or information to be false or misleading in a material particular; and
 - b. must provide a person required to submit results with all information relevant to the audit to which the results relate.

Section 68(6) of the WMPC Act requires the NT EPA to:

- a. cancel the registration of a person registered under subsection (3)(a); and
- b. cancel the registration of members of a class of persons registered in the register under subsection (3)(b).

If the NT EPA ceases to be satisfied that the person or class of persons should be registered by virtue of qualifications or experience.

For more information contact:

Environmental Operations Unit

Northern Territory Environment Protection Authority

GPO Box 3675

Darwin NT 0801

Phone: (08) 8924 4218

Email: pollution@nt.gov.au

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