

The Engineering Institution of Zambia

The Engineers' Registration Board



Code of Ethics

**Subsidiary Legislation
Second Schedule
EIZ Act**



Code of Ethics

Part I. Responsibility of Members

1. Every member of the Institution shall undertake and subscribe in a prescribed manner to abide by the fundamental principles and canons enunciated herein.
2. Whenever any member has knowledge or reason to believe that any other person or firm has violated any of the Institution's fundamental principles or canons, he/she shall furnish in writing to the Institution information concerning such violation, and shall co-operate fully with all concerned in furnishing such further information or giving such further assistance as may be required.
3. Whenever any member of the public makes a complaint against a member of the Institution, the Institution shall take all the reasonable steps to bring such complaint to the notice of the member against whom such complaint has been made.
4. A non-member of the Institution shall be afforded free and unimpeded access to the Institution for making complaints against members of the Institution, but under no circumstances shall a member of the Institution lodge with the Institution a complaint against another member on behalf of a non-member.

5. No member of the Institution shall prevent or attempt to prevent the lodging of a complaint with the Institution against another member in violation of the Institution's fundamental principles and canons.
- 6 All complaints lodged against a member of the Institution, and all investigation carried out into such complaints by the Institution shall be tried as confidential, and shall not be open for public inspection except for the member concerned and complainant.

Part II. Fundamental Principles

7. Every member shall uphold and foster the integrity, honour and dignity of the engineering profession by—
 - (a) Using his/her knowledge and skill for the enhancement of human welfare.
 - (b) Being honest and impartial, and serving with fidelity the public, his/her employers and clients.
 - (c) Striving to increase the competence and prestige of the engineering profession.
 - (d) Supporting the profession and technical societies of his/her discipline.

Part III. Fundamental Canons

8. Every member shall –

- (a) Hold paramount the safety, health and welfare of the public in the performance of his/her professional duties.
- (b) Perform services only in the areas of his/her professional competence.
- (c) Issue public statements only in an objective and truthful manner.
- (d) Act in professional matters for each employer or client as a faithful agent or trustee, and shall avoid conflict of interest.
- (e) Build his/her professional reputation on the merits of his/her services and shall not compete unfairly with other engineers.
- (f) Associate professionally only with reputable persons or organisations.
- (g) Continue his/her professional development throughout his/her career and shall provide opportunities for the professional development of those engineers placed under his supervision.

Part IV. Guidelines of Fundamental Ethics and Canons

9. A member shall—

- (a) recognise that the lives, safety, health and welfare of the general public are dependant upon engineering judgement, decisions and practices incorporated into structures, machines, products, processes and devices.
- (b) not approve or seal plans and/or specification that are not of a design safe to public health and welfare, or in conformity with accepted engineering standards.
- (c) not affix his/her signature and/or seal to any engineering plan or documents dealing with any subject matter in which he/she lacks competence by virtue of his/her education or experience, or to any such plan or document not prepared under his/her direct supervision or control.
- (d) do whatever is possible to provide published standards, test codes and quality control procedures that will enable the public to understand the degree of safety or life expectancy associated with the use of designs, products or systems for which he/she is responsible.

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- (e) conduct reviews of the safety reliability of the design, products or systems on which he/she is responsible before giving his/her approval to the plans for the design.
 - (f) inform the Institution of any conditions which he/she believes are likely to endanger public safety, health or welfare.
 - (g) seek opportunities to be of constructive service in civic affairs and work for the advancement of the safety, health and well-being of community in which he/she lives.
 - (h) be committed to improving the environment so as to enhance the quality of life.

10. A member –

- (a) shall undertake to perform engineering assignments only in the specific areas of his/her qualifications and experience, or in the specific technical field in which he/she is involved.
- (b) may accept an assignment requiring education or experience outside his/her field of competence, but only to the extent that his/her services are restricted to those phases of the project in which he/she is qualified and all other phases of such projects shall be performed by qualified associates, consultants or employees.

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- (c) whose professional judgement is overruled under circumstances where the safety, health or welfare of the public is likely to be endangered, shall inform his clients or employers of the possible consequences and shall notify the Institution of the situation, as may be appropriate.

11. A member—

- (a) shall endeavour to extend public knowledge, and to prevent misunderstanding of the achievements of engineering.
- (b) shall be completely objective and truthful in all professional reports, statements of testimony, and shall include all relevant and pertinent information in such reports, statements, or testimony.
- (c) shall when serving as expert or technical witness before any court, commission or other tribunal express an engineering opinion only when such opinion is founded upon—
- (i) adequate knowledge of the facts in issue;
 - (ii) a background of technical competence in the subject matter; and
 - (iii) an honest conviction of the accuracy and propriety of his testimony.

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- (d) shall not issue any statements, criticisms or arguments on engineering matters which are inspired or paid for by any interested party without prefacing such statements, criticisms or arguments with an explicit declaration in that behalf, or by disclosing the identity of the one on whose behalf such statements, criticisms, or arguments are issued, or by revealing the existence of any pecuniary interest he/she may have in the matters.
 - (e) shall conduct himself/herself in a dignified and modest manner in explaining his/her work and merit and avoid any act tending to promote his/her own interest at the expense of the integrity, honour or dignity of the profession.

12. A member shall –

- (a) in professional matters, act for each employer or client as a faithful agent or trustee, and shall avoid conflict of interest.
- (b) avoid all known conflicts of interest with his/her employers or clients and shall promptly inform his/her employers or clients of any business association, interest, or
- (c) in circumstances which could influence his/her judgement or the quality of his/her services, not undertake any assignments which would create

a potential conflict of interest between himself/herself and his/her employers or clients.

- (d) not accept financial or other valuable consideration from more than one party for services rendered on the same subject, for services pertaining to the same project, unless the circumstances relating thereto are fully disclosed and agreed to by all interested parties.
- (e) not solicit or accept financial or other valuable consideration, including free engineering designs, from material or equipment suppliers for recommending or specifying their products;
- (f) not solicit or accept gratuities directly or indirectly from contractors, their agents or other parties dealing with his/her employers or clients in connection with work for which he/she is responsible.
- (g) not, when in public service as member, advisor, or employee of a governmental body or department, participate in considerations or actions with respect to services provided by his/her organisation in private or product engineering practice.
- (h) not solicit or accept any engineering contract from any government body of which a principal

officer or employee of his/her organisation serves as a member.

- (i) so advise his/her employers or clients if, as a result of his/her studies, he has reason to believe that a project will not be successful.
- (j) treat information coming in the course of assignments as confidential, and shall not use such information as a means of making personal profit if such action will adversely affect the interests of his/her employers, clients or the general public; and in particular, no member shall—
 - (i) disclose confidential information concerning the business affairs or technical processes of any present or former employer or bidder under evaluation, without their consent;
 - (ii) reveal confidential information or findings of any commission or board of which he/she is or was a member;
 - (iii) copy for other uses, without the express permission of clients, designs supplied to him/ her by such clients for their own exclusive use;
 - (iv) embark, while in the employ of a particular client, upon promotional efforts or negotiations for work, or make

arrangements for other employment as principal, or practice in connection with specific projects, for which he/she has gained particular and specialised knowledge without the consent of all interested parties.

- (k) act with fairness and justice to all parties when administering a construction or other contract.
- (l) before undertaking work for others in which he/she is likely to make improvement, plans, designs, inventions, or other records which may justify copyrights or patents, enter into a positive agreement regarding ownership thereof.

13. A member shall –

- (a) admit and accept errors when proved wrong and refrain from distorting or altering the facts to justify wrong decisions.
- (b) not accept professional employment outside regular work of interest without the consent of employers.
- (c) not attempt to attract an employee from another employer by false or misleading representations.

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- (d) not review the work of other engineers, except with the consent of such engineers, or unless the assignments or contractual agreements for the work in question have been terminated: provided that—
- (i) a member in governmental, industrial or educational employment may review and evaluate the work of other engineers when so required by his/her duties;
 - (ii) a member in sales or industrial employment may make engineering comparisons of his/her products with products of other suppliers;
 - (iii) a member in sales employment shall not offer or give engineering consultations of designs or advice, other than that specifically applying to equipment, materials or systems being sold or offered for sale by him/her.

14. A member shall—

- (a) not pay or offer to pay, either directly or indirectly, any commission, political contribution, gift or other consideration as an inducement to secure work, except the securing of salaries or positions through an employment agency.

- (b) negotiate contracts for professional services fairly and only on the basis of a demonstrated competence and qualification for the type of professional services required.
- (c) negotiate a method and rate of compensation commensurate with the agreed scope of service, (meeting of the minds of the parties to the contract is essential to mutual confidence; the public interest requires that the cost of engineering services shall be fair and reasonable but not the controlling consideration in the selection of individuals or firms to provide such services and this shall apply to the procurement of the services of other professionals by members).
- (d) not attempt to supplant other engineers in a particular employment after becoming aware that definite steps have been taken towards the employment of those other engineers, or after they have been duly employed.
- (e) not solicit employment from clients who already have other engineers under contract for the same work.
- (f) not accept employment from clients who have already engaged other engineers for the same work not yet paid for unless the performance or payment requirements in the contract are being litigated or the contracted engineers' services have been terminated in writing by either party

to the contract; in case of the cessation of litigation, the member, as prospective engineer shall, before accepting the assignment, advise the engineers involved in such litigation.

- (g) not request, propose or accept professional commissions on a contingent basis in circumstances under which his/her professional judgement may be compromised, or when contingency provision is used as a device for promoting or securing a professional commission.
 - (h) not falsify or permit misrepresentation of his/her associates' academic qualifications; nor shall he/she misrepresent or exaggerate his/her degree of responsibility in, or for the subject matter of, prior assignments (brochures or other presentations incidental to the solicitation or employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or his/her past accomplishments with the intent and purpose of enhancing his/her qualifications or work).
15. A member may advertise professional services only as a means of identification and such advertisements shall be limited to the following –
- (a) Professional cards and listing in recognised and dignified publications, provided they are considered in size and are in a section of the

publication regularly devoted to such professional cards and listing; the information displayed must be restricted to firm name, address, telephone number, appropriate symbol or logo, names of principal participations and the fields or practice in which the firm is qualified.

- (b) Signs on equipment, office and at the site of projects for which he renders services, and limited to firm name, address, telephone number and types of services, as appropriate.
- (c) Brochures, business cards, letterheads and other factorial representations of experience, facilities, personnel and capacity to render services provided they are not misleading relative to the extent of participation in the projects cited, and are not indiscriminately distributed.
- (d) Listings in the classified section of directories limited to name, address, telephone number and specialities in which the firm is qualified, without resorting to special or bold type.

16. A member may –

- (a) use display advertising in recognised and dignified business and professional publications, provided it is factual and only refers to engineering; it is free from ostentation and does not contain laudatory expressions or

implications; and it is not misleading with respect to the member's extent to participation in the services or projects described.

- (b) prepare for the lay or technical press articles which are factual, dignified and free from ostentation or laudatory expressions or implications, without implying anything other than direct participation in the work described, unless credit is given to others for their share of the work.
- (c) give permission for his/her name to be used in commercial advertisement, such as may be published by manufacturers, contractors, material suppliers etc., only by means or a modest and dignified notation, acknowledging the extent of his participation in the project or product described provided that such permission shall not include public endorsement of proprietary products.
- (d) advertise for recruitment of personnel in appropriate publications or by special distribution, provided that information presented is displayed in a dignified manner, restricted to firm name, address, telephone number, appropriate symbol, names of principal participation, the fields of practice in which the firm is qualified and factual descriptions of positions available, qualifications required and benefits available.

17. A member shall –

- (a) not enter into competitions for designs for the purpose of obtaining commissions for specific projects, unless provision is made for reasonable compensation to be paid for all designs submitted.
- (b) not maliciously or falsely, directly or indirectly, injure the professional reputation, prospects, practice or employment of another engineer, nor shall he/she indiscriminately criticise the work of another engineer.
- (c) undertake or agree to perform any engineering service free of charge, except for professional services which are advisory in nature for civic, charitable, religious or non-profit making organisations; and when serving as a member of such organisations, a member shall be entitled to utilise his personal engineering knowledge in the service of these organisations.
- (d) not use equipment, supplies, laboratory or office machinery of his/her employers to carry on outside practice without his/her employer's consent.
- (e) not, in the case of tax free or tax aided facilities, use student services less than normal rates applicable to other employees of comparable competence, including fringe benefits.

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- (f) not knowingly associate with or permit the use of his name or firm names in business ventures by any person or firm which he/she knows, or has reasons to believe, are engaged in business or professional practices of a fraudulent or unethical nature.
 - (g) not use his/her association with non-engineers, corporations or partnerships as cloaks for unethical acts.
18. (1) A member shall continue his/her professional development throughout his/her career, and shall provide opportunities for the professional development of other engineers placed under supervision.
- (2) In particular, a member shall –
 - (a) encourage engineering employees to further their education.
 - (b) encourage engineering employees to become registered as members of the institution at the earliest possible date.
 - (c) encourage engineering employees to attend and present papers at professional and technical society meetings.
 - (d) support the professional and technical societies of one's discipline.

- (e) give proper credit for engineering work to those to whom such credit is due, and recognise the proprietary interests of others and whenever possible, he/she shall name the person or persons responsible for any designs, inventions, writings or other such publications.
 - (f) endeavour to extend the public knowledge of engineering and not participate in the dissemination of untrue, unfair or exaggerated statements regarding engineering.
 - (g) uphold the principle of appropriate and adequate compensation for those engaged in engineering.
 - (h) assign to professional engineers duties of a nature which will, so far as is possible, utilise their full training and experience and delegate lesser functions to sub-professionals or to technicians.
 - (i) provide prospective engineering employees with complete information concerning other conditions and their proposed status of employment, and keep them duly informed of any changes in such status after employment.
19. A practising engineer shall be required to take up appropriate insurance (professional indemnity) in order to protect the client in the event of performance failure.



