

Tanzania

Engineers Registration Act, 1997

## Engineers Registration Board Regulations, 2000

Government Notice 66 of 2000

Legislation as at 31 July 2002

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# Engineers Registration Board Regulations, 2000

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# Tanzania

## Engineers Registration Act, 1997

# Engineers Registration Board Regulations, 2000

## Government Notice 66 of 2000

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*[Note: This legislation has been thoroughly revised and consolidated under the supervision of the Attorney General's Office, in compliance with the Laws Revision Act No. 7 of 1994, the Revised Laws and Annual Revision Act (Chapter 356 (R.L.)), and the Interpretation of Laws and General Clauses Act No. 30 of 1972. This version is up-to-date as at 31st July 2002.]*

*[Section 33; G.N.s Nos. 66 of 2000; 487 of 2002]*

### Part I – Preliminary provisions (regs 1-2)

#### 1. Citation

These Regulations may be cited as the Engineers Registration Board Regulations.

#### 2. Construction

In these Regulations—

"Act" means the Engineers Registration Act <sup>1</sup>;

"foreign engineer" means a person who is an engineer but is not a citizen of Tanzania or is not a permanent resident of Tanzania;

"professional engineer" means a person registered as a "registered engineer" under the Act.

### Part II – General provisions relating to registration (regs 3-20)

#### 3. Application for registration under the Act

- (1) An application for registration under the Act shall:
  - (a) be made in English and all translation of certificates and certifications must be done by competent authorities;
  - (b) state the qualifications upon which the application is based and accompanied by the copies of such certificates or other documents as are necessary to support those qualifications;
  - (c) be accompanied by the appropriate non-refundable fee as may be prescribed by the Board but no fee shall be chargeable in respect of application of graduate technician engineer and graduate engineer.

- (2) An application for registration made under the Act or under these Regulations shall be made in the forms prescribed in the First Schedule to these Regulations and shall be accompanied by the fees prescribed under the Second Schedule.

#### **4. Determination of application, etc.**

- (1) An application for registration shall be decided upon by the Board within four months from the date of receipt of such application.
- (2) The decision of the Board upon an application for registration shall be final and shall be communicated to the applicant by the Registrar by letter sent to the address stated in the application within fourteen working days from the date of the Board's decision.

#### **5. Curriculum vitae to accompany application**

Detailed *curriculum vitae* shall be required to accompany every application for registration except for graduate technician engineers and graduate engineers.

#### **6. Reference to the Board to reconsider application**

If a person or firm is not satisfied with the Board's decision upon an application for registration that person may write to the Registrar giving reasons why his case should be reconsidered.

#### **7. Application for temporary registration**

In case the applicant for temporary registration is a person who was formerly registered by the Board and has maintained a good standing as an engineer, he shall be registered by the Board upon his return to Tanzania and making an application and payment of the registration fee in the category he was registered just before he left the country.

#### **8. Accreditation of institutions**

For the purpose of recognition of institutions of engineers and engineering training institutions by the Board as furnishing sufficient guarantee of academic knowledge of, and practical experience in, engineering, the Board shall accredit such institutions as it may deem fit and proper.

#### **9. Engineer of firm registered to pay annual fee**

- (1) Every engineer or firm registered under the Act shall be required to pay an annual fee to the Board of such amount as the Board may prescribe and such a fee shall be due on 1st January of each calendar year.
- (2) Failure to pay the annual fee in arrears of one year shall cause the Board to delete the name of any engineer or firm from the register but the deletion shall only be done after a notice for at least three months has been given by the Board to the engineer or firm expressing intent to delete the name from the register.

#### **10. Publication of names of deleted engineers**

The Board shall in the month of January of each year publish the names of all registered engineers and engineering consulting firms and it shall, in the month of June of each calendar year, publish the names of all engineers who were deleted from the register in the previous year.

## **11. Application for registration**

Every person or firm wishing to be re-registered as an Engineer under the Act shall make an application to the Board in appropriate application form and the Board shall re-register that person or firm upon fulfillment of conditions set by the Board.

## **12. Demand notice and reminder to pay annual fee**

- (1) The Board shall issue a demand notice for annual fees to all registered engineers and firms for the following year at least three months before the end of calendar year.
- (2) The Board shall, in the month of April of each calendar year, send a reminder to all registered engineers and firms to pay current annual fees.

## **13. Use of official rubber stamp upon temporary registration**

- (1) An official rubber stamp issued to a person with temporary registration shall be valid for one year from the date of registration and such validity shall be inscribed on the stamp.
- (2) No person shall use an official rubber stamp of any person upon deletion of his name from the register.

## **14. Board may register a person on a lower category**

Every person applying for registration in a particular category who is not so registered for same may, after notification by the Board and if he so qualifies, be considered for registration in a lower category.

## **15. Persons authorised to sign certificates**

- (1) Any person registered under the Act shall be issued with a certificate duly signed by the Chairman or, in his absence, Vice-Chairman and a member of the Board appointed for that purpose and the Registrar and shall be endorsed and sealed with the common seal of the Board.
- (2) Where the Registrar is satisfied that a registration certificate has been lost, mutilated or destroyed he may, upon payment of an appropriate fee as the Board may determine, furnish a duplicate of the certificate to the person to whom the original certificate was issued.

## **16. Payment of fees to do search or gather information**

Search and availability of information from the register to a person shall be done upon payment of an appropriate fee as may be determined by the Board.

## **17. Identity card upon registration**

Every registered engineer shall be issued with an identity card bearing his/her name, registration number and category and any other information as may be prescribed by the Board.

## **18. Failure to comply with Regulations**

The Board will not consider the application of any person who fails to comply with any requirement made under these Regulations.

## **19. Foreign engineer to apply for registration while outside Tanzania**

All foreign engineers shall, as soon as practicable, apply for registration with the Board and those who are residing outside Tanzania must apply for registration before entering Tanzania or soon thereafter.

## 20. Jobs to be acquired only on registration

Job positions whose pre-requisite is engineer's qualification must be occupied by registered engineers.

### Part III – Registration generally (regs 21-43)

#### (i) – Graduate Technician Engineers (regs 21-22)

## 21. Application for registration fees, etc.

- (1) A person wishing to be registered as a Graduate Technician Engineer shall make an application to the Board in Form A-01.
- (2) No registration fee is chargeable in respect of registration of Graduate Technician Engineer.
- (3) A certificate of registration issued to a Registered Graduate Technician Engineer shall be made in Form AC-01.

## 22. Practical experience

- (1) The practical experience that a Registered Graduate Technician Engineer is required in order to be entitled to apply for registration as a Technician Engineer shall be carried out in a manner satisfactory to the Board but shall in any case be for a minimum period of three years majoring in the following areas—
  - (a) wholly in the planning and design of engineering solutions, supervision of engineering processes and management of engineering projects, systems, installations or processes; or
  - (b) the Board may consider a combination of engineering research and/or teaching in course leading to a diploma or certificate approved by the Board; or
  - (c) as per practical training Schedule No. 171 issued by the Board.
- (2) A registered Graduate Technician Engineer applying for registration as a Technician Engineer shall submit with application forms proof in writing of his practical experience which shall include details of duration and the description of the practical experience obtained with an endorsement by the supervising engineer that the applicant has satisfactorily completed the practical experience.
- (3) The Board may require an applicant for registration such further information or evidence of eligibility for registration as it may think fit, and may require the applicant, to attend in person before the Board or subcommittee.
- (4) The decision of the Board in relation to an application for registration shall be final and shall be communicated to the applicant by the Registrar using the address on the application form within fourteen working days from the date of the Board's decision.

#### (ii) – Technician engineers (regs 23-26)

## 23. Forms for application

A person wishing to be registered as a Technician Engineer shall make an application to the Board in Form A-02 accompanied by an application fee of such amount as the Board may prescribe.

## 24. Registration fee and failure to pay the fee

- (1) A person whose application for registration as a Technician Engineer whose application has been approved shall within two months of the date of notification of such approval, pay to the Board a registration fee of an amount as the Board may prescribe.
- (2) A person who fails to pay the registration fee within the period stipulated under subregulation (1) shall be treated as if he has withdrawn the application and no subsequent application from him shall be considered before the expiry of six months from the date on which the previous application was approved unless that person pays the fee and a fine of fifty percent of the current registration fee.
- (3) However, the Board may consider an application before the expiry of the period of six months if it is satisfied that failure to pay the registration fee in respect of the approval was for sufficient cause or reasons.

## 25. Certificates of registration as Technician Engineer

A certificate of registration as a Technician Engineer shall be issued under Form AC-02.

## 26. Eligibility for application for registration as Professional Engineer

- (1) A registered Technician Engineer shall, on application to the Board, be considered for registration as a Professional Engineer if he has—
  - (a) attempted and passed the professional examinations conducted by the Board; or
  - (b) undergone and passed the professional examinations post-graduate course for at least one year; or
  - (c) obtained a Masters Degree in the relevant discipline; or
  - (d) any other qualifications in other fields as may be determined by the Board as being commensurate with the field under which the candidate has applied for registration.
- (2) The Board may require of an applicant for registration such further information or evidence of eligibility for registration as it may think fit, and may require the applicant to attend in person before the Board or subcommittee.
- (3) The Board may refuse to consider the application of any person who fails to comply with a requirement made under these Regulations.
- (4) The decision of the Board in relation to an application for registration shall be final and shall be communicated to the applicant by the Registrar using the address on the application form within fourteen working days from the date of the Board's decision.

### (iii) – Graduate engineers (regs 27-29)

## 27. Application for registration and fees

- (1) A person wishing to be registered as a Graduate Engineer may make an application to the Board in Form B-01 accompanied by an application fee of such amount as the Board may prescribe.
- (2) A certificate of registration issued to a registered Graduate Engineer shall be made in Form BC-01.

## 28. Practical experience

The practical experience that a Registered Graduate Engineer is required in order to be entitled to apply for registration as a professional engineer shall be carried out in a manner satisfactory to the Board but

shall in any case be for a minimum period of the three years for graduate engineers, two years for holders of Masters Degree in engineering and one year for holders of Ph.D. Degree in engineering majoring in the following:

- (a) wholly in the planning and design of engineering solutions, supervision of engineering processes and management, maintenance of engineering projects, installations, systems or processes; or
- (b) the Board may consider a combination of engineering research and/or teaching in a course leading to a degree or diploma approved by the Board; or
- (c) as per practical training guidelines shown in Schedule No. 171 issued by the Board; or
- (d) at least one year of such practical experience shall be obtained in Tanzania under the supervision of a Professional Engineer of same discipline or an approved allied discipline in fields of engineering practice.

## **29. Board may exempt from certain requirements**

- (1) Notwithstanding regulation 30 if the Board is satisfied for sufficient cause or reasons, it may exempt either wholly or partially the requirement as to practical experience required to be obtained in Tanzania or the requirement for supervision by a professional engineer in Tanzania regard being had that the total practical experience obtained is not less than three years.
- (2) A Registered Graduate Engineer applying for registration as a Professional Engineer shall along with his application forms submit proof in writing of the practical experience which submission shall include details of duration and description of the practical experience obtained with and endorsement by the supervisory Professional Engineer in the case of experience obtained in Tanzania or by an engineer acceptable to the Board in the case of experience obtained outside Tanzania which certifies that the Registered Graduate Engineer has satisfactorily completed his practical experience.
- (3) The Board may require an application for registration to furnish such further information or evidence of eligibility for registration as it may think fit, and may require the applicant to attend in person before the Board or subcommittee.
- (4) The Board may refuse to consider the application of any person who fails to comply with a requirement made under these Regulations.
- (5) The decision of the Board in relation to an application for registration shall be final and shall be communication to the applicant by the Registrar using the address on the application form within fourteen working days from the date of the Board's decision.

### **(iv) – Professional engineers (regs 30-33)**

## **30. Application for registration of Professional Engineers**

- (1) A person wishing to be registered as a Professional Engineer shall make an application to the Board in Form B-02 accompanied by a fee of such amount as the Board may prescribe.
- (2) A foreign engineer desirous of being temporarily registered as Professional Engineer shall make an application to the Board in Form BF-02 accompanied by a fee of such amount as the Board may prescribe.

## **31. Registration fee and failure to pay the fee**

- (1) A person whose application for registration as a Professional Engineer made under Regulation 32 has been approved shall within two months of the date of notification of such approval, pay to the Board a registration fee of an amount as the Board may prescribe.

- (2) A person who fails to pay the registration fee within the period stipulated under subregulation (1) shall be treated as if he has withdrawn the application and no subsequent application from him shall be considered before the expiry of six months from the date on which the previous application was approved unless that person pays the fee and a fine not exceeding fifty percent of the current registration fee.
- (3) However, the Board may consider an application before the expiry of the aforementioned period if it is satisfied that failure to pay the registration fee in respect of the approval was for sufficient cause or reason.
- (4) The decision of the Board in relation to an application for registration shall be final and shall be communicated to the applicant by the Registrar using the address of the application form within fourteen working days from the date of the Board's decision.

### **32. Certificate of registration as Professional Engineer**

- (1) A certificate of registration as a Professional Engineer shall be in Form BC-02.
- (2) A certificate of registration as a foreign engineer shall be in Form BC-01.

### **33. Engineer's official rubber stamp, its use and fee**

- (1) The Board shall issue an official rubber stamp to every Professional Engineer registered under the Act for use when approving or certifying engineering documents such as design calculations, drawings, technical reports, and for other similar documents.
- (2) An approval given by professional engineer shall, in addition to the engineer's signature and date, bear the Engineers ERB rubber stamps affixed.
- (3) A professional engineer to whom an official rubber stamp is to be issued shall be required to pay to the Board a fee of such amount as the Board may prescribe.

## **(v) – Marine engineers (reg 34)**

### **34. Professional Marine Engineer**

- (1) Subject to the provisions of these Regulations, a person shall be entitled, on making an application to the Board in the prescribed manner and upon payment to the Board of the prescribed fee, to be registered as a Professional Marine Engineer if he is:
  - (a) a member of an institution of engineers, the membership of which is recognized by the Board as furnishing a sufficient guarantee of academic knowledge of and practical experience in engineering; or
  - (b) a person who—
    - (i) is a holder of a Class One Certificate of Competency in marine engineering; or
    - (ii) is a holder of a degree in engineering and a Class Two Certificate of competency in marine engineering and has attained sea service of at least thirty six months.
- (2) Subject to the provisions of these Regulations, a person shall be entitled, on making an application to the Board in the prescribed manner and upon payment to the Board of the prescribed fee, to be registered as a graduate Marine engineer if is a holder of a degree in engineering and a Class Three Certificate of competency in marine engineering and has attained a minimum period of twenty one months of sea service.

### ***Technician Marine Engineer***

- (3) Subject to the provisions of these Regulations, a person shall be entitled, on making an application to the Board in the prescribed manner and on payment to the Board of the prescribed fee, to be registered as a Technician Marine Engineer if:
- (a) he is a holder of a Class Two Certificate of competency in marine engineering and has passed written examination of Class One Certificate of Competency in marine engineering; or
  - (b) he is a person who graduated from the Dar es Salaam Maritime Institute before July, 1993 with Class Two Certificate of Competency in marine engineering but has not passed written examinations for Class One Certificate of Competency in marine engineering and has attained a minimum period of thirty six months of sea service.

***Application for registration as Graduate Marine Engineer***

- (4) Subject to the provisions of these Regulations, a person shall be entitled, on making an application to the Board in the prescribed manner and upon payment to the Board of the prescribed fee, to be registered as a graduate Marine Technician Engineer if:
- (a) he is a holder of an advanced diploma in engineering and has attained a minimum period of twenty-one months of sea service; or
  - (b) he is a person who has passed a cadet course in marine engineering for at least eighteen months after 1994 and has attained a minimum period of twenty-one months of sea service.

**(vi) – Consulting engineers (regs 35-39)**

**35. Eligibility for application for registration**

- (1) A Professional Engineer applying for registration as a Consulting Engineer shall have a minimum of three years' post-registration experience in the field of specialization or in the case of temporary registration, shall have been registered in his country of origin or domicile prior to coming to Tanzania and submits an acceptable performance record to the Board.
- (2) The Board may require an applicant to submit further information or evidence of eligibility for registration as it may think fit, and may require the applicant to attend in person before the Board or subcommittee.
- (3) The decision of the Board in relation to an application for registration shall be final and shall be communicated to the applicant by the Registrar using the address on the application form within fourteen working days from the date of the Board's decision.

**36. Application forms**

- (1) A person wishing to be registered as a Consulting Engineer shall make an application to the Board in Form B-03 accompanied by a fee of an amount as the Board may prescribe, provided that the applicant has a practical experience of not less than three years as a registered Professional Engineer and has satisfied the Board as to his professional competency.
- (2) Every foreign engineer desirous of being temporarily registered as a Consulting Engineer shall make an application to the Board in Form BF-01 accompanied by a fee of an amount as the Board may prescribe.
- (3) Local Consulting Engineer shall practise either as sole proprietor or work with a registered Consulting firm or work under the Business Name and shall apply for a Business Licence.
- (4) A foreign Consulting Engineer shall practise with a registered consulting firm.
- (5) A Consulting Engineer shall only practise in his registered discipline.

- (6) Every Consulting Engineer shall follow the ERB code of ethics and shall work with registered firms and/or contractors.

### **37. Registration fee and failure to pay the fee**

- (1) Any person whose application for registration as a Consulting Engineer made under regulation 27 has been approved shall within two months from the date of notification of an approval, pay to the Board a registration fee of an amount as the Board may prescribe.
- (2) A person who fails to pay the registration fee within the period stipulated under subregulation (1) shall be treated as if he has withdrawn the application and no subsequent application from him shall be considered before the expiry six months from the date on which his previous application was approved unless that person pays a fee and a fine of fifty percent of the current registration fee.
- (2) However, the Board may consider an application before the expiry of the aforementioned period if it is satisfied that failure to pay the registration fee in respect of the approval was for sufficient cause or reason.

*[Please note: numbering as in original.]*

### **38. Form of certificates of registration as Consulting Engineer**

- (1) A certificate of registration issued to a Registered Consulting Engineer shall be in Form BC-03.
- (2) A certificate of temporary registration issued to a foreign Consulting Engineer shall be in form BFC-02.

### **39. Engineer's official rubber stamp, its use and fee**

- (1) The Board shall issue an official rubber stamp to every Consulting Engineer registered under the Act for use when approving or certifying engineering documents such as design calculations, drawings, technical reports and for other similar documents.
- (2) An approval given by Consulting Engineer shall, in addition to the engineer's signature and date, bear the engineer's rubber stamp affixed.
- (3) A Consulting Engineer to whom an official rubber stamp is to be issued shall be required to pay to the Board a fee of such amount as the Board may prescribe.

## **(vii) – Engineering Consulting firms (regs 40-43)**

### **40. Application forms**

- (1) An Engineering Consulting firm desirous of practising as consulting engineers shall submit an application to the Board in Form C-01.

#### ***Foreign firms***

- (2) An Engineering Consulting firm with more than fifty *per centum* of its shares belonging to non-citizens shall, upon making application, be considered for registration as foreign Engineering Consulting firm.

#### ***Local firms***

- (3) Every Engineering Consulting firm with more than fifty *per centum* of shares held by Tanzanian citizens shall, upon making application to the Board in Form C-01, be considered for registration as local Engineering consulting firm.

- (4) In every engineering discipline in which an Engineering Consulting firm is desirous of practising there shall be at least one registered Consulting Engineer working with that firm.
- (5) The application shall be accompanied by an application fee of such amount as the Board may prescribe.
- (6) An Engineering Consulting firm whose application for registration as Registered Engineering Consulting firm has been approved shall within two months from the date of notification of such approval, pay to the Board a registration fee of such amount as the Board may prescribe or pay registration fee and a fine of fifty percent of registration fee.
- (7) The Board may require the application to furnish such further information or evidence of eligibility for registration as it may think fit, and may require the principal of the firm to attend personally before the board or a subcommittee.
- (8) The decision of the Board upon an application for registration shall be final and shall be communicated to the applicant by the Registrar using the address on the application form within fourteen working days from the date of the Board's approval.

#### **41. Category of registration**

The Board may register Engineering Consulting firms in different categories as it may deem fit.

#### **42. Conditions for registration as Engineering Consulting firm**

An Engineering Consulting firm, except for institutions legally mandated to offer consulting services, wishing to apply for registration must fulfil the following minimum requirements—

- (a) submit a registration certificate;
- (b) submit current annual returns filed to the Registrar of Companies;
- (c) submit a current business licence;
- (d) have its key personnel registered as Engineering Consultants in the specified fields;
- (e) acquire and must provide company profile of activities;
- (f) provide *curriculum vitae* of key personnel;
- (g) agree that the Board may visit to verify availability of equipment/facilities and staff for carrying out consulting works;
- (h) agrees to abide to the Code of Ethics.

#### **43. Issue of registration certificate**

When the application made under regulation 23 is approved by the Board, the Board shall issue a registration certificate to the applicant in Form CC-02 in case of a local firm and in Form CC-02 in case of a foreign firm.

## Part IV – The responsibilities of engineers (regs 44-46)

### 44. Registration certificate for body corporate and certificate of practising Technician Engineers

The roles and responsibilities of Technician Engineers shall be—

- (a) to exercise technical judgement in and assume responsibility for duties in engineering design, fabrication and/or manufacture, construction, installation, commissioning, operation and maintenance of machinery, equipment and systems;
- (b) to understand, by the application of general principles and established techniques, the reasons for and the purpose of the operations for which they are responsible;
- (c) to be aware of the business, management, safety, social and economic context of their work within the organisation and in the wider environment;
- (d) to supervise graduate technician engineers in undertaking the responsibilities under their section.

### 45. Professional Engineer

The roles and responsibilities of Professional Engineer shall be—

- (a) to exercise technical judgement in and assume responsibility for duties in engineering design, fabrication and/or manufacture, construction, installation, commissioning, operation and maintenance of machinery, equipment and systems;
- (b) to apply scientific methods and outlook to the analysis and solution of engineering problems;
- (c) to develop a thorough understanding of the features of a branch of engineering, including interdisciplinary aspects, and closely and continuously follow progress on a worldwide basis, assimilating such information and applying it independently, so as to be in a position to make contributions to the development of engineering science and its applications;
- (d) to assume personal responsibility when the occasion demands in research, design, construction, manufacture, marketing, managing and in the education and training of engineers, regard being had that subsequent experience will develop a high level of competence in the practice of a particular branch of engineering, together with the ability to give authoritative advice on innovation and change to manage the development and implementation of new technologies, coupled with the ability to appreciate and take cost/benefit account of the financial, social and political implications of decisions taken;
- (e) to acquire a broad and general appreciation of engineering activity outside their own branch, together with an understanding of the public context of an engineer's work in social, organisational and economic terms and the effective and beneficial management of resources;
- (f) to supervise Technician and Graduate engineers in undertaking responsibilities under their section.

### 46. Consulting Engineers

In addition to performing the responsibilities of Professional Engineers, Consulting Engineers shall:

- (a) assume personal responsibility to practise professional engineering works and services in manners that promote sustainable development;
- (b) demonstrate the highest degree of entrepreneurship for the promotion of the engineering business without sacrificing the set standards for quality of goods and/or services and business ethics as provided from time to time by competent authorities;
- (c) encourage Professional Engineers to practise professional engineering consultancies.

## Part V – Inquiries and appeals (regs 47-49)

### 47. Inquires by the Board, procedure to administer evidence, etc.

- (1) The Board may hold an inquiry into the professional conduct of a registered person or firm engaged in professional engineering works or services.
- (2) A person or firm who violates the provisions of the Engineers Registration Act<sup>2</sup> shall be issued with a notice by the Board through registered mail to show cause within sixty days, from the date of issue of such notice, why the Board should not take legal action against that person or firm.
- (3) A person or the owner of a firm being inquired into shall appear in person or represented by an advocate before the Board at the time and place specified by the Board.
- (4) A person or the owner of a firm being inquired into shall be allowed to submit any document which will constitute evidence to be relied on for defending himself/itself.
- (5) Where a person has been summoned by the Board for an inquiry and does not appear without reasons acceptable to the Board, the Board may proceed and that person shall be deemed to have committed the offence against these Regulations.
- (6) Upon proof by the Board, that such a person or firm has committed an offence against these Regulations, the Board may institute proceedings in the court of law against that person or firm.

### 48. Appeals against a decision of the Board, direction of the Board and appeals to the High Court

- (1) A person who is aggrieved by a decision of the Board to refuse to register his name, or to remove his name from the register, or to suspend the effect of registration of his name, or to refuse to restore his name to the register, may appeal to the Appeals Authority against the decision of the Board.
- (2) In such an appeal the Appeals Authority may give such directions in the matter as it thinks proper.
- (3) The Board may appear as respondent and be heard on an appeal against its decision and, for the purpose of enabling directions to be given as to the costs of any such appeal, the Board shall be deemed to be a party thereto, whether or not it appears in the date on which the hearing of the appeal takes place.
- (4) At the hearing of appeal a paper purporting to be a copy of an extract from the register or any document kept or published by the Registrar and purporting to be certified by the Registrar to be a true copy or extract shall be admissible as evidence of the contents of the register or document.
- (5) A person may appeal in the High Court against the decision of Appeals Authority.

### 49. Savings

All acts done, and all persons or firms registered before the coming into effect of these Regulations shall be treated as lawfully done and the registrations shall continue to be valid until they are cancelled or otherwise rendered invalid under these Regulations.

## First Schedule (Regulation 2(2))

### Code of ethics for Engineers

#### 1. The fundamental principles

An Engineer shall endeavour to uphold and advance the integrity, honour and dignity of the engineering profession by—

- (a) using his knowledge and skill for the enhancement of human welfare;
- (b) being honest and impartial, and shall serve with fidelity the public, their employers and clients;
- (c) striving to enhance the competence and prestige of the engineering profession; and
- (d) supporting the professional and technical societies of their disciplines.

#### 2. The fundamental canons/rules

An engineer shall—

- (a) uphold paramount the safety, health and welfare of the public and the protection of the environment in the performance of their professional duties;
- (b) endeavour to protect the environment in the performance of their professional duties;
- (c) perform services only in the areas of their competence;
- (d) issue public statement only in an objective and truthful manner;
- (e) act in a professional manner for each employer or client as faithful agents or trustees, and shall endeavour to avoid conflicts of interest;
- (f) build his professional reputation on the merit of the services and shall not compete unfairly with others;
- (g) continue his professional development throughout his career and shall assist and provide opportunities for the professional advancement of an engineer or engineers under his/their supervision.

#### 3. Obligations to society

- (1) Every engineer shall at all times recognise that his primary obligation is to protect the safety, health, property and welfare of the public in his profession and in the event that judgement is overruled under circumstances where the safety, health property or welfare of the public are endangered, he shall immediately notify, in writing, his employer or client and such other authority as may be appropriate and shall elaborate all engineering solutions which have been used but have failed to overcome the problem.
- (2) Every engineer shall approve engineering documents which are in conformity with appropriate standards.
- (3) No engineer shall permit the use of his name or firm name nor his associate in business venture with any person or firm which he has reason to believe that he is involved in fraudulent or dishonest business or professional practices.
- (4) Every engineer shall be objective and truthful in making or presenting professional reports, statements or testimonies.
- (5) Every engineer shall express a professional opinion on technical subjects only when that opinion is founded upon competence in the subject matter.
- (6) Every engineer shall take all reasonable steps to avoid waste of natural resources, damage of the environment and wasteful damage or destruction of the products of human skill.

#### 4. Obligations to employer or client

- (1) Every engineer shall disclose all known or potential conflicts of interest to their employer or client which may influence or appear to influence their judgment or the quality of their services.
- (2) An engineer shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed to and agreed for, by all interested parties.
- (3) No engineer shall solicit or accept financial or other valuable consideration, directly or indirectly from contractors, their agents or other parties in connection with work for employers or clients for which he is responsible.
- (4) Except as authorized or required by law, no engineer shall reveal facts, data or information obtained in a professional capacity without the prior consent of the client or employer.
- (5) An engineer in public service as a member, advisor or employee of a governmental body or department shall not participate in decisions with respect to professional services if he is an interested party.
- (6) Every engineer shall avoid improper solicitation of professional employment and shall, in the circumstances—
  - (a) not falsify or permit misrepresentation of himself, his associates, academic or professional qualifications, or exaggerate his degree of responsibility;
  - (b) not offer, give, solicit or receive, either directly or indirectly, any financial and/or material consideration of any amount intended to influence the award of a contract.
- (7) A practising engineer shall endeavour to understand and take all reasonable steps to inform his clients and employers of societal and environmental consequences of actions or projects in which he is involved and to interpret issues to the public in an objective and truthful manner.

#### 5. Professional obligations

- (1) An engineer shall be guided in all his professional relations by the highest standards of integrity and—
  - (a) shall admit and accept his own errors when proven wrong and refrain from distorting or altering the facts in an attempt to justify his decisions;
  - (b) shall not accept outside employment to the detriment of his regular work or interest.
- (2) An engineer shall at all times strive to serve the public interest and shall in the process—
  - (a) seek opportunities to be of constructive service in civic affairs and work for the advancement of the safety, health and well-being of their community;
  - (b) endeavour to extend public knowledge and appreciation of engineering and its achievements and to protect the engineering profession from misrepresentation and misunderstanding.
- (3) Every engineer shall avoid conducts or practices which are likely to discredit the profession or deceive the public.
- (4) No engineer shall disclose confidential information concerning the business affairs or technical processes of any present or former client or employer without his consent.
- (5) No engineer shall be influenced in his professional duties by political involvement or conflicting interests and shall—
  - (a) not accept financial or other considerations, including free engineering designs from material or equipment suppliers for specifying their product;

- (b) not accept commissions or allowances, directly or indirectly, from contractors or other parties dealing with clients or employers of the engineer in connection with work for which the engineer is responsible.
- (6) An engineer shall uphold the principle of appropriate and adequate compensation for those engaged in engineering work.
  - (7) No engineer shall compete unfairly with another engineer by attempting to obtain employment or professional engagements by taking advantage of a position, or by criticising another engineer or by other improper or unfair means.
  - (8) No engineer shall request, propose, or accept a professional commission under circumstances in which his professional judgement may be compromised.
  - (9) No engineer shall maliciously or falsely attempt to injure directly or indirectly, the professional reputation, prospects, practice or employment of another engineer, nor indiscriminately criticise other engineers' work, and in the event that an engineer believes that another engineer is guilty of unethical or illegal practice, shall present such information to the proper authority for action.
  - (10) An engineer—
    - (a) in private practice shall not review the work of another engineer for the same client, except with the knowledge of such other engineer, or unless the connection of such engineer with the work has been terminated;
    - (b) in government, industrial, public or educational employment is entitled to review and evaluate the work of other engineers when so required by his employment duties;
    - (c) in sales or industrial employment is entitled to make engineering comparisons of represented products with products of other suppliers;
    - (d) shall not copy or steal other engineers' documents or work for his personal gain.
  - (11) Every engineer shall accept personal responsibility for every professional activity under his charge and—
    - (a) shall conform with estate registration laws in the practice of engineering;
    - (b) shall not use association with a non-engineer, a corporation, or partnership, as a "cloak" for unethical acts, and if he does, he will take personal responsibility for his professional actions.
  - (12)
    - (a) Every engineer shall give credit for engineering work of those to whom credit is due, and shall recognise the proprietary interests of others.
    - (b) Every engineer using designs supplied by a client shall recognise that the designs remain the property of the client which shall not be duplicated by the engineer for others without express permission.
  - (13) Every engineer shall co-operate in extending the effectiveness of the profession by interchanging information and experience with other engineers and students, and will endeavour to provide opportunity for the professional development and advancement of engineers under his supervision and in that case—
    - (a) he shall encourage engineering employees' efforts to improve their education;
    - (b) he shall encourage engineering employees to attend and make presentations at professional and technical society meetings;
    - (c) he shall encourage engineering employees to become registered at the earliest possible date.
  - (14) Every engineer shall take all reasonable steps to maintain and develop his professional competence by attention to new developments in science and engineering relevant to his field of activities and shall provide opportunities for the professional development of his subordinates.

- (15) An engineer whose professional advice is not accepted shall take all reasonable steps to ensure that persons overruling or neglecting his advice are aware of the dangers the engineer believes may result from such overruling or neglect.
- (16) No engineer shall in self-laudatory language or in any manner derogatory to the dignity of the engineering profession, advertise or write articles for publication.
- (17) No engineer shall assist, induce or be involved in the breach of this Code of conduct but shall do all necessary endeavours to support those who seek to uphold it and report immediately any unethical engineering decisions or practices by engineers and others to the Board.

## Second Schedule (Regulation 2(2))

### Fees for application and registration

Category of engineers	Classification of Local/foreign	Level fees									
		Application form		Application fee		Registration fee		Rubber stamp		Annual fee	
		T.Shs	USD	T.Shs	USD	T.Shs	USD	T.Shs	USD	T.Shs	USD
Graduate Technician Engineer	Local	-		-		2,000		-		5,000	
	Foreign										
Graduate Engineer	Local	-		-		2,000		-		5,000	
	Foreign										
Technical Engineer	Local	2,000		10,000		10,000		-		15,000	
	Foreign										
Professional Engineer	Local	2,000		10,000		20,000		15,000		20,000	
	Foreign		5		100		400		25		
Consulting Engineer	Local	2,000		20,000		30,000		15,000		30,000	
	Foreign		5		100		500		25		400
Consulting Firm	Local	4,000		60,000		100,000		20,000		200,000	
	Foreign		10		1,000		10,000		35		4,000