



ENGINEERS MAKE IT HAPPEN!!

BOTSWANA INSTITUTION OF ENGINEERS CODE OF ETHICS

Preamble

Engineering is an important and learned profession. As members of this profession, engineers are expected to exhibit the highest standards of honesty and integrity. Engineering has a direct and vital impact on the quality of life for all people. Accordingly, the services provided by engineers require honesty, impartiality, fairness and equity, and must be dedicated to the protection of the public health, safety, and welfare. Engineers must perform under a standard of professional behavior that requires adherence to the highest principles of ethical conduct.

1. Fundamentals

Engineers in the fulfillment of their professional duties shall:

- Hold paramount the safety, health and welfare of the public.
- Perform services only in areas of their competence.
- Issue public statements only in an objective and truthful manner.
- Act for each employer or client as faithful agents or trustees.
- Avoid deceptive acts.
- Conduct themselves honorably, responsibly, ethically and lawfully so as to enhance the honor, reputation, and usefulness of the profession.

2. Rules of Practice

a. Engineers shall hold paramount the safety, health and welfare of the public

- If engineers' judgment is overruled under circumstances that endanger life or property, they shall notify their employer or client and such other authority as may be appropriate.
- Engineers shall approve only those engineering documents that are in conformity with applicable standards.
- Engineers shall not reveal facts, data or information without the prior consent of the client or employer except as authorized by this Code.
- Engineers shall not permit the use of their name or associate in business ventures with any person or firm that they believe are engaged in fraudulent or dishonest enterprise.

- Engineers having knowledge of any alleged violation of this Code shall report thereon to appropriate professional bodies and, when relevant, also to public authorities, and cooperate with the proper authorities in furnishing such information or assistance as may be required.

b. Engineers shall perform services only in areas of their competence

- Engineers shall undertake assignments only when qualified by education or experience in the specific technical fields involved.
- Engineers shall not affix their signatures to any plans or documents dealing with subject matter in which they lack competence, nor to any plan or document not prepared under their direction and control.
- Engineers may accept assignments and assume responsibility for coordination of an entire project and sign and seal the engineering documents for the entire project, provided that each technical segment is signed and sealed only by the qualified engineers who prepared the segment.

c. Engineers shall issue public statements only in an objective and truthful manner.

- Engineers shall be objective and truthful in professional reports, statements, or testimony. They shall include all relevant and pertinent information in such reports, statements, or testimony, which should bear the date indicating when it was current.
- Engineers may express publicly technical opinions that are founded upon knowledge of the facts and competence in the subject matter.
- Engineers shall issue no statements, criticisms, or arguments on technical matters that are inspired or paid for by interested parties, unless they have prefaced their comments by explicitly identifying the interested parties on whose behalf they are speaking, and by revealing the existence of any interest the engineers may have in the matters.

d. Engineers shall act for each employer or client as faithful agents or trustees.

- Engineers shall disclose all known or potential conflicts of interest that could influence or appear to influence their judgment or the quality of their services.
- Engineers 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 and agreed to by all interested parties.
- Engineers shall not solicit or accept financial or other valuable consideration, directly or indirectly, from outside agents in connection with the work for which they are responsible.
- Engineers in public service as members, advisors, or employees of a governmental or quasi-governmental body or department shall not participate in

- decisions with respect to services solicited or provided by them or their organizations in private or public engineering practice.
- Engineers shall not solicit or accept a contract from a governmental body on which a principal or officer of their organization serves as a member.

e. Engineers shall avoid deceptive acts.

- Engineers shall not falsify their qualifications or permit misrepresentation of their associates' qualifications. They shall not misrepresent or exaggerate their responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or past accomplishments.
- Engineers shall not offer, give, solicit or receive, either directly or indirectly, any contribution to influence the award of a contract by public authority, or which may be reasonably constructed by the public as having the effect of intent to influencing the awarding of a contract. They shall not offer any gift or other valuable consideration in order to secure work. They shall not pay a commission, percentage, or brokerage fee in order to secure work, except to a bona fide employee or bona fide established commercial or marketing agencies retained by them.

3. Professional Obligations

a. Engineers shall be guided in all their relations by the highest standards of honesty and integrity

- Engineers shall acknowledge their errors and shall not distort or alter the facts.
- Engineers shall advise their clients or employers when they believe a project will not be successful.
- Engineers shall not accept outside employment to the detriment of their regular work or interest. Before accepting any outside engineering employment they will notify their employers.
- Engineers shall not attempt to attract an engineer from another employer by false or misleading pretenses.
- Engineers shall not promote their own interest at the expense of the dignity and integrity of the profession.

b. Engineers shall at all times strive to serve the public interest

- Engineers shall seek opportunities to participate in civic affairs, career guidance for youths, and work for the advancement of the safety, health and well-being of their community.
- Engineers shall not complete, sign, or seal plans, and/ or specifications that are not in the conformity with applicable engineering standards. If the client or

- employer insists on such unprofessional conduct, they shall notify the proper authorities and withdraw from further service on the project.
- Engineers shall endeavor to extend public knowledge and appreciation of engineering and its achievements.

c. Engineers shall avoid all conduct or practice that deceives the public.

- Engineers shall avoid the use of statements containing a material misrepresentation of fact or omitting a material fact.
- Consistent with foregoing, Engineers may advertise for recruitment of personnel.
- Consistent with foregoing, Engineers may prepare articles for the lay or technical press, but such articles shall not imply credit to the author for work performed by others.

d. Engineers shall not disclose, without consent, confidential information concerning the business affairs or technical processes of any present or former client or employer, or public body on which they serve.

- Engineers shall not, without the consent of all interested parties, promote or arrange for new employment or practice in connection with a specific project for which the Engineer has gained particular and specialized knowledge.
- Engineers shall not, without the consent of all interested parties, participate in or represent an adversary interest in connection with a specific project or proceeding in which the Engineer has gained particular specialized knowledge on behalf of a former client or employer.

e. Engineers shall not be influenced in their professional duties by conflicting interests

- Engineers shall not accept financial or other considerations, including free engineering designs, from material or equipment suppliers for specifying their product.
- Engineers shall 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.

f. Engineers shall not attempt to obtain employment or advancement or professional engagements by untruthfully criticizing other engineers, or by other improper or questionable methods.

- Engineers shall not request, propose or accept a commission on a contingent basis under circumstances in which their judgment may be compromised.
- Engineers in salaried position shall accept part time engineering work only to the extent consistent with policies of the employer and in accordance with ethical considerations.

- Engineers shall not, without consent, use equipment, supplies, laboratory, or office facilities of an employer to carry on outside private practice.

g. Engineers shall not attempt to injure maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other engineers. Engineers who believe others are guilty of unethical or illegal practice shall present **such information to the proper authority for action.**

- Engineers in private practice shall not review the work of another engineer for the same client, except with the knowledge of such engineer, or unless the connection of such engineer when the work has been terminated.
- Engineers in governmental, industrial, or educational employ are entitled to review and evaluate the work of other engineers when so required by their employment duties.
- Engineers in sales or industrial employ are entitled to make engineering comparisons of represented products with products of other suppliers.

h. Engineers shall accept personal responsibility for their professional activities, provided, however, those Engineers may seek indemnification for services arising out of their practice for other than gross negligence, where the Engineer's interests cannot otherwise be protected.

- Engineers shall conform to the Engineers Registration Act laws in the practice of engineering.
- Engineers shall not use association with a non engineer, a cooperation, or partnership as a “cloak” for unethical acts.

i. Engineers shall give credit for engineering work to those whom credit is due, and will recognize the proprietary interests of others.

- Engineers shall, whenever possible, name the person or persons who may be individually responsible for the designs, inventions, writings or other accomplishments.
- Engineers using designs supplied by a client recognize that the designs remain the property of the client and may not be duplicated by the Engineer for others without express permission.
- Engineers, before undertaking work for others in connection with which the Engineer may make improvements, plans, designs, inventions or other records that may justify copyrights or patent, should enter into a positive agreement regarding ownership.
- Engineers' designs, data, records and notes referring exclusively to an employer's work are the employer's property. Employer should indemnify the Engineer for use of the information for any purpose other than the original purpose.

4 Inquiries into Misconduct Cases

a. If an allegation is made to Council or Council otherwise has reason to suspect that:

- a member has been convicted of an offence and sentenced to imprisonment without the option of a fine ; or
- a member has been guilty of unworthy or unprofessional or dishonorable conduct;

Council shall conduct or cause such investigations as it deems appropriate to be carried out into the matter.

- After conducting an investigation, Council shall give the Member an opportunity to appear before it to state his/her case and meet any allegations against him/her before resolving whether there is substance in the allegation against the member concerned.
- If Council resolves that there is substance in an allegation against a member, it may at its discretion, take disciplinary action against the member in accordance with Section 26 of the Constitution of the Botswana Institution of Engineers.