

The Laws of Zambia

REPUBLIC OF ZAMBIA

THE ENGINEERING INSTITUTION OF ZAMBIA ACT

CHAPTER 432 OF THE LAWS OF ZAMBIA

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THE ENGINEERING INSTITUTION OF ZAMBIA ACT

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CHAPTER 432

ENGINEERING INSTITUTION OF ZAMBIA

Act No.
27 of 1992
13 of 1994

An Act to provide for the continued existence of the Engineering Institution of Zambia; to provide for the functions of the Engineering Institution of Zambia; to constitute the Council of the Institution; to provide for the qualification for membership and registration of the Engineers; to provide for the Disciplinary Committee; to repeal the Engineering Institution of Zambia Act; and to provide for matters connected with or incidental to the foregoing.

[27th July, 1992]

PART I

PRELIMINARY

1. This Act may be cited as the Engineering Institution of Zambia Act. Short title

2. In this Act, unless the context otherwise requires- Interpretation
 - "allied discipline" means a discipline prescribed as such by the Council;

 - "approved" means approved by the Council;

 - "Board" means the Engineers' Registration Board constituted under section *twenty-seven*;

 - "company members" means membership accorded to a body corporate or a division thereof under section *fourteen*;

 - "Council" means the Council of the Institution;

 - "financial year" means the period of twelve months ending on 31st March in any year;

 - "Disciplinary Committee" means the Disciplinary Committee of the Institution appointed under section *thirty-seven*;

 - "engineer" means any person recognised and registered as such under this Act and includes a technical consultant and technical adviser, and engineering shall be construed accordingly;

 - "special resolution" means a resolution passed by not less than a two-thirds majority of the total membership of the Council duly convened with the due notice of the intention to propose such a resolution;

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"Institution" means the Engineering Institution of Zambia established by section *three*;

"Honorary Secretary" means Honorary Secretary of the Engineering Institution of Zambia;

"practising certificate" means a certificate issued under section *thirty-one* authorising a person to practise as an engineer.

PART II

ENGINEERING INSTITUTION OF ZAMBIA

3. There is hereby established the Engineering Institution of Zambia which shall be a body corporate having perpetual succession and a common seal and shall, under that name be capable of suing and being sued in its own name and subject to the provisions of this Act, of performing such acts, as a body corporate may by law perform.

Establishment of
Engineering Institution
of Zambia

4. The functions of the Institution are-

Function of Institution

- (a) to promote the general advancement of the science and advancement of engineering and allied disciplines;
- (b) to maintain and improve the standards of conduct and learning of engineering and allied professions in Zambia;
- (c) to facilitate the acquisition of knowledge by members of the Institution by the establishment of technical libraries, and the provision of monetary grants, books, apparatus and any other facilities necessary to achieve this end;
- (d) to hold meetings of the Institution for the reading and discussion of papers for professional interest, to make awards to authors of papers of special merit and to arrange for other activities of interest or benefit to members;
- (e) to raise the character and status of the profession of engineering and allied disciplines, to promote honourable and good practice and increase the confidence of the community in those persons practising in the engineering profession and allied discipline;
- (f) to acquire, hold, take on lease, develop, lease, hire or dispose of properties of all kinds, whether movable or immovable, and to derive capital or income therefrom, for all or any of the foregoing objects;
- (g) to raise or borrow money for all or any of the foregoing objects in such a manner and upon such security as may from time to time be determined by the Council;
- (h) to invest and deal with moneys of the Institution not immediately required in such manner as may from time to time be determined by the Council;

Provided that this paragraph shall not be construed so as to permit the distribution of any profit of the Institution; and
- (i) to do all such other things as are incidental or conducive to the attainment of any of the foregoing objects.

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5. No member of the Institution shall be personally liable for any action taken by him in good faith in his capacity as a member of the Institution and duly authorised by the Council.

Limitation of personal liability

6. The common seal of the Institution shall be kept in such custody and used in such manner as may be prescribed.

Custody and use of seal

PART III

MEMBERSHIP

7. (1) There shall be six classes of membership of the Institution namely, Honorary Fellow, Fellow, Member, Associate, Student and Company Member.

Classes of membership

(2) Membership of the Institution shall be by election by the Council in such manner as may be prescribed.

(3) Every election made under section (2) shall specify the class of membership of the Institution to which the applicant has been elected and the classes shall be determined in accordance with sections *nine, ten, eleven, twelve, thirteen* and *fourteen*.

(4) A person making any application under sections *ten, eleven, twelve, thirteen* or *fourteen* shall produce such evidence of the facts on which he relies as the Council may require.

8. Notwithstanding section *seven*, any person who immediately prior to the commencement of this Act was an Honorary Fellow, Fellow, Member, Associate, Student or Corporate Member of the Institution shall be deemed as from the commencement of this Act to be an Honorary Fellow, Fellow, Member, Associate, Student or Company Member of the Institution respectively under this Act.

Member of Institution before commencement of the Act to be member of the Institution and corresponding class

9. (1) Any person whom the Institution desires to honour for-

Honorary Fellow

(a) distinguished work in engineering or allied discipline;

(b) exceptional and important services relating to engineering or allied discipline;

(c) exceptional and important services rendered to the Institution; or

(d) association to the Institution which is beneficial to it;
may be elected an Honorary Fellow of the Institution.

(2) Notification of the intention to propose a person as an Honorary Fellow shall be made at a meeting of a Council.

(3) The proposal of such Honorary Fellow shall be made at a subsequent meeting of a Council of which notice should have been given to all members together with an intimation of the proposal.

(4) The election of an Honorary Fellow shall be by the unanimous vote of the members of the Council present at the subsequent meeting held under subsection (3).

10. A person may on application to the Council be admitted as a Fellow if he- Fellow

- (a) is a Member of the Institution or has fulfilled the conditions for such membership; or
- (b) has attended an appropriate university, college or school and holds a degree or other qualification acceptable to the Council for this class of membership;
- (c) at, or not more than one year before the time of making his application of admission as a Fellow, he is or has been-
 - (i) engaged for not less than five years in a position of superior responsibility in the administration, design, execution or operation of such important work as in the opinion of the Council is comprised within the practice of professional engineering or an allied discipline;
 - (ii) in practice as a consultant on his own account for not less than five years and has acquired eminence in his profession;
 - (iii) lecturing or teaching at such university, institute or school in such responsible position and for such length of time of not less than five years; or
 - (iv) engaged in research of an approved nature for not less than five years.

11. A person may, on application to the Council be admitted as a Member if he- Member

- (a) (i) has attended an approved university, college or school and holds a degree or other qualifications acceptable to the Council for this class of membership; or

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- (ii) has been educated in the profession for such period and passed such examinations as may from time to time be determined by the Council; and
 - (iii) has proved his educational attainment by the submission to the Council of a thesis, report or technical essay of a standard acceptable to the Council coupled with an oral discussion on the subject matter with members of the Council to their satisfaction; and
- (b) at, or not more than one year before, the time of making the application for admission as a Member, he is or has been-
- (i) engaged in the administration, design, execution or operation of professional work; or
 - (ii) employed as a lecturer or teacher; or
 - (iii) engaged in research of an approved nature; and
- (c) he either-
- (i) has undergone training acceptable to the Council for a period of at least two years under an approved professional person; or
 - (ii) satisfies the Council that he has other suitable professional training; and
- (d) he has been after such training, gained relevant experience of at least two years, one of which was in a responsible position considered by the Council to be professional work.

12. (1) A person may, on application to the Council, be admitted as an Associate if Associate
he-

- (a) (i) has attended an approved university, technical college or school or holds a degree, diploma or other qualifications acceptable to the Council for this class of membership; or
 - (ii) has been educated in the profession for such period and has passed such examinations as may from time to time be determined by the Council; and
- (b) at, or not more than one year before, the time of making an application for admission as an Associate he is or has been-
- (i) engaged in work of an administrative or technical nature within the profession; or

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- (ii) employed as a lecturer or teacher in an approved institution; or
 - (iii) engaged in research of an approved nature; and
- (c) has undergone training acceptable to the Council for a period of at least two years; and
- (d) has had, an aggregate period of two years further experience of such work as, in the opinion of the Council, is appropriate to his particular discipline.

(2) Notwithstanding subsection (1) a university graduate with a degree approved by the Council for the purposes of sub-paragraph (i) of paragraph (a) of section *eleven*, may apply to be admitted as an Associate if he is at least twenty-one years old and has had at least two years of such practical experience as is acceptable to the Council.

13. A person may on application to the Council be admitted as a Student, if he is a *bona fide* student at an approved university, institute or school and he is studying engineering or an allied discipline, or undergoing a period of training in industry connected with engineering or allied discipline after graduation. Student

14. A statutory corporation, a company, an association or other body, division, department or section which is directly engaged in engineering activity or is professionally interested in engineering or an allied discipline in Zambia, and which has two or more members of staff who are Members or Fellows, may on application to the Council be admitted as a Company Member. Company membership

15. A Fellow, Member or Associate shall have a vote on any matter arising within the Institution. Right to vote

16. A member shall be entitled to describe and designate himself as follows: Designation of members

- (a) "Honorary Fellow" as "Honorary Fellow of the Engineering Institution of Zambia" or by the abbreviation and initials "Hon.FEIZ";
- (b) "Fellow" as "Fellow of the Engineering Institution of Zambia" or by the initials "FEIZ";
- (c) "Member" as "Member of the Engineering Institution of Zambia" or by the initials "MEIZ";
- (d) "Associate" as "Associate of the Engineering Institution of Zambia" or by the initials "AEIZ";
- (e) "Student" as "Student of Engineering Institution of Zambia".

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17. A person using the title or description Honorary Fellow, Fellow, Member, Associate or Student of the Engineering Institution of Zambia or the authorised letters designating these titles, when not so entitled shall be liable on conviction to a fine not exceeding four thousand penalty units or to imprisonment for a period not exceeding twelve months or to both.

Penalty for improper use of title or description

(As amended by Act No. 13 of 1994)

18. (1) A member of the Institution may be expelled or suspended from the Institution by a special resolution of the Council on the recommendation of the Disciplinary Committee.

Expulsion of members

(2) No person who has been expelled from membership of the Institution shall be re-admitted without the authority of a special resolution.

19. In all professional relations, members of the Institution shall be governed by the code of conduct for engineers which shall be prescribed by the Council with the approval of the Minister.

Professional practice

PART IV

SECTIONS AND BRANCHES

20. (1) There shall be as many sections of the Institution as the Council may approve, and each section shall be composed of members whose major interests lie in the particular disciplines with which the sections are concerned.

Sections of Institution

(2) Subject to the general directions of the Council, a section may regulate its own procedure.

(3) The management and control of each section shall be vested in a committee elected annually by that section and the Chairman of the Committee shall be a Fellow or Member.

(4) A committee of a section shall be responsible for all matters affecting the section including the receipt and expenditure of moneys relating to its activities other than membership subscriptions.

(5) A section of the Institution may be dissolved with the prior approval of the Council.

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21. (1) There shall be as many branches of the Institution as the Council may approve according to the number of members in particular geographical areas. Branches of Institution

(2) Subject to the general directions of a Council a branch may regulate its own procedure.

(3) The management and control of each branch shall be vested in a committee elected annually by that branch and Chairman of a Committee shall be a Fellow or Member.

(4) A Committee of a branch shall be responsible for all matters affecting the branch including the receipt and expenditure of moneys relating to its activities other than membership subscriptions.

(5) A branch may be dissolved with the prior approval of the Council.

PART V

COUNCIL

22. (1) There shall be a Council of the Institution which shall be responsible for the management and control of the affairs of the Institution. Constitution of Council

(2) The Council shall consist of-

- (a) a President who shall be a Fellow and who previously served as a member of the Council;
- (b) a Vice-President who shall be a Fellow;
- (c) the immediate past President;
- (d) an Honorary Secretary and an Honorary Treasurer who shall be Fellows or Members;
- (e) one Fellow, one Member, one Associate, one student member and four other members; and

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- (i) the Chairman of each branch committee and each section committee; and one committee member nominated by each branch and each section of the Institution.

(3) Members of the Council shall be elected annually at the annual general meeting of the Institution.

23. Except as otherwise provided in this Act or in any regulations made thereunder, the functions of the Councils shall be- Functions of Council

- (a) to maintain a register of the names of all persons who are members of the institution and the class of membership applicable to such persons; and
(b) to perform all the functions of the Institution.

24. (1) The Council may for the purpose of performing its functions under this Act establish committees or other bodies consisting of members of the Institution and may, except as otherwise provided in this Act or in any regulations made thereunder, delegate to any such committee or body any of its functions as it considers necessary. Committees of Council

(2) Subject to any specific or general direction of the Council a committee or body established under this section may regulate its own procedure.

25. Subject to the other provisions of this Act the Council may regulate its own procedure. Proceedings of Council

26. No action or other proceedings shall lie or be instituted against any member of the Council, any Committee or other body of the Council for, or in respect of, any Act or thing done or omitted to be done in good faith in the exercise or purported exercise of his duties under this Act. Immunity of members of Council

PART VI

ENGINEERS' REGISTRATION BOARD

27. (1) There shall be an Engineers' Registration Board of the Institution.

Engineers'
Registration Board

(2) The Board shall consist of-

- (a) the Dean of the School of Engineering of the University of Zambia or his representative; and

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- (b) nine registered engineers, at least one of whom shall be a registered engineering consultant, elected at an annual general meeting:

Provided that for the first members of the Board, the term "registered engineer" shall refer to "Fellow or Member".

- (3) The Board shall at its first meeting each year elect a Chairman and Vice-Chairman from amongst its members who shall be eligible for election at the expiration of one year:

Provided that no member shall hold office as Chairman for more than two years.

- (4) The members of the Board other than the Chairman or the Vice-Chairman shall hold office for three years and shall, on the expiration of that period, be eligible for re-appointment:

Provided that a member shall not serve on the Board for more than six consecutive years.

28. (1) Subject to the other provision of this section the Board may regulate its own procedure.

Proceedings of
Engineers'
Registration Board

- (2) The Board shall for the transaction of its business meet at least once every year at such places and at such times as the Board may determine.

- (3) At every meeting of the Board five members shall constitute a quorum.

- (4) There shall preside at every meeting of the Board the Chairman or in his absence the Vice-Chairman or in their absence such member as the members present may elect for the purpose of that meeting.

- (5) A decision of the Board shall be by a majority of the members present and voting at a meeting and, in the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.

29. (1) Subject to section *thirty-three* the Board shall under the general supervision of the Council prepare and maintain a register of engineers categorised on an individual or company basis.

Registration of
practising engineers

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(2) The register referred to in subsection (1) shall contain information relating to the registered members as may be prescribed.

(3) A person shall be eligible to be registered as a practising engineer if-

- (a) he is a Fellow or Member of the Institution;
- (b) he is resident or has an established office or appointment in Zambia as an engineer; and
- (c) he pays a prescribed application fee.

(4) Any person applying for registration as an engineer shall submit documents as required by the Board to support his registration.

(5) A registered engineer shall be entitled to use the title "Registered Engineer" the abbreviation "Eng" before his name or "R.Eng" after his name.

30. No person shall qualify to register as an engineer if-

Disqualifications for registration

- (a) he has been convicted of an offence involving dishonesty;
- (b) he has been adjudged or otherwise declared to be of unsound mind under any law in force in Zambia;
- (c) he is an undischarged bankrupt;
- (d) in the case of a company it is not a Company Member of the Institution.

31. (1) Every engineer or Company Member registered under section *twenty-nine* shall on the payment of a prescribed fee be issued by the Board with a practising certificate which shall state the category of registration and fields of engineering in which the holder may practice.

Practising certificate

(2) Every practising certificate issued under subsection (1) shall take effect on the day it is issued and shall continue in force until the 31st December next following:

Provided that every practising certificate issued between the 1st January and the 1st February shall have effect for all purposes from the 1st January in that year.

32. (1) Subject to subsection (2) of section *thirty-one* no person shall without a practising certificate-

Offences relating to practising certificate

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- (a) establish a practise as an engineer or be a partner in any such practice;
- (b) accept any appointment which includes the words "engineer" or "engineering" in its title or functions;
- (c) teach, practice or offer his services as or hold himself out to be a qualified engineer, engineering consultant or adviser;
- (d) adopt, use or exhibit the titles "engineer", "registered engineer", "project engineer", "consulting engineer" or any other terms of like description; or
- (e) do anything likely to lead persons to infer that he is a registered engineer.

(2) Any person who acts in contravention of subsection (1) shall be liable upon conviction to a fine not exceeding four thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

(3) Where an offence under subsection (2) is committed by a body corporate, every director and manager of the body corporate shall be deemed to have committed the offence unless the manager or director proves that the offence was committed without his knowledge or consent.

(4) Where a firm does any act which if done by an individual would be an offence under subsection (2) every partner in that firm shall be deemed to have committed the offence unless he proves that the offence was committed without his knowledge or consent.

(5) A practising certificate shall be renewed annually upon the payment of fees prescribed in the Schedule and shall be displayed at the place of practice.

(6) Has had its effect.

(As amended by Act No. 13 of 1994)

33. Except for heads of department at an Institution approved by the Council, lecturers in engineering subjects, trainee engineers or pupil engineers undergoing training programmes approved by the Council who satisfy the academic qualification for Member and who are under the supervision of a registered engineer shall not be required to comply with the provisions of this Part:

Exemption

Provided that the exemption under this section shall be in writing and shall contain such conditions as shall be deemed necessary by the Council and provided further that such exemption shall only apply to holders of appointments which include "engineer" or "engineering" in their titles or functions.

34. (1) The practising certificate issued under section *thirty-one* may be cancelled by the Board if- Cancellation of practising certificate

- (a) it is proved to the satisfaction of the Board that the registration was obtained through fraud, misrepresentation or concealment of any material fact; or
- (b) a person ceases to be a member of the Institution.

(2) The Board shall before cancellation of a practising certificate under subsection (1) give a registered engineer thirty days' notice of the intention to cancel and require the registered engineer opportunity to show cause why his practising certificate should not be cancelled.

(3) The cancellation of a practising certificate under subsection (1) shall be published in the *Gazette*.

35. A person aggrieved by a decision made by or on behalf of the Board may appeal to the Disciplinary Committee within ninety days of such decision. Appeals to Disciplinary Committee

36. Any person who-

- (a) makes or causes to be made an unauthorised entry, alteration or erasure in a register, practising certificate, or in any copy thereof; or
- (b) procures or attempts to procure himself or any other person a practising certificate of any matter by means of fraud, misrepresentation or concealment of any material facts;

Offences relating to registration

shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding four thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

(As amended by Act No. 13 of 1994)

PART VII

DISCIPLINARY COMMITTEE

37. (1) There shall be a Disciplinary Committee of the Institution elected at an annual general meeting of the Institution. Disciplinary Committee

(2) The Disciplinary Committee shall consist of the following members:

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- (a) a Chairman;
- (b) a Vice-Chairman;
- (c) legal practitioner; and
- (d) not less than three and not more than five other members.

(3) The members referred to in paragraphs (a), (b) and (d) shall be registered engineers.

(4) Members of Disciplinary Committee shall hold office for two years and may be re-elected upon the expiration of the term of office.

(5) There shall preside at every meeting of the Disciplinary Committee the Chairman, or in his absence the Vice-Chairman or in the absence of the Chairman and the Vice-Chairman such member as the members present may elect for the purpose of that meeting.

38. The functions of the Disciplinary Committee shall be to hear and determine-

- (a) any complaint or allegation against a member of the Institution;
- (b) any complaint or allegation against a registered engineer; and
- (c) any complaint or allegation against the Board.

Functions of
Disciplinary
Committee

39. (1) Except as approved in this section the Disciplinary Committee may regulate its own procedure.

Proceedings of
Disciplinary
Committee

(2) Four members of the Disciplinary Committee shall form a quorum.

(3) A decision of the Disciplinary Committee shall be by a majority of votes of members present and voting; and in the event of an equality of votes the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.

(4) All proceedings of the Disciplinary Committee shall be held *in camera*.

(5) The Disciplinary Committee shall cause to be kept a record of all its proceedings.

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(6) A party to the proceedings before the Disciplinary Committee shall as of right be present throughout the hearing:

Provided that any party to a hearing before a Committee may be represented by a lawyer, or with the leave of the Committee of any person authorised by him in that behalf.

(7) The party to the proceeding or his advocates if any shall be invited to cross-examine any person giving evidence before the Committee.

(8) The Disciplinary Committee shall, at the close of hearing each case make a ruling which shall be communicated to the parties and to the Council.

40. (1) The Disciplinary Committee may, for purposes of any inquiry hear and receive any evidence and may administer oaths.

Powers of Disciplinary
Committee

(2) Any person summoned to appear before the Disciplinary Committee who, without sufficient cause-

- (a) refuses or fails to attend at the time and place specified in the summon, or having attended leaves without the permission of a Committee; or
- (b) having attended refuses to be sworn or to affirm; or
- (c) refuses without lawful excuse to the best of his knowledge to answer any question lawfully put to him; or
- (d) refuses to produce any book, record, document or thing which he has been required by summons to produce other than that which he could not be compelled to produce in the trial of action;

shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding four hundred penalty units or to imprisonment not exceeding three months, or to both:

Provided that no such person shall be compelled to answer any question or produce any book, record, document or thing which he could not be compelled to answer or produce on the trial of an action in the High Court.

(As amended by Act No. 13 of 1994)

41. A registered engineer shall be guilty of professional misconduct if, in the course of his practice as an engineer, he-

Professional misconduct

- (a) allows a person, other than a registered engineer or trainee engineer in his employment to practice in the name of a registered engineer;
- (b) unlawfully discloses or uses to his advantage any information which was acquired in the course of his professional engagement with his client;
- (c) certifies or submits in his name or in the names of his firm a report, document, drawings, statements and related records which have not been made by him, his partner or an engineer employed by his firm;
- (d) permits his name or the name of his firm to be used in connection with technical specifications, designs or financial calculations contingent upon future transactions in the manner which may lead reasonable people to infer that he vouches for the accuracy of such information;
- (e) charges for professional work, fees other than the scales approved by the Council;
- (f) in a report in which his client has interest, fails to disclose or knowingly conceals from such client mis-statements or facts known to himself and the disclosure of which is necessary in order that the report does not mislead; or gives an opinion in a professional capacity without obtaining sufficient information thereof.

42. (1) Where the Disciplinary Committee, after due inquiry finds an engineer guilty of professional misconduct as a member of the Institution, it may impose one or more of the following penalties-

Penalties to be imposed by Disciplinary Committee

- (a) order the cancellation of his practising certificate or modify the fields of speciality in which he may practise;
- (b) recommended to the Council, the expulsion or suspension of any member;
- (c) censure him;
- (d) impose a fine not exceeding eight hundred penalty units to be paid to the Institution;
- (e) order him to pay to the Institution or to any other party to the hearing any costs of, or, incidental to the proceedings;
- (f) impose any reasonable conditions for the postponement or suspension for a period not exceeding two years of any of the foregoing punishments.

(2) In any hearing before the Disciplinary Committee, any decision which is shown to have been made by any court in Zambia shall be conclusive evidence of the facts so found.

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(3) The Disciplinary Committee shall as soon as practicable after the completion of each hearing submit to the Institution a report of the proceedings together with a copy of the record kept in accordance with subsection (5) of section *thirty-nine*.

(As amended by Act No. 13 of 1994)

43. (1) An engineer who is aggrieved by any decision of the Disciplinary Committee may within thirty days of the notification to him of a decision, appeal to the Council. Appeals to Council

(2) The cancellation of any membership for registration ordered by the Disciplinary Committee under paragraph (a) of subsection (1) shall not take effect until after the expiration of the time allowed for lodging an appeal against such order.

(3) The Council may, on appeal against the findings and orders of the Disciplinary Committee-

(a) confirm, vary or set aside any findings made, penalty imposed or direction given by the Committee; or

(b) refer the matter back to the Committee for further consideration.

PART VIII

MISCELLANEOUS

44. A practising engineer shall for his professional services rendered, charge fees as the Council may, with the approval of the Minister, by statutory instrument prescribe. Professional Fees

45. (1) No person shall without the consent in writing given by or on behalf of the Council, publish or disclose to any person otherwise than in the course of his duties the contents of any document, communication or information whatsoever which relates to, and which has come to his knowledge in the course of his duties under this Act. Prohibition of publication or disclosure of information to an unauthorised person

(2) Any person who knowingly contravenes the provisions of subsection (1) shall be guilty of an offence and shall be liable upon conviction, to a fine not exceeding eight hundred penalty units or imprisonment for a term not exceeding three months or to both.

(3) If any person having information which to his knowledge has been published or disclosed in contravention of subsection (1) unlawfully publishes or communicates any such information to any other person, he shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding eight hundred penalty units or to imprisonment for a term not exceeding three months or to both.

(As amended by Act No. 13 of 1994)

46. Any person who contravenes any of the provisions of this Act shall be guilty of an offence and where no specific penalty is provided shall be liable upon conviction to a fine not exceeding six hundred penalty units or to a term of imprisonment not exceeding three months or to both.

Offences and penalties

(As amended by Act No. 13 of 1994)

47. (1) Subject to the approval of the Minister, the Council may by statutory instrument make regulations for the Institution prescribing all or any of the following:

Regulations of Council

- (a) the manner of application for membership to the Institution and transfer of any member from one class to another;
- (b) entrance fees and annual subscriptions;
- (c) the manner of election, removal and replacement of the President, Vice-President, the officers and other members of the Council, its committees and of representatives of the Institution or any other body;
- (d) the regulation of powers exercisable by the Council, its committees and bodies of the Institution;
- (e) provision for voting by proxy, post and otherwise;
- (f) the manner of keeping accounts of the Institution and the rendering of reports and accounts;
- (g) resignation of members of the Institution;
- (h) the form and manner of summons requiring the attendance of a witness before the production of any book, record, document or thing;
- (i) the procedure to be followed and rules of conduct to be observed in proceedings before the Disciplinary Committee;
- (j) the manner of application for registration as an engineer and fees payable for such registration;

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- (k) the grounds for expulsion or suspension of members from the Institution and procedure relating thereto;
- (l) the preservation of copyrights of papers, reports of proceedings and discussions of the Institution;
- (m) the code of conduct to which all members of the Institution shall subscribe;
- (n) the fixing of fees for professional services and any other fees which are required to be subscribed; and
- (o) any other matters as may be deemed by the Council to be necessary for the proper conduct and regulation of the affairs of the Institution.

48. (1) Subject to subsection (2) the Engineering Institution of Zambia Act, 1972, is hereby repealed.

Repeal of Act No.
12 of 1972

(2) Notwithstanding the repeal of the Engineering Institution of Zambia Act, 1972-

- (a) any regulation made under that Act;
- (b) any contract entered into or all assets acquired and liabilities incurred by the Institution;

immediately before the commencement of this Act shall continue to have effect or be valid as the case may be and shall be deemed to have been made, entered into, acquired or incurred as the case under this Act.

SUBSIDIARY LEGISLATION

THE ENGINEERING INSTITUTION OF ZAMBIA ACT

THE ENGINEERING INSTITUTION OF ZAMBIA REGULATIONS

ARRANGEMENT OF REGULATIONS

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Copyright Ministry of Legal Affairs, Government of the Republic of Zambia

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SECTION 47-ENGINEERING INSTITUTION OF ZAMBIA REGULATIONS

*Statutory Instrument
125 of 1993*

Regulations by the Minister

PART I

PRELIMINARY

1. These Regulations may be cited as the Engineering Institution of Zambia Regulations. Title

2. In these Regulations, unless the context otherwise requires- Interpretation

"Annual General Meeting" means the Annual General Meeting of the Institution;

"branch" means a branch formed by a prescribed number of sections in a prescribed geographical region;

"certificate" means practising certificate issued by the Registration Board;

"committee" means a committee of the Council;

"financial year" means the financial year of the Institution beginning from the 1st April of each year and ending on the 31st March of the following year;

"member" means a member of the Institution and "membership" shall be construed accordingly;

"membership certificate" means the certificate issued after admission to the membership of the institution;

"Secretary" means the Honorary Secretary of the Institution;

"section" means a section formed under Regulation 11;

"Registrar" means the Registrar of the Registration Board.

PART II

MEMBERSHIP

3. (1) Application for admission to any class of membership shall be made to the Secretary for- Application for membership

(a) any individual in the form set out in Part I of the First Schedule; and

(b) any company in the form set out in Part II of the First Schedule.

(2) Upon receipt of an application made under sub-regulation (1), the Secretary shall, as soon as practicable, submit it to the appropriate committee, together with his recommendations thereon, and the Committee shall, as soon as practicable approve or reject the application.

(3) Any decision of the Committee approving or rejecting an application for membership shall be communicated forthwith to the Council who shall confirm or vary such decision in its discretion,

(4) A decision of the Council shall be communicated to the applicant by the Secretary.

4. (1) A member of any class of the Institution may resign his membership upon giving notice in writing through the Secretary to the Council of his intention to resign. Resignation from membership

(2) The resignation of a member shall not take effect until the members has paid all arrears of subscription due up to and including the date of his resignation, and no refund of subscription already paid shall be made to a member who has resigned his membership.

(3) A members who has resigned shall forward his certificate of membership to the Secretary who, upon receipt of the certificate, shall remove the name of such member from the register of members.

(4) A fully paid-up member who resigns his membership shall be recorded as having resigned in good standing.

(5) A member who resigns without paying all arrears of subscription due up to and including the date of his resignation shall have his name struck off the register.

5. (1) Where the Council approves an application for membership, such membership shall commence when the applicant pays to the Institution within sixty days of being notified of such approval-

Payment of membership fees, etc.

(a) the registration fee; and

(b) the membership fee;

as set from time to time by the Institution for the class of membership to which he has been admitted.

(2) Where a successful applicant fails to pay the registration fee and the membership fee within the period prescribed in sub-regulation (1), his application for membership and the Council's approval thereof shall automatically lapse.

6. (1) On or about the 1st April of each year, each member shall pay to the Institution an annual subscription applicable to the class of membership to which he belongs, as set from time to time by the Institution.

Annual subscription

(2) Any person who is admitted to any class of membership, or any member who is transferred from class of membership to another, after the 30th September in any financial year shall pay to the Institution half of the annual subscription for that class of membership for that financial year.

7. Any member over the age of 55 years who satisfies the Institution that he has ceased to be engaged in gainful employment may elect to pay each year only one-half of the subscription for that year, or in the alternative, pay an aggregate sum equivalent to five annual subscriptions in lieu of all future annual subscriptions.

Annual subscription of retired members

8. Any member who fails to pay his annual subscription for twelve months shall cease to be a member in good standing, and his membership shall lapse automatically:

Default in payment of annual subscription

Provided that the Council may, in its absolute discretion, reinstate upon payment by such member of all arrears of subscription.

9. (1) Every member shall be a subject to the Code of Ethics set out in the Second Schedule. Effect of Registration

(2) Every members, other than a public servant, shall be entitled, in the absence of special authorisation from the Council to the contrary, to receive remuneration for his professional services in accordance with the Council's scale of fees for professional advice, services rendered or other work done, as set out in the Third Schedule.

(3) Before engaging in any professional advice, services or other work, every member shall draw the attention of the client to the Council's scale of fees mentioned in sub-regulation (2).

10. (1) There shall be issued to each member a certificate stating his full name, his class of membership and the date upon which he was admitted to that class of membership. Membership certificate

(2) Every certificate issued under sub-regulation (1) shall bear the crest of the Institution, and shall be signed by the President or Vice-President and the Secretary.

11. (1) The Council may authorise the formation of a section upon receipt of an application from a proposed section which consists of at least twenty persons from the class of Member or Fellow who are also members of a particular discipline of the profession. Formation of sections

(2) For the purpose of sub-regulation (1) the Secretary shall keep and maintain for each section a register of members which shall be open for inspection by the public.

PART III

COUNCIL PROCEDURES

12. (1) The provisions of this regulation shall apply to election of Councillors under paragraph (3) of section *twenty-two* of the Act. Council of elections

(2) For the purpose of nominating candidates for election as Councillors, there shall be constituted every year a nominations Committee made up of the following:

- (a) the immediate past President or the most recent past President available;
- (b) three members nominated by resolution of the Council; and

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(c) one member nominated by each section and branch.

(3) Candidates shall be resident in Zambia at the time of the election.

(4) Nominations shall be made by completing a nomination form approved by the Council on which candidates shall sign indicating their willingness to serve on the Council.

(5) Not less than ten weeks before the Annual General Meeting, the nominations Committee shall call for nominations by a notice to the Branches and Sections, indicating the number of positions to be contested in each category of the council composition.

(6) Not less than six weeks before the Annual General Meeting, the nominations Committee, shall deliver to the Secretary all valid nominations forms.

(7) Not less than two weeks before the Annual General Meeting, the Council shall circulate to all members, the list of valid nominations together with brief details of each candidate.

(8) Voting shall be by secret ballot.

(9) Each member present shall have one vote in each section.

(10) Where in the election of any of the office bearers two or more candidates shall receive the highest number of votes, a second ballot shall be held to decide the winner amongst such candidates.

(11) Where in the election of ordinary members two or more candidates shall tie for the last position in a class, a second ballot shall be held to decide the winner amongst such candidates.

(12) At the Annual General Meeting, the President shall announce the names of those candidates who have been elected councillors, either as a result of the elections or because no elections were necessary.

13. (1) No member shall be eligible for election as President or Vice-President unless:

Eligibility for election as President, etc.

(a) he is a Fellow and has previously served as a member on the Council; and

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- (b) has been nominated by three persons who are either Members or Fellows, one of whom shall be the proposer and the other two seconders.

(2) For election as Honorary Secretary or Honorary Treasurer, candidates shall be-

- (a) members or Fellows;
- (b) nominated by three persons at least one of whom shall be a Fellow, being one proposer and two seconders.

(3) For election as ordinary member in the case of Member or Fellow, candidates shall be nominated by three persons who are either Members or Fellow, being one proposer and two seconders.

(4) For election as ordinary member in the class of Associate, candidates shall be nominated by three Associates, one of whom shall be the proposer and the other two, the seconders.

(5) For election as ordinary member in the class of student, candidates shall be nominated by three students one of whom shall be the proposer and the other two, the seconders.

14. (1) No person shall hold office of President for more than two consecutive years. Tenure of office of President, etc.

(2) No person shall hold office as Branch Chairman for more than two consecutive years.

15. (1) Whenever the office of President is vacant or the President is unable to perform the functions of his office, the Vice-President shall perform such functions. Vacancies on the Council

(2) If the office of Vice-President is vacant, the Council shall elect one of its members to fill the vacancy.

(3) If the office of Honorary Secretary or Honorary Treasurer falls vacant, the Council shall nominate a Member, Fellow or a member of the Council of the class of Member or Fellow to fill the vacancy.

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(4) Any other vacancy in the Council shall be filled by a nominee of the Council selected from the class in which the vacancy has occurred.

(5) The period during which a person holds the offices of President or Branch Chairman in an acting position shall not form part of the two year period stipulated in Regulation 14.

16. The Council may, on such terms and conditions as it deems fit, appoint any member to represent the Institution on any other professional body.

Representation of the Council in other professional bodies

17. The Council may coopt any member to the membership of the Council but such coopted member shall not be entitled to vote on any matter under consideration by the Council.

Co-opted members

18. (1) For the transaction of its business, the Council shall meet at such places and at such times, being not less than once every three months as it may determine.

Meetings of the Council

(2) Upon giving seven days notice a meeting of the Council may be convened by the Secretary at the request of the President, or of any three Councillors:

Provide; that if the urgency of any particular matter does not permit the giving of such notice, an extraordinary meeting may be called, upon giving a shorter notice.

(3) There shall preside at every meeting of the Council the President or in the absence of the President, the VicePresident, or in the absence of both the President and the VicePresident, such Fellow as the members present may elect for the purpose of that meeting.

(4) At any meeting of the Council, five councillors of whom one shall be the President or the Vice-President or a Branch Chairman or Section Chairman, shall constitute a quorum.

(5) A decision of the Council on any question shall be by a majority of the members present and voting at a meeting of the Council and in the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his deliberate vote.

(-) Notwithstanding the provisions of sub-regulation (5), a decision may be made by the Council on any urgent matter by the circulation of relevant papers among the members and by the expression in writing of the views of the majority thereof:

Provided that any member shall be entitled to require that any decision shall be deferred until the matter is considered at a meeting of the Council.

PART IV

REGISTRATION BOARD PROCEDURES

19. (1) The following shall constitute the nominating colleges from which candidates for the Board shall be elected- Board elections

- (a) NC 1: Consulting Engineers
- (b) NC 2: Aeronautical, Aircraft, Automobile, Mechanical Production
- (c) NC 3: Civil, Environmental, Land surveying, Roads, structural water and sanitation.
- (d) NC 4: Computer, Electric Power, Electronics, Telecommunications
- (e) NC 5: Geology, Mining
- (f) NC 6: Metallurgy, Chemical and Process
- (g) NC 7: Open

(2) One person who shall be qualified in one or more of the areas defined in the college in which he is nominated shall be elected from each of the colleges NC 1 to NC 6.

(3) Three persons shall be nominated from the college NC 7; two of whom shall be Fellows of the Institution.

(4) Nominations shall be made by completing a nomination form approved by the Council.

(5) Candidates shall be nominated by three registered Engineers, one of whom shall be the proposer, and the other two, the seconders, all from the same Nominating college.

The Laws of Zambia

(6) Candidates shall sign the nominating form indicating their willingness to serve on the Board.

(7) Candidates shall be resident in Zambia at the time of the election.

(8) Not less than ten weeks before an Annual General Meeting of the Institution, the nominations committee shall call for nominations by a notice to the Branch and Section Committees.

(9) Not less than six weeks before the Annual General Meeting all valid nomination forms shall be received by the Honorary Secretary of the Council.

(10) Not less than two weeks before the Annual General Meeting, the Council shall circulate to all Registered Engineers the list of valid nominations together with the details of each candidate.

(11) Voting shall be by secret ballot.

(12) Each member present shall have one vote in each of the Nominating College.

(13) Where in the election of a member from any of the nominating colleges NC 1 to NC 6, two or more of the candidates receive the highest number of votes, a second ballot shall be held to decide the winner amongst such candidates.

(14) Where in the election of members from nominating college NC 7, two or more of the candidates shall receive the same number of the votes for the third position, a second ballot shall be held to decide the winner amongst such candidates.

(15) The procedure above shall be followed for the election of the first Board of the Council.

(16) The nominees and their supporters shall be Members or Fellows of the Institution.

20. If a vacancy falls during the term of a Board, the Council shall select a member to fill the vacancy from the particular Nominating College.

Casual vacancies on the Board

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21. (1) The Board shall determine the frequency of its meetings, provided that it shall meet at least once a year. Meetings of the Board

(2) A member who, without reasonable cause, fails to attend two consecutive meetings of the Board shall cease to be a member and shall be so notified, in writing, by the President of the Institution.

22. There shall be a registrar who shall be the head of the secretariat of the Board. Registrar

23. (1) Application for registration as a practising engineer shall be made in the form prescribed by the Board in the First Schedule Part III and shall be lodged with the Registrar. Application for registration as practising engineer

(2) Upon receipt of the application made under Regulation, (1) the Registrar shall, as soon as practicable, submit it for consideration by the Board, together with his recommendation.

(3) A decision of the Board on an application for registration shall be notified to the applicant by the Registrar as soon as practicable after such a decision has been made.

24. (1) Where the Board approves an application for registration, the applicant shall pay to the Board, within thirty days of being notified of such approval, the registration fees, as determined by the Council from time to time. Registration fees

(2) Where a successful applicant fails to pay the registration fees within the period prescribed in sub-regulation (1), his application shall automatically lapse.

25. An applicant who successfully fulfills the requirements of regulations 23 and 24 shall be issued with a practising certificate by the Board as provided in the First Schedule Part IV which shall specify the field of competence. Practising certificate

26. (1) The Board shall issue certificates in the following fields of competence: Fields of competence

(a) Civil Engineering

(b) Electrical Electronic Engineering

(c) Geology/Hydrogeology

- (d) Land Surveying
- (e) Mechanical Engineering
- (f) Metallurgy
- (g) Mining

(2) The Board may prescribe other fields which, in its view, are not adequately covered by the list in sub-regulation (1).

PART V

DISCIPLINARY COMMITTEE PROCEDURES

27. (1) The nominations committee of the Council shall nominate members for election to the Disciplinary Committee.

Elections for
Disciplinary
Committee Members

(2) Any member so nominated who is willing to stand for election shall, by writing under his hand, delivered forthwith to the nominations Committee, accept such nomination.

(3) Not less than ten weeks before the Annual General Meeting of the Institution in any year, the nominations committee shall prepare a list of the nominees who have accepted nominations and deliver such list to the Honorary Secretary of the Institution.

(4) No less than six weeks before the Annual General Meeting in any year, the Honorary Secretary shall cause to be delivered to each voting member of the Institution in good standing, a copy of such list of nominees with brief details of each nominee.

(5) Any two voting members of the Institution in good standing may, by writing under their hands nominate a member in good standing for election to serve on the disciplinary committee, and shall deliver such nomination, together with the written acceptance of the nominee, to the Honorary Secretary, not less than three weeks before the Annual General Meeting in any year.

(6) Not less than two weeks before the Annual General Meeting, the Honorary Secretary shall circulate to all branches and sections the final list of nominations.

(7) If at any election the number of nominees shall exceed the number of vacancies on the Disciplinary Committee, the Annual General Meeting shall vote in such manner as prescribed by the Honorary Secretary provided that such voting shall be by secret ballot.

(8) Where, during the election of the Disciplinary Committee any two or more candidates receive the same number of votes, the President shall exercise his discretion to either have a casting vote or call upon the voting members present at the meeting forthwith by ballot to indicate their preference amongst such candidates.

28. The Chairman and Vice-Chairman shall be Fellows of the Institution and shall not hold office on the Council and shall not be members of a Branch or Section Committee.

Eligibility for Chairman and Vice-Chairman

29. (1) If the Office of the Chairman falls vacant during a term, the Council may elect any Member or Fellow to serve on the Committee, provided that a person elected to serve as Vice-Chairman shall be a serving member of the Committee.

General vacancies

(2) If any other position on the Committee falls vacant during a term, the Council may select any Member or Fellow to serve on the Committee, provided that a person selected to serve as Vice-Chairman shall be a serving member of the Committee

30. (1) All complaints against members of the Institution shall be lodged either directly with the Institution or through branches or sections of the Institution.

Complaints procedure

(2) The power to adjudicate upon such complaints shall vest exclusively in the Disciplinary Committee.

(3) A member of the public desirous of making a complaint against a member of the Institution shall be requested to put his complaint in writing, and in such sufficient detail as will enable appropriate inquiries to be conducted into the complaint by the Disciplinary Committee.

(4) After due consideration of a complaint, the Disciplinary Committee may decide.

(5) Where, after due consideration of the complaint, the Disciplinary Committee requires the member against whom the complaint is made to submit an exculpatory statement in writing, failure to submit such statement within the period specified by the Disciplinary Committee shall be deemed to constitute confirmation of the allegations contained in the complaint.

(6) It shall be the duty of the disciplinary committee to establish all the relevant facts of the case, and to seek from any person any additional information necessary to establish the facts.

(7) The parties to the case shall be given equal opportunity to state their case.

31. A meeting of the Disciplinary Committee shall be called by the Chairman at regular intervals to consider and adjudicate upon complaints.

Meetings of the
Disciplinary
Committee

PART VI

SEAL AND MEETINGS OF INSTITUTION

32. (1) The seal of the Institution shall be kept by the Secretary.

Seal of Institution

(2) The affixing of the seal of the Institution shall be authenticated by the President or the Vice-President and the Secretary or two other members authorised in that behalf by resolution of the Council.

(3) All documents requiring to be signed on behalf of the Institution shall, after the Council has signified its approval thereto, be signed by any two persons from such persons as may be authorised in that behalf by the Council.

33. (1) An Annual General Meeting shall be held within six months of the end of each financial year.

Annual General
Meeting

(2) Notice of the date of each Annual General Meeting shall be given by the Secretary at least seven weeks before the date of such meeting.

(3) Notice of an Annual General Meeting or an Extraordinary General Meeting or any other meeting of the Institution may be given by such method as the Council thinks adequate, including by the use of the mass media.

34. The Secretary shall deliver with the written notice of the date of each Annual General Meeting an agreed agenda for such meeting.

Agenda for the Annual
General Meeting

35. (1) Upon giving to the Council not less than fourteen days' notice a Special General Meeting of the Institution may be requested by twenty Members, of whom at least five shall be Fellows, and seven shall be Members and the agenda for such meeting shall be communicated to the Council at the time of such request.

Special General
Meeting

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(2) Upon receipt of such request, the Council shall direct the Secretary to convene a Special General Meeting within sixty days of the request, and to give notice of such meeting, together with the agreed agenda for the meeting.

(3) At a Special General Meeting, only such matters as are specified on the agreed agenda shall be voted upon.

36. The Secretary shall cause to be kept minutes of all proceedings and resolutions of the Institution, the Council and any committee or subcommittee of the Council, which shall be circulated to members within twentyone days after the meeting to which they relate.

Minutes of Institution,
etc.

PART VII

FINANCIAL

37. All income and other moneys received by and belonging to the Institution shall be applied towards the promotion and furtherance of the aims and objectives of the Institution.

Funds of institution

38. (1) The Council shall keep proper books of account and other records relating to its accounts, and shall prepare proper statements of accounts and have them audited prior to the Annual General Meeting of each year.

Accounts and Audit

(2) The accounts of the Institution shall be audited by an auditor authorised in that behalf by the Council.

PART VIII

REVOCATION OF STATUTORY INSTRUMENTS

39. The regulations under statutory instruments No. 43 of 1985 and 71 of 1987 are hereby revoked.

Revocation of S.I. No.
43 of 1985 and S.I.
No. 71 of 1987

FIRST SCHEDULE

(Regulation 3)

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PART I

Form EIZ I

(EIZ CREST)

INDIVIDUAL MEMBERSHIP APPLICATION FORM FOR ELECTION/TRANSFER

<p>The Engineering Institution of Zambia, P/O. Box 34730, Lusaka</p>	<p>For official use only</p> <p>Name</p> <p>Date received</p> <p>Class applied</p> <p>Class approved</p> <p>Date elected</p> <p>Registration No.</p>
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Section A: Particulars of Applicant:

- (1) Full Name
- (2) Address
- (3) Date of Birth
- (4) Present class of membership and date elected
- (5) Name of employer or educational institution
- (6) Address of (5)
- (7) Office or course of study
- (8) Date of commencement of study
- (9) Proposed end of study
- (10) Name of secondary school
from to
Address
- (11) Technical Education
from to
- (12) Degrees, diplomas or other qualifications:

Title of Award	Field of Specialisation	Institution	Date of Award
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.....
.....
.....
.....
.....

(13) Training and experience
.....
from to

(14) Statutory employer or training institution (for students/associates only)
.....

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PART II

Form EIZ 2

(EIZ CREST)

CORPORATE MEMBERSHIP APPLICATION FORM

(Regulation 3)

The Engineering Institution of Zambia, P/O. Box 34730, Lusaka	For official use only
	Name
	Date received
	Class applied
Class approved	

- (1) We (name of company)
.....
of (address of company)
.....
hereby apply for enrolment in the Engineering Institution of Zambia as a corporate member.
- (2) Industrial activities of the company connected with engineering
- (3) (a) List the engineering disciplines appropriate to the activities of the company
.....
.....
.....
- (b) List not less than two senior members of staff in the category of Member or Fellow responsible for
controlling the activities listed above
- (4) We remit herewith K in total
payment for our dues for the year April to March
- (5) We appoint as corporate Representative:
Name
Title
- (6) We hereby declare that we will abide by the fundamental principles and canons enunciated in the Code of
Ethics.
- (7) This form is completed by
.....
Designation
Date

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PART III

ENGINEERING INSTITUTION OF ZAMBIA
ENGINEERING REGISTRATION BOARD

For Official Use
Accepted/Rejected
Date
Field
Registration No.

Application Form for Registration as an Engineer
(ENG, R. Eng)
(Regulation 23)

PART A-PARTICULARS OF APPLICANT

1. Full name:
2. Passport/NRC No., place and date of issue
3. Nationality
4. Permanent Residential Address:
 in Zambia
 in country of origin
5. Present Postal Address
6. Employer of Business Name
 Address
 Office Location
 Business Activity
7. EIZ Membership Class MEIZ/FEIZ
 Membership No.
8. Field of competence applied for (see note 2)
9. Have you ever been involved in a disciplinary case?
 (YES/NO) If yes please explain

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PART B-ACADEMIC AND PROFESSIONAL QUALIFICATIONS

1. ACADEMIC QUALIFICATIONS

Field of Specialisation	Institution and Address	Date of Award
.....
.....
.....
.....
.....
.....
.....

2. PROFESSIONAL QUALIFICATIONS AND MEMBERSHIP

Institution and Address	Award or Class and Address	Date of Award
.....
.....
.....
.....
.....
.....
.....

PART C-WORK EXPERIENCE

Please give the relevant dates and the designations of all posts you have held, the names of your employers, the places of employment and a brief description of your personal duties and responsibilities in chronological order.

The Committee needs to know the kind of work in which you have been and are involved especially your personal contribution and the manner in which you have applied your engineering education, training and experience.

From mt/yr	To mt/yr
.....
.....
.....
.....
.....
.....
.....

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PART D-DECLARATION

I,..... hereby certify and declare that the particulars given on this form are true to the best of my knowledge and belief and I further declare that I shall abide by the rules and regulations of the Engineering Institution of Zambia (EIZ) and the Engineering Registration Board and code of ethics.

Signature of Applicant

Date

NOTES:

1. Copies of Certificates should be attached.
2. Fields of Competence.

<i>Field</i>	<i>Code</i>
Civil Engineering	CE
Electrical/Electronic Engineering	EE
Geology/Hydrogeology	GG
Land Surveying	LS
Mechanical Engineering	ME
Metallurgy	MT
Mining	MG
Any other as adopted by the Board.	

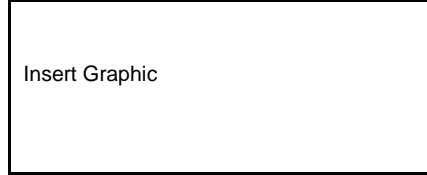
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PART IV

THE ENGINEER'S REGISTRATION



Board of Zambia



Certificate to Practice as an Engineer in Zambia

(Regulations 25, 26)

Surname First Name(s)

Maiden Name

EIZ Membership Number

Registration Number

Area(s) of Competence

.....

Given on the day of in the year

Date of Expiry

.....

.....

*Chairman
Engineer's Registration Board*

*Member, Engineer's
Registration Board*

Date

Date

The Laws of Zambia
SEAL OF
THE
INSTITUTION

SECOND SCHEDULE

(Registration 9(1))

CODE OF ETHICS

PART I

RESPONSIBILITY OF MEMBER

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 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 reasonable steps to bring such complaint to the notice of the member against whom the complaint is 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 members of the Institution, and all investigations carried out into such complaints by the Institution shall be treated as confidential, and shall not be open for public inspection except for the member concerned and the 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 knowledge and skill for the enhancement of human welfare;
 - (b) being honest and impartial, and serving with fidelity the public, his employers and clients;
 - (c) striving to increase the competence and prestige of the engineering profession; and
 - (d) supporting the professional and technical societies of his discipline.

The Laws of Zambia

PART III

FUNDAMENTAL CANONS

8. Every member shall-
- (a) hold paramount the safety, health and welfare of the public in the performance of his professional duties;
 - (b) perform services only in the areas of his 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 conflicts of interest;
 - (e) build his professional reputation on the merits of his services and shall not compete unfairly with other engineers;
 - (f) associate professionally only with reputable persons or organisations;
 - (g) continue his professional developments throughout his career and shall provide opportunities for the professional development of those engineers placed under his supervision.

PART V

GUIDELINES OF FUNDAMENTAL ETHICS AND CANONS

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9. A members shall-

- (a) recognise that the lives, safety, health and welfare of the general public are dependent upon engineering judgements, decisions and practices incorporated into structure, machines, products, processes and devices;
- (b) not approve the seal plans and/or specifications that are not of a design safe to public health and welfare, or in conformity with accepted engineering standards;
- (c) not affix his signature and/or seal to any engineering plan or document dealing with any subject matter in which he lacks competence by virtue of his education or experience, or to any such plan or document not prepared under his 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 the design, products or systems for which he is responsible;
- (e) conduct reviews of the safety and reliability of the design, products or systems for which he is responsible before giving his approval to the plans for the design;
- (f) inform the Institution of any conditions which he 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 the community in which he 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 qualifications and experience, or in the specific technical field in which he is involved.
- (b) may accept an assignment requiring education or experience outside his field of competence, but only to the extent that his services are restricted to those phases of the project in which he is qualified and all other phases of such projects shall be performed by qualified associates, consultants employees;
- (c) whose professional judgement is over-ruled 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 shall-

- (a) endeavour to extend public knowledge, and to prevent misunderstanding of the achievements of engineering;
- (b) be completely objective and truthful in all professional reports, statements or testimony, and shall include all relevant and pertinent information in such reports, statements, or testimony;
- (c) 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;
- (d) 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 party on whose behalf such statements, criticisms or arguments are issued, or by revealing the existence of any pecuniary interest he may have in the matters;
- (e) conduct himself in a dignified and modest manner in explaining his work and merit and avoid any act tending to promote his own interests 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 conflicts of interest;
- (b) avoid all known conflicts of interest with his employers or clients and shall promptly

THIRD SCHEDULE

(Regulation 9 (2))

SCALE OF FEES FOR PROFESSIONAL SERVICE: FOR DESIGN AND SUPERVISION
CONSIDERATION OF WORKS

A. PAYMENT FOR NORMAL SERVICES

For definition of "Normal Services" refer to appropriate Clauses in the Approved Conditions of Engagement as approved from time to time by the Minister.

Cost of Works K	Fees for design only %	Fees for Supervision only %	Fees for design and Supervision %
On the first 3,000,000.00	9.00	4.00	11.00
On the next 3,000,000.00	7.50	3.75	9.00
On the next 4,000,000.00	6.50	3.50	8.00
On the next 6,000,000.00	5.50	3.00	7.00
On the remainder	5.00	2.75	6.50

NOTES:

1. When functions are combined, the percentage fee payable is shown in the fourth column.
2. Reimbursable-travel and accommodation, plan printing, telephone, telexes, etc., may be charged extra at cost.
3. Additional fees of three and a half per cent of the cost of reinforced concrete portion of the works shall be payable for the preparations of reinforced concrete fixing details and bar bending schedules on the reinforced concrete portion of the works including reinforcement, prestressing tendons and anchorages, formwork, inserts and all labours, together with relevant proportion of "Preliminary and General Items".
4. Design charge shall be payable even when client abandon project except where consultant is replaced in which case expenses shall be agreed or settled with the help of outside parties.
5. All sums due in accordance with these Regulations shall be paid within fourteen days of the submission of accounts thereof, and any sums remaining unpaid at the expiry of such period of fourteen days shall bear interest, thereafter such interest shall accrue from day to day at the rate of 2 per cent per annum above the current bank overdraft rate.
6. The above Scale of Fees is to be reviewed annually.

B. PAYMENT FOR SPECIAL SERVICES

Additional service, special equipment site supervision, alterations or modification to design when works are damaged or destroyed, termination or suspension by client or termination by consulting engineer shall be in accordance with the conditions of engagement as approved from time to time by the Minister after consultation with the institution.