

INSTITUTION OF ENGINEERS RWANDA



CODE OF PROFESSIONAL ETHICS FOR IER

Forward

Dear IER members,

Engineering is a profession requiring a high standard of scientific education together with specialized training, formation and experience. Therefore adhering to an appropriate Code of Ethics is an essential characteristic of the professional practitioner.

Arising from the rights and obligations of the engineering profession, it's essential that members have a clearly defined Code of Ethics to ensure that they behave at all times with integrity, remain aware of their responsibilities to themselves, to their clients, employers, employees , colleagues and to society. The Code of Ethics is also to ensure that members will always strive to maintain the highest levels of competence in their respective technical disciplines and also seek to enhance and promote the standing of the profession and its practitioners.

The Governing Council has worked out a Code of Ethics which aims at regulating the engineering activities and Conduct of engineers and engineering consulting firms. This Code of Ethics and Conduct is applicable to all categories of membership .All registered engineers and consulting firms are required to conduct their affairs in a manner that upholds this adopted code of ethics in order to dignify engineering profession

I wish you all the best in your endeavors,

Eng. Dismas A. Nkubana
Chairman/President of the Institution
SE

Code of Ethics and Code of Conduct for IER:

1.0 PREAMBLE

Engineering is a creative process of applying practical knowledge and experience of charity to improve the welfare, wellbeing and safety of all members of the community, with due respect to the environment and the sustainability of the resources employed. The discipline of engineering is extremely broad, and involves a series of more specialized fields of engineering, each with a more specific emphasis on particular areas of technology and types of application. The members of the Institution of Engineers Rwanda are bound by a common commitment to promote engineering and to facilitate its practice for the common good based upon the following framework for responsible professional practice.

The Institution of Engineers Rwanda is a statutory organ established by law No 26/2012 of 29/06/2012 and has been given the mandate to regulate engineering practice in Rwanda through registration of engineers and consulting firms and monitoring of their engineering activities and conduct. Under the law, it's illegal to practice engineering if one is not registered with the Institution. The Institution has also been given legal powers and has the obligation to withdraw the right to practice from registered engineers if found guilty of professional misconduct or professional incompetence.

To this end, the Institution has worked out a Code of Ethics which aims at regulating the engineering activities and conduct of engineers and engineering consulting firms. The Code thus forms the basis and framework for responsible professional practice as it prescribes standards of conduct to be observed by engineers and engineering consulting firms.

The principles described in this Code of ethics are binding for all engineers in IER including Governing Council members who are expected to be exemplary, by

encouraging ethical behavior and creating a transparent and open working environment.

2.0 THE CODE OF ETHICS

This Code has been drawn up with principles of natural justice in mind. Such Principles shall be followed by all registered Engineers and Engineering Consulting firms in implementing and interpreting this Code. The code of ethics is based on six principles: Competency; Integrity; Dignity; Public Interest, Environment and Administrative.

2.1 General conduct

Every member is expected in his general conduct to uphold and enhance the honour and dignity of the Engineering Profession and the reputation of Institute of Engineers of Rwanda and to act always in the public interest.

2.2 Competency

Every Member of IER:

- a. Must discharge his/her duties to his/her employers, clients, associates and the public effectively with competence skill, efficiency, professionalism, knowledge, due care and diligence;
- b. Must not undertake or offer to undertake work of a nature for which his/her education, training and experience have not rendered him/her competent to perform;
- c. Must, when carrying out work, engage in and adhere to acceptable practices and applicable standards

2.3 Integrity

Every Member of IER: -

- a. Must discharge his/her duties to the employers, clients, associates and the public
With integrity, fidelity and honesty;

- b. Must not undertake work under conditions or terms that would compromise his/her ability to carry out the responsibilities in accordance with acceptable professional standards;
- c. Must not engage in any act of dishonesty, corruption or bribery;
- d. Must disclose to the employers and clients, or prospective employers or clients,

In writing: -

- i. Any interest, whether financial or otherwise, which he/she may have in any business undertaking, or with any person, and which is related to the work for which he/she may be or have been employed; and
- ii. Particulars of any royalty or other benefit which accrues or may accrue To him/her as a result of the work; with the client or employer concerned;
- iii. The status pertaining to professional indemnity insurance cover;
- e. May not, either directly or indirectly, receive any gratuity, or commission or other financial benefit on any article or process used in or for the purpose of the work in respect of which he/she is employed, unless such gratuity, commission or other financial benefit has been authorized in writing by the employer or client concerned;
- f. Must avoid any perceived, real or potential conflict of interest;
- g. May not knowingly misrepresent, or permit misrepresentation of his/her own academic or professional qualifications or competency or those of any other person involved with work, nor knowingly exaggerate his/her own degree of responsibility for any work or that of any person;
- h. Must make engineering decisions, recommendations or opinions that are honest, objective and are based on facts that are used in reaching recommendations or opinions given to clients or employers;
- i. May neither personally nor through any other person, improperly seek to obtain work, or by way of commission or otherwise, make or offer to make payment to a client or prospective client for obtaining such work;
- j. May not, unless required by law or by other Rules, disclose any information of a confidential nature which he/she obtained in the exercise of his/her duties;

- k. Must notify the President of the Institution immediately if he/she becomes aware of a violation of this Code of ethics by any other Registered Person;
- l. Engineering Consulting Firms must notify Governing Council immediately they are declared insolvent by the Court of law.

2.3 Dignity of the Profession

Every Member of IER: -

- a. Must order his/her conduct so as to uphold the dignity, standing and reputation of
The profession and Institution in general;
- b. May not, whether practicing his/her profession or otherwise, knowingly injure the professional reputation or business of any other Registered Member;
- c. Must provide work or services of quality and scope, and to a level, which is commensurate with accepted standards and practices in the profession;
- d. May not knowingly attempt to take over the work of a colleague for the same client, unless satisfied, as far as reasonably possible, that the connection of that colleague with the work has been formally terminated and the colleague has been notified.
- e. May not review for a particular client, work of another registered member, except:
 - i. With the prior knowledge of the other registered member, who must be afforded a
Reasonable opportunity to submit comments to the client on the findings of the
Review; or
 - ii. After receipt of a notification in writing from the client that the engagement of the other Registered Person has been terminated; or
 - iii. Where the review is intended for purposes of a court of law or other legal proceedings.

2.4 Public Interest

Every Member of IER: -

- a. Must at all times in his/her relations with the public, apply his/her skills and experience to the common good and the advancement of human welfare with proper regard for the safety, health and welfare of the public. A member shall not engage in any activity which he/she knows or has reasonable grounds for believing is likely to result in a serious detriment to any person or persons.
- b. Must use professional skills and experience when providing professional advice to a client or employer, and if such advice is not accepted, inform such client or employer of any consequences which may be detrimental to the public health, safety or interests.
- c. Must at all times, take all reasonable care to ensure that his/her work and the products of that work constitute no avoidable danger of death or injury or ill-health to any person.

2.5 Environment

Every Member of IER must at all times:

- a. Be conscious of the effects of his/her work on the health and safety of individuals and on the welfare of society. While acting as designers, operators or managers on projects, members shall strive to eliminate risks to health and safety during all project stages. Members shall also undertake to minimize or eliminate any adverse impact on the natural environment arising from the design and execution of all project work that he/she is engaged in.
- b. Promote the principles and practices of sustainable development and the needs of present and future generations.
- c. Strive to accomplish the objective of his/her work with the most efficient consumption of natural resources which is practicable economically, including the maximum reduction in energy usage, waste and pollution.
- d. Promote the importance of social and environmental factors to professional colleagues, employers and clients with whom he/she shares responsibility and collaborate with other professions to mitigate the adverse impact of their common endeavors.
- e. Foster environmental awareness within the profession and among the public.

2.6 Administrative

Every Member of IER: -

- a. May not without satisfactory reasons destroy or dispose of, or knowingly allow Any other person to destroy or dispose of, any information within a period of 10 years after completion of the work concerned;
- b. May not place contracts or orders, or be the medium of payments, on their employer's or client's behalf without the written authority of the employers or clients;
- c. May not issue any information in respect of work prepared by him/her or by any other person under his/her span of control, unless;
 - i. Such information bears the name of the organization concerned; and
 - ii. Information so issued is dated and signed by the registered member concerned or another appropriately, qualified and authorized person.
- d. Must order his/her conduct in connection with work outside the borders of the Republic of Rwanda in accordance with these rules in as far as they are not inconsistent with the law of the Country concerned, provided that where there are recognized standards of professional conduct in a country outside Rwanda, they must adhere to those standards in as far as they are not inconsistent with these rules.
- e. Must always ensure adequate supervision of, and take responsibility for, work carried Out by his/her subordinates;
- f. Must ensure that, while engaged as partners, directors, members or employees of a business undertaking which performs work, the control over the work is exercised, and the responsibility in respect thereof is carried out by a registered member other than a person not registered,
- g. Must, when requested by the Governing Council to do so, in writing, provide the information available to them which may enable the Council to determine which registered member was responsible for any act which they may consider prima facie to improper conduct;
- h. Must notify the Governing Council without delay of any change of his or her physical address;

3.0 DISCIPLINARY ACTIONS AND PROCEDURES

3.1 General

Any alleged breach of this code of conduct properly assured and supported by sufficient evidence shall be dealt with by Disciplinary Committee of the Institution. If the allegations shall be justified, the Disciplinary committee shall make appropriate recommendations to the Governing Council for consideration and appropriate action. All serious allegations of misconduct, proved beyond reasonable doubt, shall warrant one of the measures stipulated in Internal Rules and Regulations.

3.2 Disciplinary Procedures and appeal

- i) Before the Disciplinary Committee is convened to handle any complaint on alleged misconduct, the practicing Member shall be informed in writing of the allegation or complaint by the President of the Institution.
- ii) The practicing member shall be given a full and fair opportunity to be heard. He/she shall be given 15 working days to respond in writing to the allegations personally or assisted by a lawyer or lawyers.
- iii) All proceedings conducted and the decisions reached shall be in accordance with natural justice.
- iv) Upon being found guilty the Disciplinary Committee shall decide on the appropriate action to be taken against the offender and communicate to the President of the Institution. All decisions shall be by a majority of at least 2/3 of the members of the Committee present and voting on the consideration of the case.
- v) The president of the Institution shall have no power to reverse the decision taken by the Disciplinary Committee unless otherwise agreed upon by all members of the Governing Council in the presence of Disciplinary committee.
- vi) Some decisions shall need the approval Of General Assembly of the Institution as provided for by Internal Rules and Regulations.
- vii) The accused shall have the right to appeal to the Competent Court of Law on the decision taken within 15 working days from the date of official notification.
- viii) During the Court proceedings on appeal, the accused shall be exercising the profession of Engineering as usual until the final decision of the Court.

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