

IDENTIFICATION OF ENGINEERING WORK STEERING COMMITTEE

Codes of Practice issued in terms of the Engineering Profession Act

Background

Section 27 of the Engineering Profession Act, 2000, empowers the Council to draw up codes of practice in addition to codes of conduct and requires all registered persons to comply with such codes. Failure to do so constitutes improper conduct and will be dealt with the Council as such.

The engineering work identified for the professional categories of registration in the proposed draft regulations is generic in nature. It does not identify engineering disciplines and sub-disciplines. Reliance is placed on codes of conduct and codes of practice to determine work within the identified work, such professionals may undertake that is commensurate with their education, training, experience and contextual knowledge.

What is a Code of Practice?

The Standards Act of 1993 (Act No 29 of 1993) defines a Code of Practice as “a description of:

- (a) the terminology to be used;
- (b) the method to be applied or the procedure to be followed;
- (c) the material to be used;
- (d) any requirements to be met,

in connection with the execution in an orderly, systematic, practical, efficient, safe or effective manner of an act performed with a view to achieving a stated purpose or obtaining a stated result”.

A search of the international literature suggests that a code of practice may also be described as:

- a tailor-made document which deals with the common problems of a profession or engineering discipline;
- a set of written rules that state operating requirements for specified activities;
- rules established by regulatory bodies, which are intended as a guide to acceptable behaviour;
- a document which details those professional standards and ethical values that the regulatory body expects all registered persons to adhere to as a mark of their professionalism and as a condition of their registration; and
- a document that provides advice and support on how to continually meet the standards expected of a registered person

In short Codes of Conduct regulate behaviour. Codes of Practice regulate engineering practice.

Approaches by the other professional bodies to regulating the profession

The Codes of Conduct issued by the South African Council for the Architectural Profession and the South African Council for the Quantity Surveying Profession deal with requirements for consulting practices that offer independent advice such as the minimum number of registered professionals who are responsible for the running of the business, minimum levels of professional indemnity insurance and minimum levels of professional supervision for an office.

Institutions such as the Institution of Structural Engineers have a Code of Conduct which establishes at the highest level possible rules of conduct. These Rules of Conduct are accompanied by guidance notes which give examples of conduct by members that may be regarded as breaching the Code of Conduct and provide comprehensive guidance on topics such as the establishment with a client the terms of reference for structural engineering services, checking and appraisal of designs, advertising and informative publicity, structural inspections and surveying of buildings, reporting on properties in multiple occupancies, working for insurers and loss adjusters, and the handling of client funds.