

**BRIEF INTRODUCTION TO CODE OF ETHICS
FOR YOUNG ENGINEERS**

Serial No: 0021

INTRODUCTION

The Board of Engineers Malaysia (BEM) has, from time to time, received enquiries and complaints from the public about the conduct of engineers in relation to the Registration of Engineers Act. BEM has, therefore, produced the guidelines herein that outline the conduct expected of engineers. These guidelines are set out under a number of broad areas relating to the engineering profession.

Do's & Don'ts

1) Registration

Under the Registration of Engineers Act 1967 (Act 138) and subsequent amendments, the most recent being year 2002, it is a requirement of the Law that any person providing engineering services be a qualified person and registered with the Board of Engineers Malaysia. This requirement extends to foreigners who are required to seek registration as Temporary Engineers. The Do's and Don'ts below relate to the requirement of this Act.

DO's	
1.1	An engineering graduate with accredited engineering degree must register with the Board of Engineers to take up employment as an engineer

DON'Ts	
1.1	An engineer should not be the Submitting Person for designs beyond his/her area of competency
1.2	An engineer should not endorse his PE Stamp and sign on reports or plans not prepared by him.(see also Consultancy - 2.3 of Don't)
1.3	An engineer should not enter into partnership with any party not permitted under the Engineers Act.
1.4	An Engineering Consultancy Practice should not provide professional services in any branch of engineering where none of its directors are registered to practise in that branch of engineering.
1.5	An engineer must not practise in the branch of engineering he is not registered in.

2) Consultancy

In the Registration of Engineers Act 1967 (Revised 2002), provision is included for the registration of Accredited Checkers and the requirement of Continuing Professional Development (CPD) beginning year 2005.

DO's	
2.1	An engineer should be transparent and receptive to peer review or checking of his work if requested/required by the client/authorities.
2.2	A checker engineer must be open to the views and design concept of the original designer and in areas of disagreement, the checker must give justification for his disagreement.
2.3	A checker engineer should take full responsibility for the checking of the work himself.
2.4	An engineer should undertake continuing professional development to enhance his knowledge and capability.
2.5	An employer engineer should ensure that his employee engineers are <i>bona fide</i> engineers registered with BEM.
2.6	An engineer should report unethical practice to BEM.
2.7	An engineer who is a Submitting Person must ensure the accuracy of and be responsible for all works delegated to others by him.
2.8	An engineer should make optimum use of manpower, materials and money.
2.9	An engineer should be aware of Government requirement to use local materials, wherever possible.

DON'Ts	
2.1	A checker engineer should not accept checking of work not within his area of competency as well as work that he is not familiar with.
2.2	An engineering consultant should not carry out projects for fees below the minimum outlined in the scale of fees.
2.3	An engineer should not endorse any work not performed and/or supervised by him.
2.4	An engineer should not supplant another engineer.
2.5	An engineer should not compromise on public safety.
2.6	An engineer should not offer his opinion on engineering matters unless he has full facts to support the opinion.
2.7	An engineer should not base his design on unsubstantiated data, for example designing foundation without soil investigation.
2.8	An engineer should not have any conflict of interest whatsoever in connection with the work he is undertaking unless prior approval from BEM and client are obtained.
2.9	An engineer should not accept work outside his regular work without the expressed permission of his employer.

3) Supervision

The supervision of works designed by the Submitting Engineer is a requirement under the Uniform Building By-Law 5 (UBBL 5). This By-Law states that supervision must be provided by the Submitting Engineer to ensure that the works carried out are as intended in the design. Delegation of supervision is permitted but the responsibility of this supervision still rests with the Submitting Engineer.

DO's	
3.1	An engineer who is the Submitting Person should be responsible for the project regardless of whether it is self-supervised and/or delegated supervision.
3.2	An engineer must be meticulously proper and correct in certification of works.
3.3	An engineer must be familiar with and knowledgeable in the work he is to supervise.
3.4	An employer engineer shall ensure that his staff undergoes regular and proper skills-training.
3.5	An engineer supervising a project shall keep proper records of all documents and correspondence pertaining to the project.
3.6	An engineer must be conversant with time and cost implications in the issuance of any instruction.

DON'Ts	
3.1	An engineer must not over or under certify progress of works.
3.2	An engineer must not make wrongful certifications.
3.3	An engineer must not certify work not within his expertise.
3.4	An engineer must not accept site supervisory staff who are not qualified or are incompetent.
3.5	An engineer must not delay approvals without justification.
3.6	An engineer must not intentionally delay inspection of works.

4) Regulatory Requirements

All engineers registered with the Board of Engineers Malaysia must be familiar with the requirements of the Registration of Engineers Act 1967 (Act 138) and its subsequent amendments. Ignorance of the requirements of this Act is no defense in the Courts of Law in Malaysia.

DO's	
4.1	An engineer should notify the relevant authorities (within reasonable/statutory time limit) on changes in designs or withdrawal of services.
4.2	An engineer should submit completed forms in time for inspection and approval for Certificate of Fitness / Certificate of Completion and Compliance.
4.3	An engineer should be aware of environmental, health and safety matters during and after construction.
4.4	An engineer should ensure that environmental, health and safety measures are implemented as per drawings and specifications.

DON'Ts	
4.1	An engineer should not allow works to proceed before plans are submitted to and/or approved by the relevant authorities.
4.2	An engineer should not undertake a project for which the client is not going to fulfill statutory requirements.

5) Code of Ethics

All engineers are expected to uphold the integrity of the profession by behaving in a manner expected of him in the Code of Conduct of Engineers.

DO's	
5.1	An engineer must be conversant with the Code of Conduct of Engineers.
5.2	An engineer must understand the need for responsibility and liability as stipulated in the Code of Conduct.
5.3	An engineer must respond promptly to complaints and enquiries by clients /authorities.

DON'Ts	
5.1	An engineer should not solicit/ tout.
5.2	An engineer should not knowingly mislead the public by giving misrepresented information so as to gain commercial advantage/mileage.
5.3	An engineer should not respond to an open advertisement to bid for provision of professional service if such provision for the service requires bidding fees or equivalent as is usually imposed on contractors.
5.4	An engineer should avoid favoritism among vendors and other suppliers.

These guidelines are by no means exhaustive and will be updated from time to time to reflect the changing needs of the profession. All engineers are required to be fully familiar with the Registration of Engineers Act 1967 (Act 138), and its subsequent amendments, and the Code of Ethics. The requirements of this Act are to be upheld at all times by the engineering profession.