



NSBE
OF SOUTH AFRICA

NSBE CODE OF CONDUCT

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Preamble

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

I. Fundamental Pillars

Members, in the fulfillment of their professional duties, shall:

1 Hold paramount the safety, health, and welfare of the public

2 Perform services only in areas of their competence

3 Issue public statements only in an objective and truthful manner.

4 Act for each employer or client as faithful agents or trustees

5 Avoid deceptive acts

6 Conduct themselves honorably, responsibly, ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession

II. Rules of Practice

1. Members shall hold paramount the safety, health, and welfare of the public

- If Members' judgment is overruled under circumstances that endanger life or property, they shall notify their employer or client and such other authority as may be appropriate.
- Members shall approve only those engineering documents that are in conformity with applicable standards.
- Members shall not reveal facts, data, or information without the prior consent of the client or employer except as authorised or required by law or this Code.
- Members shall not permit the use of their name or associate in business ventures with any person or firm that they believe is engaged in fraudulent or dishonest enterprise.
- Members shall not aid or abet the unlawful practice of engineering by a person or firm.
- Members having knowledge of any alleged violation of this Code shall report thereon to appropriate professional bodies and, when relevant, also to public authorities, and cooperate with the proper authorities in furnishing such information or assistance as may be required.

2. Members shall perform services only in the areas of their competence

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

3. Members shall issue public statements only in an objective and truthful manner

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

4. Members shall act for each employer or client as faithful agents or trustees

- Members shall disclose all known or potential conflicts of interest that could influence or appear to influence their judgment or the quality of their services.
- Members shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.
- Members shall not solicit or accept financial or other valuable consideration, directly or indirectly, from outside agents in connection with the work for which they are responsible.
- Members in public service as engineering professionals, advisors, or employees of a governmental or quasi-governmental body or department shall not participate in decisions with respect to services solicited or provided by them or their organisations in private or public engineering practice.

5. Members shall avoid deceptive acts

- Members shall not falsify their qualifications or permit misrepresentation of their or their associates' qualifications. They shall not misrepresent or exaggerate their responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint venturers, or past accomplishments.
- Members shall not offer, give, solicit, or receive, either directly or indirectly, any contribution to influence the award of a contract by public authority, or which may be reasonably construed by the public as having the effect or intent of influencing the awarding of a contract.

III. Professional Obligations

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

- Members shall acknowledge their errors and shall not distort or alter the facts.
- Members shall advise their clients or employers when they believe a project will not be successful.
- Members shall not accept outside employment to the detriment of their regular work or interest.
- Members shall not promote their own interest at the expense of the dignity and integrity of the profession.
- Members shall treat all persons with dignity, respect, fairness, and without discrimination.

2. Members shall at all times strive to serve the public interest

- Members are encouraged to participate in civic affairs; career guidance for youths; and work for the advancement of the safety, health, and well-being of their community.
- Members shall not complete, sign, or seal plans and/or specifications that are not in conformity with applicable engineering standards. If the client or employer insists on such unprofessional conduct, they shall notify the proper authorities and withdraw from further service on the project.
- Members are encouraged to extend public knowledge and appreciation of engineering and its achievements.
- Members are encouraged to adhere to the principles of sustainable development in order to protect the environment for future generations.
- Members shall continue their professional development throughout their careers and should keep current in their specialty fields by engaging in professional practice, participating in continuing education courses, reading in the technical literature, and attending professional meetings and seminar. Members shall avoid all conduct or practice that deceives the public.

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

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

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

4. Members shall not be influenced in their professional duties by conflicting interests

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

5. Members shall not attempt to obtain employment or advancement or professional engagements by untruthfully criticising other engineering professionals, or by other improper or questionable methods

- Members shall not request, propose, or accept a commission on a contingent basis under circumstances in which their judgment may be compromised.

- Members in salaried positions shall accept part-time engineering work only to the extent consistent with policies of the employer and in accordance with ethical considerations.

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

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

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

- Members shall conform with state registration laws in the practice of engineering.
- Members shall not use association with a non-Member, a corporation, or partnership as a "cloak" for unethical acts.

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

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