

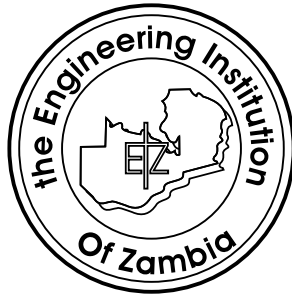
# **THE ENGINEERING INSTITUTION OF ZAMBIA (EIZ)**



# **CONSTITUTION**

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# **THE ENGINEERING INSTITUTION OF ZAMBIA**

**Established by the Engineering Institution of Zambia Act No. 17 of 2010**

## **THE CONSTITUTION**

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## SECTION I

### PREAMBLE

- 1 We, members of The Engineering Institution of Zambia, declare and establish the Constitution following to secure and preserve the principles of our aims and to govern the Institution in an orderly manner.
- 2 We voluntarily and solemnly submit ourselves to the Constitution here established.
- 3 The name of the Institution shall be “The Engineering Institution of Zambia”, the official short form of which shall be “EIZ”, hereinafter referred to as “the Institution”.
- 4 The purpose of the Institution shall be to promote the general advancement of engineering, related sciences and allied disciplines and their applications, for the benefit of its members, Zambian society and human kind at large within the context of a technologically driven and globalised economic environment.
- 5 In this Constitution, unless the context otherwise requires:-
  - 5.1 “Allied discipline,” means a discipline prescribed as such by the Engineering Council;
  - 5.2 “An Engineering Unit” means an operational entity of a non-engineering organisation, providing engineering services internally, in support of that organisation’s core operations or activities.
  - 5.3 “Approved” means approved by the Engineering Council;
  - 5.4 “Association of Consulting Engineers of Zambia” means the association of members, representing Consulting Engineers who are registered under the Act, and designated as a self regulating body under Part IV of the Act and having its own jurisdiction to the extent provided for under its constitution.
  - 5.5 “Council” means the Engineering Council of the Institution as constituted by the EIZ Act;
  - 5.6 “Disciplinary Committee” means the Disciplinary Committee of the Institution.
  - 5.7 “EIZ Act” means the Engineering Institution of Zambia Act No. 17 of 2010.

- 5.8 “Engineer” means a person with special knowledge of the mathematical and physical sciences and the principles and methods of engineering analysis and engineering design, acquired by engineering education and practical engineering experience.
- 5.9 “Engineering Craftsperson” means an individual who has pursued a programme of study accredited by the Institution and has been awarded a Craft Certificate in Engineering by a legally recognised qualification awarding body upon successful completion;
- 5.10 “Engineering Organisation” means a statutory corporation, a company, a partnership an association or other body which is directly engaged in engineering activity or is professionally interested in engineering activity, that is providing a service through the application of scientific and /or mathematical laws and principles, in the design, development, utilisation, maintenance and / or disposal of machines, materials, instruments, structures, processes and operational systems; or whose functions involve the planning, designing, processing and delivery of engineering products and services;
- 5.11 “Engineering Professional” means an Engineer, Technologist, Technician or Craftsperson and is registered as such under the EIZ Act.
- 5.12 “Engineering Technician” means an individual who has pursued a programme of study recognised by the Institution and has been awarded an Advanced Certificate in Engineering by a legally recognised qualification awarding body upon successful completion;
- 5.13 “Engineering Technologist” means an individual who has pursued a programme of study recognised by the Institution and has been awarded a Diploma in Technology or Engineering by a legally recognised qualification awarding body upon successful completion.
- 5.14 “Engineering” means the application of scientific and mathematical principles with due reference to economics, society and environment to develop solutions to technical problems, creating products, facilities and structures that improve quality of life.
- 5.15 “Financial Year” means the period of twelve months ending on 31<sup>st</sup> December in any year.
- 5.16 “General Meeting” means a college or assembly of Members in good standing belonging to the various categories and classes constituted in accordance with the provisions of this Constitution;
- 5.17 “Practising Licence” means a licence issued under section 26 of the EIZ Act authorising a person to practice in engineering and allied disciplines.

- 5.18 “Disciplinary Committee” means the Disciplinary Committee of the Institution
- 5.19 “Registration Board” means the Engineering Registration Board;
- 5.20 “Special Resolution” means a resolution passed by not less than two thirds majority of such members as being entitled to vote at a duly convened general meeting called for such purpose;
- 5.21 “Life, Honorary or Affiliate Member” means a person elected as such under the provisions of the constitution of the Institution.

## **SECTION II**

### **FUNCTIONS**

The functions of the Institution are:

- 6 To recruit and register engineering professionals, engineering organisations and engineering units and regulate their professional conduct;
- 7 To recruit and register students of engineering;
- 8 To develop, promote, maintain and improve appropriate standards of qualification in the engineering profession;
- 9 To develop, promote and enforce internationally comparable engineering practice standards in Zambia.
- 10 To investigate allegations of professional misconduct and impose such sanctions as may be necessary.
- 11 To advise the government on matters relating to the engineering profession.
- 12 To promote the general advancement of science, engineering and allied disciplines for the improvement of the quality of life;
- 13 To maintain and improve the standards of conduct and learning of mathematics, science, engineering and allied professions in Zambia;
- 14 To facilitate the acquisition of knowledge by engineering professionals through the establishment of technical libraries, and the provision of monetary grants, books, apparatus and any other facilities necessary to achieve this end.

- 15 To hold meetings of the Institution for the reading and discussion of papers of professional interest, to make awards to authors of papers of special merit and to arrange for other activities of interest or benefit to engineering professionals.
- 16 To raise the character and status of the engineering profession 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 disciplines;
- 17 To promote alternative dispute resolution mechanisms and to serve as an Arbitral Institution for disputes of an engineering nature.
- 18 To accredit universities, technical colleges, Institutions and programmes of instruction leading to the award of qualifications of membership classes, in consultation with the Ministry responsible for education and the Technical Education Vocational and Entrepreneurship Authority;
- 19 To investigate and monitor national emergencies or disasters or any other matter of public concern caused by, or likely to be caused by, an engineering product or service and recommend appropriate preventive, rehabilitative or other measures;
- 20 To represent, protect and assist engineering professionals with regard to their conditions of practice, remuneration or otherwise; and
- 21 To do all such other things as are necessary or incidental to the performance of its functions under this Constitution and the EIZ Act.

### **SECTION III**

#### **STRUCTURE – ORGANS OF EIZ**

- 22 The primary organs of EIZ shall be the:-
  - a) General Meeting of members;
  - b) Engineering Council;
  - c) Engineering Registration Board;
  - d) Disciplinary Committee, and,
  - e) Secretariat.
- 22.1 All the organs shall be constituted and operated as provided for in this Constitution and/or the EIZ Act. The Secretariat shall be headed by the Registrar who shall be Secretary to all the primary organs of the Institution. The Registrar shall cause the submission to the Engineering Council of reports of the proceedings of all the primary



organs of the Institution. The other organs of the Institution shall be the Sections, Regions and Branches and any other body as authorised by the Engineering Council from time to time.

## SECTION IV

### MEMBERSHIP

#### 23 COMPOSITION

Members of the Institution shall consist of all persons, engineering organisations and units from time to time admitted, elected or transferred to any class of membership in accordance with this Constitution.

#### 24 MEMBERSHIP CATEGORIES

There shall be six Engineering Membership Categories, namely, Engineering Organisations and Units, Engineers, Technologists, Technicians and Crafts persons.

#### 25 MEMBERSHIP CLASSES

25.1 The **Engineering Organisations and Units'** Category shall consist of the following Membership Classes: **Engineering Organisation** and **Engineering Unit**

25.2 The **Engineers'** Category shall consist of the following Membership Classes: **Fellow, Professional Engineer, Incorporate Engineer, Associate Engineer, Graduate Engineer** and **Student Engineer**

25.3 The **Technologists'** Category shall consist of the following Membership Classes: **Professional Technologist, Full Technologist, Trainee Technologist** and **Student Technologist**.

25.4 The **Technicians'** Category shall consist of the following Membership Classes: **Certified Technician, Full Technician, Trainee Technician** and **Student Technician**

25.5 The **Crafts persons'** Category shall consist of the following Membership Classes: **Master Craftsperson, Full Craftsperson, Trainee Craftsperson** and **Student Craftsperson**

25.6 There will be three other classes, namely **Life Member, Honorary Member** and **Affiliate Member**.

**26.1 ENGINEERING ORGANISATIONS AND UNITS CATEGORY****26.1.1 Engineering Organisation**

A statutory corporation, a company, a firm, a partnership, an association or other body, corporate or incorporate, involved in engineering may on application to the Institution be admitted as **Engineering Organisation Member** if that body has one or more members of staff who are Certified Members, Professional Members or Fellows of EIZ (provided that in case of a Consulting Engineering Organisation, it shall also be required to have previously registered with the Association of Consulting Engineers of Zambia).

**26.1.2 Engineering Unit**

An operational entity of a non-engineering organisation that provides engineering services internally, in support of the organisation's core operations or activities may on application to the Institution be admitted as an **Engineering Unit Member** if that body has at least one member of staff who is a Incorporate Engineer, Professional Engineer or Fellow of EIZ (provided that in case of a Consulting Engineering Units, it shall also be required to have previously registered with the Association of Consulting Engineers of Zambia).

**26.2 ENGINEERS' CATEGORY****26.2.1 Fellow**

A person may, on application to the Institution, be admitted as a Fellow if that person:-

- (a) is a Professional Engineer of the Institution or has fulfilled the conditions for such membership;
- (b) has attended an appropriate university, college or school and holds a degree or other qualification acceptable to the Engineering Council for this class of membership;
- (c) at or not more than one year before the time of making his or her application for admission as a Fellow, the applicant is or has been:-

- (i) engaged for not less than ten years in a position of superior responsibility in the administration, design, execution or operation of such important work as in the opinion of the Engineering Council is within the practice of professional engineering or an allied discipline; or
  - (ii) in practice as a consultant in his or her own account for not less than ten years and has acquired eminence in the profession; or
  - (iii) lecturing or teaching at such university, institute or school in such responsible position and for such length of time of not less than ten years; or
  - (iv) engaged in research of any approved nature for not less than ten years.
- (d) has prepared and presented a Technical Paper at either an Institutional or other recognized event or published a paper in a recognized technical journal.

### 26.2.2 Professional Engineer

A person may, on application to the Institution, be admitted as a Professional Engineer if that person:-

- (a) has attended an approved university, college or school and holds a degree or other qualifications acceptable to the Engineering Council for this class of membership; and
- (b) at, or not more than one year before the time of making the application for admission as a Professional Engineer, is or has been:-
  - (i) engaged in the administration, design, execution of professional work or research of approved nature for a period of at least two years; or
  - (ii) employed as a lecturer or teacher for a period of at least four years inclusive of postgraduate training; and

- (c) (i) either has undergone training in industry / or at postgraduate level acceptable to the Engineering Council for a period of at least two years under an approved professional person; or satisfies the Engineering Council that he/she has other suitable professional training; and
- (ii) has after such training, gained relevant experience of at least two years, one of which should be in responsible position as determined by Council.

### 26.2.3 Incorporate Engineer

A person may, on application to the Institution, be admitted as an Incorporate Engineer if that person:-

- (a) has been educated in the profession for such period and passed such examination as may from time to time be determined by the Engineering Council; or
- (b) has improved their educational attainment by the submission to the Membership and Continuous Professional Development Committee of a thesis, report or technical essay of a standard acceptable to the Engineering Council coupled with oral discussion on the subject matter with members of the Membership and Continuous Professional Development Committee to their satisfaction; and
- (c) at, or not more than one year before the time of making the application for admission as an Incorporate Member, is or has been:
  - (i) engaged in the administration, design, execution of professional work or research of approved nature for a period of at least two years; or
  - (ii) employed as a lecturer or teacher for a period of at least four years inclusive of postgraduate training; and
  - (iii) either has undergone training in industry / or at postgraduate level acceptable to the Engineering Council for a period of at least

two years under an approved professional person; or satisfies the Engineering Council that he/she has other suitable professional training; and

- (iv) has after such training, gained relevant experience of at least two years, one of which should be in responsible position as determined by Council.

#### 26.2.4 Associate Engineer

A person may, on application to the Institution, be admitted as an Associate Engineer if that person:-

- (a) has attended an approved university, or technical college and holds a degree or other qualifications acceptable to the Engineering Council for this class of membership; or
- (b) has been educated in the profession for such period and has passed such examinations as may from time to time be determined by the Engineering Council; and
- (c) at, or not more than one year before the time of making an application for admission as an Associate Member, the applicant is or has been:
  - (i) engaged in work of an administrative or technical nature within the profession; or
  - (ii) employed as a lecturer or teacher in an approved Institution ; or
  - (iii) engaged in research of an approved nature; and
  - (iv) has undergone post qualifying training acceptable to the Engineering Council for a period of at least two years.

#### 26.2.5 Graduate Engineer

A person may, on application to the Institution, be admitted as a Graduate Engineer if that person:-

- (a) has attended an approved university, technical college or school and holds a degree or other qualifications acceptable to the Engineering Council for this class of membership; or
- (b) has been educated in the profession for such period and has passed such examinations as may from time to time be determined by the Engineering Council; and
- (c) is undergoing a period of training in industry related to engineering or allied discipline after graduation.

#### **26.2.6 Student Engineer**

A person may, on application to the Institution, be admitted as a Student Engineer if the applicant is a bona fide student at an approved institution studying an accredited degree program or equivalent, recognised by the Engineering Council

### **26.3 TECHNOLOGISTS' CATEGORY**

#### **26.3.1 Professional Technologists**

A person may, on application to the Institution, be admitted as a Professional Technologist if that person:-

- (a) is a Full Technologist 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 diploma or other qualification acceptable to the Engineering Council for this class of membership; and
- (c) at, or not more than one year before the time of making his application of admission as a Professional Technologist the applicant is/has been in a position of responsibility acceptable by the Engineering Council for not less than ten years.

#### **26.3.2 Full Technologist**

A person may, on application to the Institution, be admitted as a Full Technologist if that person:-

- (a) has attended an approved university, college or school and holds a diploma or other qualifications acceptable to the Engineering Council for this class of membership; or
- (b) has been educated in the profession for such period and passed such examination as may from time to time be determined by the Engineering Council; and
- (c) at, or not more than one year before, the time of making the application for admission as a Technologist, the applicant:-
  - (i) has undergone training in industry acceptable to the Engineering Council for a period of at least two years under an approved professional person; or
  - (ii) the Engineering Council is satisfied that the applicant has other suitable professional training; and
  - (iii) that the applicant has after such training, gained relevant experience of at least two years.

### 26.3.3 Trainee Technologist

A person may, on application to the Institution, be admitted as a Trainee Technologist if the applicant:-

- (a) has attended an approved university, technical college or school and holds a diploma or other qualifications acceptable to the Engineering Council for this class of membership; or
- (b) has been educated in the profession for such period and has passed such examinations as may from time to time be determined by the Engineering Council; and
- (c) is undergoing a period of training in industry related to engineering or allied discipline after graduation

### 26.3.4 Student Technologist

A person may, on application to the Institution, be admitted as a Student Technologist if the applicant is a bona fide student at an approved institution studying an accredited diploma

program or equivalent, recognised by the Engineering Council.

## 26.4 **TECHNICIANS' CATEGORY**

### 26.4.1 **Certified Technician**

A person may, on application to the Institution, be admitted as a Certified Technician if the applicant:-

- (a) is a Full Technician Member of the Institution or has fulfilled the conditions for such membership; or
- (b) has attended an approved technical college or other training institution and holds a technician's certificate or other qualification acceptable to the Engineering Council for this class of membership; and
- (c) At, or not more than one year before the time of making his application of admission as a Professional Technician, the applicant is/has been working for not less than ten years.

### 26.4.2 **Full Technician**

A person may, on application to the Institution, be admitted as a Full Technician if the applicant has attended an approved technical college or other training institution and holds a technician's certificate or other qualifications acceptable to the Engineering Council for this class of membership; and either:-

- (a) has undergone training acceptable to the Engineering Council for a period of at least two years under an approved engineering professional; or
- (b) satisfies the Engineering Council that such an applicant has other suitable professional training; and has after such training, gained relevant experience of at least two years.

### 26.4.3 **Trainee Technician**

A person may, on application to the Institution, be admitted as a Trainee Technician if the applicant:-



- (a) has attended an approved university, technical college or school and holds an advanced certificate or other qualifications acceptable to the Engineering Council for this class of membership; and
- (b) is undergoing a period of training in industry related to engineering or allied discipline after graduation.

#### 26.4.4 Student Technician

A person may, on application to the Institution, be admitted as a Student Technician if the applicant is a bona fide student at an approved institution studying on an accredited certificate program or equivalent, recognised by the Engineering Council.

### 26.5 CRAFTS PERSONS' CATEGORY

#### 26.5.1 Master Craftsperson

A person may, on application to the Institution, be admitted as a Master Craftsperson if such an applicant:

- (a) is a Craftsperson member of the Institution or has fulfilled the conditions for such membership; or
- (b) has attended an approved technical training institution and holds a full crafts certificate or other qualification acceptable to the Engineering Council for this class of membership; and
- (c) at, or not more than one year before the time of making his application of admission as a Master Craftsperson, the applicant has been working for not less than ten years and has acquired wide experience in his profession

#### 26.5.2 Full Craftsperson

A person may, on application to the Institution, be admitted as a Craftsperson if the applicant:-

- (a) has attended an approved technical training institution and holds a full crafts certificate or other qualifications acceptable to the Engineering Council for this class of membership; and either

- (b) has undergone training acceptable to the Engineering Council for a period of at least two years under an approved professional person; or
- (c) the Engineering Council is satisfied that the applicant has other suitable professional training; and the applicant has, after such training, gained relevant experience of at least two years.

### 26.5.3 Trainee Craftsperson

A person may, on application to the Institution, be admitted as a Trainee Craftsperson if the applicant:

- (a) has attended an approved technical training institution and holds a full crafts certificate or other qualifications acceptable to the Engineering Council for this class of membership; and
- (b) is undergoing a period of training in industry related to engineering or allied discipline after graduation.

### 26.5.4 Student Craftsperson

A person may, on application to the Institution, be admitted as a Student Craftsperson if the applicant is a bona fide student at an approved institution studying an accredited craft certificate program or equivalent, recognised by the Engineering Council.

## 26.6 HONORARY MEMBER

The Engineering Council may elect any person, who is not a member of the Institution, **Honorary Member** for:-

- (a) Exceptional and important services relating to engineering or allied disciplines.
  - (b) Exceptional and important services rendered to the Institution
  - (c) Whose association is beneficial to the Institution
- The procedure for electing an Honorary Member will be as provided for in the Rules and Regulations (Annexure 1).

## 26.7 **LIFE MEMBER**

The Engineering Council may elect any person who is or has been a member of the Institution **Life Member** for:-

- (a) Distinguished work in engineering or allied disciplines.
- (b) Exceptional and important services relating to engineering or allied disciplines.
- (c) Exceptional and important services rendered to the Institution

The procedure for electing a Life Member will be as provided for in the Rules and Regulations.

## 26.8 **AFFILIATE MEMBER**

The Institution may approve as an **Affiliate Member**, in any membership category or class, any person who is a member of an affiliate professional society approved by the Engineering Council.

## 26.9 **CONTINUING MEMBERSHIP**

Members of the Institution in categories determined under the previous EIZ Act shall migrate to be members in the appropriate new categories of membership of the Institution for a period as determined in the EIZ Act 17 of 2010. The new category of membership shall be determined by the Engineering Council.”

## 27 **DESIGNATION OF MEMBERS**

A member shall be entitled to the following description/designation:-

- 27.1 ”Engineering Organisation” as “Engineering Corporate Member of the Engineering Institution of Zambia”
- 27.2 “Engineering Unit” as “Engineering Unit Member of the Engineering Institution of Zambia”
- 27.3 “Fellow” as “Fellow of the Engineering Institution of Zambia” or by the initials “FEIZ”;
- 27.4 “Professional Engineer” as “Professional Engineer of the Engineering Institution of Zambia” or by the initials “PEIZ”;
- 27.5 “Incorporate Engineer” as “Incorporate Engineer of the Engineering Institution of Zambia” or by the initials “IEIZ”;

- 27.6 “Associate Engineer” as “Associate Engineer of the Engineering Institution of Zambia”
- 27.7 “Graduate Engineer” as “Graduate Engineer of the Engineering Institution of Zambia”
- 27.8 “Professional Technologist” as “Professional Technologist of the Engineering Institution of Zambia” or by the initials “PTgEIZ”;
- 27.9 “Full Technologist” as “Full Technologist of the Engineering Institution of Zambia” or by the initials “TgEIZ”;
- 27.10 “Trainee Technologist” as “Trainee Technologist of the Engineering Institution of Zambia”;
- 27.11 “Certified Technician” as “Certified Technician of the Engineering Institution of Zambia” or by the initials “CTnEIZ”;
- 27.12 “Full Technician” as “Full Technician of the Engineering Institution of Zambia” or by the initials “TnEIZ”;
- 27.13 “Trainee Technician” as “Trainee Technician of the Engineering Institution of Zambia”;
- 27.14 “Master Craftsperson” as “Professional Craftsperson of the Engineering Institution of Zambia” or by the initials “MCEIZ”;
- 27.15 “Full Craftsperson” as “Craftsperson of the Engineering Institution of Zambia” or by the initials “CEIZ”;
- 27.16 “Trainee Craftsperson” as “Apprentice Craftsperson of the Engineering Institution of Zambia”;
- 27.17 “Student Engineer/Technologist/Technician/Craftsperson” as “Student Member of the Engineering Institution of Zambia”
- 27.18 “Affiliate Member” as “Affiliate Member of the Engineering Institution of Zambia”
- 27.19 “Honorary Member” as “Honorary Member of the Engineering Institution of Zambia”
- 27.20 “Life Member” as “Life Member of the Engineering Institution of Zambia”

## 28 RIGHTS, PRIVILEGES AND OBLIGATIONS

- 28.1 All members in the following Membership Classes of the Institution who are in good standing shall have the right to vote at a general meeting of the Institution: Engineering Organisation, Engineering Unit, Fellow, Professional Engineer, Incorporate Engineer, Professional Technologist; Full Technologists, Certified Technician, Full Technician, Master Craftsperson, Full Craftsperson and Life Member.
- 28.2 All members will have the right to hold any Institutional office in line with the provisions of this Constitution and/or EIZ Act.
- 28.3 Honorary members, Life Members (no longer in practice) and members who are also employees of the Institution shall not hold any elective office in the Institution.
- 28.4 Honorary members and Life Members shall enjoy other privileges as the Institution may approve at a general meeting from time to time.
- 28.5 All members conduct shall be governed by the EIZ Act, this Constitution and the EIZ Code of Ethics (Annexure 2)
- 28.6 All members shall pay the membership subscriptions fees by the stipulated dates (Annexure 1)

## 29 APPLICATION AND MEMBERSHIP SUBSCRIPTION FEES

- 29.1 The application and annual membership subscription fees shall be determined and administered as provided for in the Rules and Regulations
- 29.2 Membership of EIZ and the obligations for dues shall continue automatically unless a member's resignation is received by the Institution prior to the end of the financial year for which dues have been paid.

## 30 CESSATION OF MEMBERSHIP

Membership of the Institution shall cease:-

- 30.1 If the member resigns by notice in writing to the Institution.
- 30.2 On recommendation of the Disciplinary Committee.
- 30.3 Upon the member's death

- 30.4 If the member is adjudged bankrupt
- 30.5 If a member fails to pay annual membership fees as per the Rules and Regulations.
- 30.6 If the Council is satisfied that the continuation of a person as a member of the Institution will be prejudicial to the interests of the engineering profession.
- 30.7 Except in the case of 30.3 and 30.4, a member whose membership ceases shall remain liable to the Institution for all membership fees and other moneys whatsoever due prior to the termination of the membership (including membership fees payable in respect of the period current at the date of such termination).
- 30.8 A member whose membership ceases may be re-admitted, upon re-application, on such terms and conditions as the Engineering Council may decide.

## **SECTION V**

### **MEETINGS**

- 31 A general meeting of the Institution to be called the “Annual General Meeting” shall, in addition to any other meeting, be held within four (04) months from the end of each financial year.
- 32 All general meetings other than the Annual General Meeting shall be called Extraordinary General Meeting.
- 33 Notice of the date of each Annual General Meeting shall be given by the Registrar at least ten weeks before the date of such meeting.
- 34 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 Council thinks adequate.
- 35 The Registrar shall deliver with the written notice of the date of each Annual General Meeting an agreed agenda for such meeting.
- 36 Upon giving to Council not less than fourteen days’ notice, an Extraordinary General Meeting of the Institution may be requested by fifty members (entitled to vote at a general meeting), of whom at least ten shall be Fellows and the agenda for such meeting shall be communicated to Council at the time of such request.

- 37 Upon receipt of such request, Council shall direct the Registrar to convene an Extraordinary General Meeting within sixty days of the request, and to give notice of such meeting, together with the agreed agenda for the meeting.
- 38 At an Extraordinary General Meeting, only such matters as are specified on the agenda shall be voted upon.
- 39 The Registrar shall cause to be kept minutes of all proceedings and resolutions of the meetings of the Institution, Council and any committee or subcommittee of Council, which shall be circulated to members within twenty-one days after the meeting to which they relate.
- 40 The quorum at any Annual or Extraordinary General Meeting shall be fifty of those persons entitled to be present and vote thereat, five of whom shall be Fellows and business shall not be transacted at any such meeting unless the quorum be present. If a quorum be not present within half an hour from the time appointed for holding the meeting, the meeting shall stand adjourned to the same hour and place in the following week, when persons present and entitled to vote, whatever their number shall constitute a quorum.
- 41 The President shall preside at all meetings of Council and the meetings of the Institution at which he is present. In his absence, the Vice President (Policy, Public Relations and National Development) or Vice President (Finance and Administration) or Vice President (Membership and CPD), in that order, shall preside. If none of the Vice Presidents be present, a member of Council who is a Fellow present shall preside.
- 42 The conduct of all Institution meetings shall be as provided for in the EIZ Act and /or Regulations.

## **SECTION VI**

### **THE ENGINEERING COUNCIL**

- 43 The number, qualifications and tenure of the office bearers will be as provided for in the EIZ Act.
- 44 The functions and proceedings of the Engineering Council will be as stipulated in the EIZ Act. One half of the members of Council, disregarding any existing vacancies, shall form a quorum for its meetings.
- 45 The duties of the President and Vice Presidents shall be as described in the Rules and Regulations.
- 46 The Engineering Council shall approve an annual budget for the ensuing year and present it to the Annual General Meeting of the Institution for information.

- 47 The Engineering Council shall prepare audited accounts at the end of each financial year for presentation to the Annual General Meeting and the Minister.
- 48 The Engineering Council may for the purpose of performing its functions establish committees or other bodies consisting of members of the Institution and may, except as otherwise provided for in this Constitution or EIZ Act, delegate to any such Committee or body any of its functions as it considers necessary.
- 49 The Committees of Council shall include but not limited to the following: Policy, Public Relations & National Development; Finance & Administration; Membership & Continuous Professional Development; Audit & Risk Committee, Engineering Technical Committee and Nominations and Elections Committee.
- 50 The Committees so formed shall in exercise of their duties conform to the Rules and Regulations of the Institution.
- 51 Should the office of the President become vacant during the term of Council, then Council shall elect one of the Vice Presidents to complete the remaining period of the term. The other vacancy so created shall be filled as provided for in the Act.
- 52 In the event that the Engineering Council cannot perform its functions, for whatever reason, the Registrar shall convene an Extraordinary General Meeting within seventy (70) days to elect a new Council. During this period, a Committee consisting of three most recent past Presidents available shall run the affairs of the Institution

## **SECTION VII**

### **ELECTIONS**

- 53 There shall be constituted a Nominations and Elections Committee of the Institution chaired by a past President available and who is not a member of Council. The composition and functions of the Committee will be as provided in the Rules and Regulations.
- 54 The Nominations and Elections Committee shall be the final authority on the conduct of the nomination and election processes.
- 55.1 A particular Membership Category or Class shall participate in nominations and elections of their representatives.



55.2 Only members in the following Membership Classes of the Institution who are in good standing shall have the right to vote in elections at a general meeting of the Institution: Engineering Organisation, Engineering Unit, Fellow, Professional Engineer, Incorporate Engineer, Professional Technologist, Full Technologist; Certified Technician, Full Technician, Master Craftsperson, Full Craftsperson and Life member.

(Provided that for the first general meeting to be held under the new Act, members entitled to vote shall be those so entitled under the EIZ Act No. 27 of 1992).

56 No proxy votes shall be allowed in the Institution's elections.

57 The nominations and voting procedures are as provided for in the Rules and Regulations.

58 Any positions not filled at the general meeting shall be filled by Council.

59 Provided that for the first elections to be held under this Constitution, nominations may be accepted from the floor, at the discretion of the Nominations and Elections Committee.

## **SECTION VIII**

### **SECTIONS, REGIONS AND BRANCHES**

#### **60 SECTIONS**

60.1 There shall be as many sections of the Institution as the Engineering 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. The procedure for the formation of the Section shall be as provided for in the Rules and Regulations as well as guidance from the Engineering Council.

60.2 Subject to the Rules and Regulations of the Institution and guidance from the Engineering Council, a section may regulate its own procedure.

60.3 The management and control of each section shall be vested in a Committee elected every two years by that section and the Chairperson of the Committee shall be a Fellow or Professional Member, Professional Technologist or Full Technologist, Certified Technician or Full Technician, or Master Craftsperson or Full Craftsperson as appropriate.

- 60.4 A committee of a section shall be responsible for all matters affecting the section including receipt and expenditure of moneys relating to its activities other than membership subscriptions.
- 60.5 A section of the Institution may be dissolved with the prior approval of the Engineering Council.

## 61 **REGIONS**

- 61.1 There shall be as many Regions of the Institution as the Engineering Council may approve according to the number of members in particular geographical areas. The procedure for the formation of the Region shall be as provided for in the Rules and Regulations as well as guidance from the Engineering Council.
- 61.2 Subject to the Rules and Regulations of the Institution and guidance from the Engineering Council, a Region may regulate its own procedures.
- 61.3 The management and control of each Region shall be vested in a committee elected every two years by that Region and the Chairperson of the Committee shall be Fellow, Professional Engineer, Incorporate Engineer or Professional Technologist.
- 61.4 A Committee of a Region shall be responsible for all matters affecting the Region including the receipt and expenditure of money relating to its activities other than membership subscriptions
- 61.5 A Region may be dissolved with prior approval of the Engineering Council.

## 62 **BRANCHES**

- 62.1 Each Region of the Institution shall be divided into as many Branches as the Engineering Council may approve according to the number of members in particular geographical areas.
- 62.2 Subject to the Rules and Regulations of the Institution and guidance from the Engineering Council, a branch may regulate its own procedure.
- 62.3 The management and control of each branch shall be vested in a Committee elected every two years annually by that branch and the Chairperson of the Committee shall be Fellow, Professional Engineer, Incorporate Engineer, Professional Technologist or Certified Technician.
- 62.4 A Committee of a branch shall be responsible for all matters affecting

the branch including the receipt and expenditure of money relating to its activities other than membership subscriptions.

- 62.5 A branch may be dissolved with prior approval of the Engineering Council.

## **SECTION IX**

### **AMENDMENTS TO THE CONSTITUTION**

- 63 This Constitution may be amended at an Annual General Meeting of the Institution, or any other Extraordinary General Meeting called for such purpose.
- 64 Notice of any intended amendment to the Constitution must be made in writing to the Registrar and must be supported by at least fifty members (entitled to vote at a general meeting) of whom ten should be Fellows. The Registrar shall call for an Extraordinary General Meeting or include the item on the agenda of the next Annual General Meeting of the Institution, as appropriate.
- 65 Amendments to the motions on the agenda shall be made as provided for in the Rules and Regulations.
- 66 Any resolution amending the Constitution shall only be effective provided it is passed by a majority of not less than two thirds of such members as being entitled to vote at such a meeting of the Institution.
- 67 All amendments made to Constitution become effective immediately after the General meeting.

# ANNEXURE 1

## RULES AND REGULATIONS FOR THE ENGINEERING INSTITUTION OF ZAMBIA

### 1. CONDUCT OF MEETINGS

#### 1.1 Annual General Meetings, Extraordinary General Meetings, Regional, Branches and Section Meetings

(herein after referred to as Meetings unless the context otherwise requires) shall be convened in accordance with the provisions of the Constitution).

#### 1.2 Notices

1.2.1 Notices of the time and place of such Meetings and of business to be transacted shall be given in accordance with the provisions of the Constitution.

#### 1.3 Records

1.3.1 The Registrar shall keep or cause to be kept a record of all meetings and members attending a Meeting.

#### 1.4 Procedure for members attending a meeting

1.4.1 Every member entitled to vote at a Meeting shall sign the Register.

1.4.2 Voting papers (when issued) shall be issued only to members who have signed the Register.

#### 1.5 Quorum

1.5.1 A quorum is the minimum number of members required to be present at a meeting to enable decisions taken at that meeting to be valid. Unless otherwise stated, the quorum for meetings shall be 50% of the members entitled to vote.

1.5.2 The business of a Meeting shall not commence until a quorum is present and if at any time during the Meeting there is not a quorum present the Chairman shall adjourn the Meeting.

1.5.3 If there shall not be a quorum present thirty minutes after the time appointed for the commencement of the Meeting the Meeting shall not take place.

## **1.6 Attendance**

- 1.6.1 Except with the consent of the Meeting, only members, paid servants of the Institution, and persons specifically invited by the Council shall be admitted to a Meeting.
- 1.6.2 Engineering Organisations and Engineering Units shall be represented by an EIZ member specifically nominated by the Organisation or Unit to represent it.

## **1.7 Agenda**

- 1.7.1 The business to be transacted at Meetings shall be conducted in accordance with the provisions of the Institution. The Chairman shall determine the order of the Agenda.
- 1.7.2 Notwithstanding 1.7.1, business at the Annual General Meeting shall include:
  - a) Receipt of the report of the Engineering Council
  - b) Receipt and adoption of the audited accounts and auditors report.
  - c) Receipt and ratification of the annual budget
  - d) Appointment of auditors
  - e) Consideration of motions tabled
- 1.7.3 The Chairman shall have absolute discretion as to what business he will admit under the item “any other business” except that such business shall be for discussion only and no resolution may be moved or adopted under this item.
- 1.7.4 No business shall be transacted at an adjourned Meeting except as set out in the notice concerning the Meeting of which it is an adjournment.

## **1.8 Resolutions (which shall include Motions)\_**

- 1.8.1 No resolution or amendment thereto shall be put to the vote unless it has been proposed and seconded except that a resolution or amendment may be proposed without a seconder on behalf of the Council by a member of the Council.
- 1.8.2 Unless otherwise stated, all motions to the Annual General Meeting should be communicated to the Registrar not less than six weeks before the meeting.
- 1.8.3 No resolution or amendment shall be withdrawn without the consent of the Meeting.

- 1.8.4 The following resolutions may be made without prior notice but must be duly proposed and seconded in accordance with these Rules and Regulations and, with the exception of (c), put to the Meeting without debate that:-
- (a) Any of these Rules and Regulations should be suspended.
  - (b) Any subject on the Agenda should be given precedence.
  - (c) Any business should be adjourned.
  - (d) That the Meeting should be adjourned.
  - (e) The Meeting should proceed to the next business on the Agenda.
  - (f) The question be now put, provided that the Chairman shall have discretion not to accept such resolution if he/she considers that the question has been insufficiently discussed.

## **1.9 Amendments**

- 1.9.1 Any amendment to a motion on the Agenda which seeks to amend the Institution's Constitution, Rules and Regulations must be put in writing and submitted to the Registrar as provided for in Section IX
- 1.9.2 The Chairman may at his/her discretion require any amendment to a motion on the Agenda (not covered by 1.9 of these Rules and Regulations) to be put in writing and handed to him/her.
- 1.9.3 An amendment may be moved by any member notwithstanding that he has already spoken in debate.
- 1.9.4 An amendment must require either the deletion of part of the original motion or the addition of certain words to the original motion or the substitution of certain new wording for certain words in the original motion.
- 1.9.5 When an amendment has been moved and seconded in accordance with these Rules and Regulations, it shall forthwith be discussed exclusively and, until it has been put to the Meeting, no other amendment shall be accepted by the Chairman.

- 1.9.6 If an amendment is carried it shall replace the original motion and itself become the substantive motion for consideration and may be further amended
- 1.9.7 If an amendment is lost a further amendment to the original motion may be moved but no delegate may move or second more than one amendment to a motion.

## **1.10 Right of Audience**

- 1.10.1 All participants shall be expected to stand when speaking and address the Chairman. No participant may speak for longer than five minutes unless he obtains the permission of the Chairman who may submit the request to the Meeting for decision without debate.
- 1.10.2 When the Chairman rises any speaker shall resume his seat and remain seated until called upon by the Chairman.
- 1.10.3 No participant shall speak more than once on each resolution proposed except in the following cases:
- (a) The proposer of a resolution or amendment shall have the right of reply
  - (b) A participant may speak to a point of order
  - (c) A participant may give an explanation if asked by the Chairman to do so.
- 1.10.4 Participants shall confine their remarks to the question before the Meeting unless explaining any matter at the request of the Chairman. No participant shall speak before another speaker has finished speaking except with the permission of the Chairman.
- 1.10.5 The seconder of a resolution or amendment may reserve his right to speak until later in the debate.
- 1.10.6 (a) The proposer of an original resolution shall, if no amendment be moved, have a right of reply at the close of the debate on such motion.
- (b) If there shall be an amendment, the proposer of the original resolution shall be entitled to speak upon such amendment or any subsequent amendments before the proposers of those amendments exercise their right of reply.

- (c) The proposer of an original resolution shall be entitled to reply after an amendment has been carried before the substantive resolution is put.
- (d) After the proposer of a resolution or amendment has exercised his right of reply the resolution or amendment shall be put from the chair without further debate.

### **1.11 Duties and Powers of the Chairman**

- 1.11.1 Subject to these Rules and Regulations the ruling of the Chairman on a point of order or on the admissibility of a personal explanation or on any matter or question before the Meeting shall be final and shall not be open to discussion.
- 1.11.2 The Chairman may call the attention of the Meeting to continual irrelevance, tedious repetition, unbecoming language or any breach of these Rules and Regulations on the part of a participant and may direct such participant to discontinue his speech.
- 1.11.3 If the votes cast on any question or election be equal, the Chairman may have a casting vote.

### **1.12. Voting**

- 1.12.1 All questions (other than elections) shall be determined by a show of hands.
- 1.12.2 Except as otherwise provided in these Rules and Regulations or in the Constitution, a resolution shall be carried by a simple majority of votes cast in its favour. The Chairman shall have a casting vote in an event of a tie.

### **1.13 Suspension of Rules and Regulations**

- 1.13.1 No suspension of these Rules and Regulations shall be effective unless carried by the votes of not less than two-thirds of the delegates present and voting at any Meeting.

## **2 PROCEDURE FOR ELECTING AN HONORARY MEMBER /LIFE MEMBER**

- 2.1 The election for an Honorary Member/ Life Member must be made to



the Council by a Section, Branch or Region. The Council may also propose. No nomination from ordinary members of the Institution may be considered by the Council for this honour.

- 2.2 Notification of the intention to propose a person as an Honorary Member/Life Member shall be made at a meeting of the Engineering Council.
- 2.3 The proposal shall be made at a subsequent meeting of the Engineering Council of which notice should have been given to all members together with an intimation of the proposal.
- 2.4 The election of an Honorary Member/ Life member shall be by the unanimous vote of the members of the Engineering Council present at the subsequent meeting held under sub-section (ii).

### **3 PROCEDURE FOR FORMING A SECTION, REGION OR BRANCH**

Members of EIZ with a common interest in either a technical or geographic area may organize into a Section or Branch. Each Section or Branch shall be headed by an Executive Committee.

- 3.1 Any 20 members of EIZ may request in a signed petition to the Council for authorization to establish a Section or Branch. The petition shall include the name of the proposed Section or Branch, a statement of the objects of the proposed unit, the particular field of interest to be stimulated and developed by the proposed unit and the reasons why the petitioners deem it wise to establish the unit.
- 3.2 The powers to form a Region will be vested in the Engineering Council based on the recommendation of the Membership & Continuous Professional Development Committee.
- 3.3 The Council shall consider and, when deemed appropriate, approve a request to establish a probationary Section or Branch for a period of not more than two years.
- 3.4 The Executive Committee of the Probationary Section or Branch shall prepare Rules and Regulations for the Section or Branch and submit them to the Council through the Membership & Continuous Professional Development Committee.
- 3.5 Probationary Section or Branch is required to have a minimum of 50 members prior to being considered permanent.

- 3.6 At any time within the two year probationary period, the Council may approve its formation or dissolution.
- 3.7 All members of a Section or Branch shall be members of EIZ.
- 3.8 Any meeting of a Section or Branch held as part of a meeting of EIZ, with the exception of a business meeting, shall be open to all members of EIZ.
- 3.9 Each Section or Branch shall prepare an annual report and submit it to the Council, including a report on the expenditure of its funds.
- 3.10 Any Branch may be discontinued by the Council for good and sufficient reasons.

#### **4 ELECTION OF ENGINEERING COUNCIL OFFICE BEARERS**

- 4.1 The provision of this regulation shall apply to election of Councillors under Section VII of the Constitution. For the purposes of nominating candidates for elections as Councillors, there shall be constituted a Nominations and Elections Committee (NEC) made up of the following:-
  - 4.1.1 Past President available, and who is not a member of Council, nominated by resolution of Council shall be Chairperson.
  - 4.1.2 Three members nominated by resolution of Council;
  - 4.1.3 One member nominated by each Region.
  - 4.1.4 The NEC Chairperson or his/her nominee shall be the Returning Officer for elections.
- 4.2 Candidates must be resident in Zambia at the time of the election.
- 4.3 Nominations shall be made in writing as prescribed by the NEC, signed by the proposer and the seconder, who must both be eligible to vote, and signed by the Nominee signifying his/her willingness to seek election. The proposer and seconder shall be in the same class of membership as that of the candidate.
- 4.4 All nominations shall be delivered in a sealed envelope to the NEC
- 4.5 If no nominations has been received for any office 30 days prior to the meeting at which an election is to be conducted, the NEC shall have the right to amend the period allowed and if no nomination for

that office shall have been received up to the time set for the meeting, the NEC shall be able to authorize the Returning Officer to accept nominations from the floor and these shall be made and seconded by two members eligible to vote, and that the Nominee signifies his/her willingness to stand.

- 4.6 A member may only be nominated for election to one office at any one election.
- 4.7 No member may hold more than one office in the Council at one time.
- 4.8 Not less than ten weeks before the Annual General Meeting, the NEC shall call for nominations by a notice to the Regions, Branches and Sections, indicating the number of positions to be contested in each category of the Council composition.
- 4.9 Not less than four weeks before the Annual General meeting, the NEC shall deliver to the Registrar all valid Nomination Forms.
- 4.10 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.
- 4.11 Election shall be by secret ballot which shall be conducted in such a manner as the NEC may direct.
- 4.12 Each eligible voting member present shall have one vote in each section.
- 4.13 The Returning Officer shall declare the candidate with the highest number of votes as winner.
- 4.14 The Returning Officer 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.
- 4.15 No employee of the Institution shall be eligible to stand for any office in any organ of the Institution.
- 4.16 Should only one valid nomination be received for any office, the Returning Officer shall declare that Nominee as being duly elected, without a vote being taken.
- 4.17 Any positions not filled during elections at a general meeting shall be filled by Council.

## **5 DUTIES OF A SECTION, BRANCH OR REGION CHAIRMAN**

The Chairman of a Section, Branch or Region shall provide leadership and guidance on matters relating to the Institution. The Chairman shall head a Committee for the purpose of enhancing the Engineering Profession as well as a platform for collecting and disseminating information to and from the Council.

## **6 DUTIES OF A SECTION, BRANCH OR REGION SECRETARY/ TREASURER**

- 6.1 Give notice of all meeting of the Section, Branch or Region for all meetings and activities.
- 6.2 Make arrangements for local office elections.
- 6.3 Be responsible for the interpretation of the Rules and by-laws of the Institution in consultation with the Council Secretary.
- 6.4 Cause to be prepared and kept all Minute Books and records of the Section, Branch or Region including financial records.

## **7 DUTIES OF THE EIZ PRESIDENT**

- 7.1 The President shall preside at all Council Meetings and General Meetings of the Institution. He shall also serve on the Disciplinary Committee and shall be ex-officio member of all Council Committees.
- 7.2 The President of the Institution shall head a Committee for the purpose of enhancing the Engineering Profession as well as a platform for collecting and disseminating information to and from the Council.

## **8 DUTIES OF THE VICE PRESIDENT (POLICY, PUBLIC RELATIONS AND NATIONAL DEVELOPMENT)**

The Vice President, Policy, Public Relations and National Development shall be Chairman of the Committee on Policy, Public Relations and National Development whose functions are:

- 8.1 To develop and implement programs for the advancement of the Engineering Profession;
- 8.2 To co-operate with other societies and institutions in advancing public recognition of the professional status of engineering.
- 8.3 To develop programs which promote the understanding and appreciation of engineering to the public;

- (ii) to develop and maintain a system of publications (books, journals and scientific communications, newsletters etc.) to meet the needs of Engineers, Scientists, Technologists and Allied professions.
- (iii) To supervise publication operations;
- (iv) To consult with editors concerning editorial policy;
- (v) To receive publication suggestions and to make recommendations to the Council concerning publications;

## **9 DUTIES OF THE VICE PRESIDENT (FINANCE AND ADMINISTRATION)**

The Vice-President Finance and Administration shall be the Chairman of the Committee on Finance and Administration whose functions are:

- (i) Assess and evaluate the budgets and work plans as presented by the Institutions' management for soundness, viability, and reasonableness taking into account the prevailing position of the organisation.
- (ii) Ensure that proper books and records of the funds of the Institution are kept properly and submit statements of accounts to Council meetings.
- (iii) Advise Council on application fees and subscriptions structures.
- (iv) Submit to the Council and to the Annual General Meeting an Audited Balance Sheet, Income and Expenditure Account and Statement of Funds as at the end of the Financial Year;
- (v) Submit an estimate for the Balance Sheet, Income and Expenditure Account and Statement of funds flow for ensuing year.
- (vi) Advise Council on the operations of the Secretariat of the Institution including policies on employment; remuneration and any administrative matters on the operations of the Institutions Office.

## **10 DUTIES OF VICE PRESIDENT (MEMBERSHIP AND CONTINUOUS PROFESSIONAL DEVELOPMENT)**

The Vice President Membership and Continuous Professional Development (M & CPD) shall be the Chairman of the Committee of Membership and Continuous Professional Development. The Vice President M & CPD shall also sit on the Board of the Engineering Registration Board.

- (i) To make recommendations to the Council concerning policies for membership;
- (ii) To investigate appeals from dismissed members and to report findings to the Council;
- (iii) Consider petitions for the formation of new Sections, Branches or Regions;
- (iv) To make recommendations to the Council for formation and/or dissolution of Sections or Branches;
- (v) To promote co-operation and interaction among Sections and Regions;
- (vi) To assist Sections and Regions in co-ordinating their efforts among each other and with the Secretariat;
- (vii) To review the status of Sections and Branches and Regions on 5 year intervals;
- (viii) To promote student involvement in all Institution activities;
- (ix) To make recommendations to the Council concerning student policies, accreditation, continuing education, and professional registration for Engineering Professionals;

## **11. APPLICATION AND MEMBERSHIP SUBSCRIPTION FEES**

- 11.1 (a) Application fees shall be fixed by the Annual General Meeting upon recommendation by the Council and may be reviewed by the Council year after year, and shall be paid by members of the Institution according to their membership classes.
- (b) Provided that a person transferred from one class to another shall pay an amount equal to the application fee of the class to which he has been transferred less any application fee previously paid.
- 11.2 Application fees are due on notification of admission or transfer.
- 11.3 (a) Subject to paragraph (b) of this sub-section, annual subscriptions shall be fixed by the Council and may be reviewed as necessary and shall be paid by members of the Institution according to their membership classes.

- (b) The annual subscription of any member who has attained 65 years and who satisfies the Council that he/she has substantially retired from remunerative activities shall be at the rate set out by the Council.
- 11.4 All subscriptions shall become due on admission or transfer and thereafter on the first day of January of each succeeding year for the year commencing on that day, but a member transferred from one class to another shall not be required to pay the subscription appropriate to the class to which she/he has been transferred until 1<sup>st</sup> January, next following her/his transfer.
- 11.5 A member of any class admitted or transferred before the first day of July in any year shall pay the annual subscription for that calendar year. A member admitted or transferred on or after the 1<sup>st</sup> day of July in any year shall for that calendar year pay half such annual subscription, provided that if he be transferred in the last two months of any calendar year and elects to pay his first subscription at the full rate it shall cover the remainder of that calendar year as well as the succeeding year.
- 11.6 All application fees and annual subscriptions shall be payable to the Institution.
- 11.7 A member of any class whose annual subscription or instalment of application fee is more than twelve months in arrears shall not be entitled to attend or to take part in any meeting or function of the Institution that may be held or to receive any notice or any publication of the Institution that may be issued before he/she has paid his/her dues in full or until such payment to exercise any of the rights or privileges of membership or to vote.
- 11.8 (a) A member of any class whose annual subscription is in arrears for six months of the current year shall settle his dues together with a penalty, being 50% of the annual subscription prevailing at the time for the relevant class of membership. Upon the expiry of the period of twelve months of the outstanding subscriptions, a member shall be required to settle his/her dues together with a penalty of 100% of the annual subscription prevailing at the time for the relevant class of membership.

- (b) A member of any class whose annual subscription is one year or more in arrears shall be so notified and in the event of continuing in arrears for six months after such notification, he may, by resolution of the Council be excluded from the Institution and he shall thereupon cease to be a member and his name shall be erased from the register; but such erasure shall not relieve him/her from his liability for the payment of the arrears of subscriptions due from him/her calculated up to the 31st day of December preceding his exclusion.

11.9 The Council may in any special case where in its opinion it is desirable to do so, reduce or remit the application fee, or annual subscription or the arrears of application fees or the arrears of annual subscriptions, of a member of any class.



**CODE OF ETHICS FOR THE ENGINEERING INSTITUTION OF ZAMBIA**

**1 RESPONSIBILITY OF MEMBER**

- 1.1 Every member of the Institution shall undertake and subscribe in a prescribed manner to abide by the fundamental principles and canons enunciated herein
- 1.2 Whenever any member has knowledge or reason to believe that other person or firm has violated any of the institutions 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.
- 1.3. Whenever any member of the public makes a complaint against a member of the Institution, the institution shall take all, the reasonable step to bring such complaint to the notice of the member against whom such complaint has been made.
- 1.4 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.
- 1.5 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 Institutions fundamental principles and canons.
- 1.6 All complaints lodged against a member of the Institution, and all investigation 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 complainant.

**2 FUNDAMENTAL PRINCIPLES**

Every member shall uphold and foster the integrity, honour and dignity of the engineering profession by: -

- 2.1 Using her/his knowledge and skill for the enhancement of human welfare.

- 2.2 Being honest and impartial, and serving with fidelity the public, her/his employers and clients.
- 2.3 Striving to increase the competence and prestige of the engineering profession.
- 2.4 Supporting the profession and technical societies of his discipline.

### **3 FUNDAMENTAL CANONS**

Every member shall: -

- 3.1 Hold paramount the safety, health, environmental and welfare of the public in the performance of her/his professional duties.
- 3.2 Perform services only in the areas of her/his professional competence
- 3.3 Issue public statements only in an objective and truthful manner
- 3.4 Act in professional matters for each employer or client as a faithful agent or trustee, and shall avoid conflict or interest.
- 3.5 Build his professional reputation on the merits of his services and shall not compete unfairly with other engineering professionals.
- 3.6 Associate professionally only with reputable persons or organizations.
- 3.7 Continue her/his professional development throughout his career and shall provide opportunities for the professional development of those engineering professionals placed under his supervision.
- 3.8 Promote individual integrity and of other engineering professionals and raise awareness on prevention of corruption.

### **4 GUIDELINES OF FUNDAMENTAL ETHICS AND CANONS**

- 4.1 A member shall: -
  - 4.1.1 Recognise that the lives, safety, health and welfare of the general public are dependent upon engineering judgment, decision and practices incorporated into structure, machines, products, processes and devices.
  - 4.1.2 Not approve or seal plans and /or specification that are not of a design safe to public health and welfare, or in conformity with accepted engineering standards.

- 4.1.3 Not affix his/her signature and/or seal to any engineering plan or documents 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.
  - 4.1.4 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, designs, products or systems for which he is responsible.
  - 4.1.5 Conduct reviews of the safety reliability of the design, products or systems on which she/he is responsible before giving his/her approval to the plans for the design.
  - 4.1.6 Inform the Institution of any conditions which he/she believes are likely to endanger safety, health or welfare.
  - 4.1.7 Seek opportunities to be of constructive service in civic affairs and work for the advancement of the safety, health and well being of community in which she/he lives.
  - 4.1.8 Be committed to improving the environment so as to enhance the quality of life.
- 4.2 A member:-
- 4.2.1 Shall undertake to perform engineering assignments only in the specific areas of his/her qualifications and experience, or in the specific technical field in which he is involved.
  - 4.2.2 May accept an assignment requiring education or experience outside her/his field of competence, but only to the extent that his/her services are restricted to those phases of the project in which he/she is qualified and all other phases of such projects shall be performed by qualified associates, Consultant.
  - 4.2.3 Whose professional judgment is overruled under circumstances where the safety, health or welfare of the public is likely to be endangered shall inform his/her clients or employers of the possible consequences and shall notify the institution of the situation, as may be appropriate.

4.3 A member: -

- 4.3.1 Shall endeavour to extend public knowledge, and to prevent misunderstanding of the achievements of engineering.
- 4.3.2 Shall be completely objective and truthful in all professional reports statements of testimony, and shall include all relevant and pertinent information in such reports, statements or testimony.
- 4.3.3 Shall when serving as technical expert witness before any court commission or other tribunal express an engineering opinion only when such opinion is founded upon: -
  - (a) adequate knowledge of the facts in issue;
  - (b) a background of technical competence in the subject – matter and
  - (c) an honest conviction of the accuracy and propriety of his/her testimony;
- 4.3.4 Not issue any statement criticisms of arguments on engineering matters which are inspired or paid for by any one on whose behalf interested party without prefacing such statements, criticisms or arguments with an explicit declaration in that behalf, or by disclosing the identity of the such statement, criticisms, or arguments are issued, or by revealing the existence of any pecuniary interest he may have in the matters.
- 4.3.5 Conduct in a dignified and modest manner in explaining his/her work and merit and avoid any act tending to promote his/her own interest and the expense of the integrity, honour or dignity of the profession.

4.4 A member shall: -

- 4.4.1 In professional matters, act for each employer or client as a faithful agent or trustee, and shall avoid conflict of interest.
- 4.4.2 Avoid all known conflicts of interest with his/her employers or clients and shall promptly inform her/his employers or clients of any business association, interest or.
- 4.4.3 In circumstances which could influence his judgment or the

quality of his services, not undertake any assignments which would create a potential conflict of interest between himself/herself and his/her employers or clients.

- 4.4.4 Not accept financial or other valuable consideration from more than one party for services rendered on the same subject, for services pertaining to the same project, unless the circumstances relating thereto are fully disclosed and agreed to by all interest parties.
- 4.4.5 Not solicit or accept financial or other valuable consideration, including free engineering designs, from material or equipment suppliers for recommending or specifying their products;
- 4.4.6 Not solicit or accept gratuities directly or indirect from contractors, their agents or other parties dealing with his employers or clients in connection with work for which she/he is responsible.
- 4.4.7 Not, when in public service as member, advisor, or employee of a governmental body or department, participate in considerations or actions with respect to services provided by her/his organisation in private or product engineering practice;
- 4.4.8 Not solicit or accept any engineering contract from government body of which a principal officer or employee of his organisation serves as a member;
- 4.4.9 So advise his employers or clients if as a result of his studies, he/she has reason to believe that a project will not be successful.
- 4.4.10 Treat information coming to him in the course of his assignments as confidential and shall not use such information as a means of making personal profit if such actions will adversely affect the interests of his/her employers or clients or the general public; and in particular no member shall;
  - (a) Disclose confidential information concerning the business affairs or technical processes or any present or former employer or bidder under evaluation without his consent;
  - (b) Reveal confidential information or findings of

- any commission or board for which he is or was a member;
  - (c) Copy for other uses, without the express permission of his clients and designs supplied to him by such clients for their own exclusive use;
  - (d) Embark, while in the employment of a particular client, upon promotional efforts or negotiations for work, or make arrangements for other employment as principal, or practice in connection with specific projects for which he has gained particular and specialized knowledge without the consent of all interested parties.
- 4.4.11 Act with fairness and justice to all parties when administering a contraction or other contract.
- 4.4.12 Before undertaking work for other in which he is likely to make improvement, plans, design, inventions or other records which may justify copy rights or patents, either into a positive agreement regarding ownership thereof.
- 4.5 A member shall; -
  - 4.5.1 Admit and accept his errors when proved wrong and refrain from distorting or altering the facts to justify his wrongly decisions;
  - 4.5.2 Not accept professional employment outside his regular work of interest without the consent of his employers.
  - 4.5.3 Not attempt to attract an employee from another employer by false or misleading representations.
  - 4.5.4 Not review the work of other engineering professionals, except with the consent of such engineers, or unless the assignments or contractual agreements for provided that:-
    - (a) A member in government industrial or educational employment may review and evaluation the work of other engineering professionals when so required by his duties;
    - (b) A member in sales or industrial employment may make engineering comparisons of his products with products of other suppliers;

- (c) A member in sales employment shall not offer or give engineering consultations of designs or advice other than that specifically applying to equipment, materials or systems being sold or offered for sale by her/him.

4.6 A member shall: -

- 4.6.1 Not pay or offer to pay, either directly or indirectly, any commission, political contribution, gift or other consideration as an inducement to secure work, except for the securing of salaries, positions through an employment agency.
- 4.6.2 Negotiate contracts for professional services fairly and only on the basis of demonstrated competence and qualification for the type of professional services required.
- 4.6.3 Negotiate a method and rate or compensations commensurate with the agreed scope of service, (meeting of the minds of the parties to the contract is essential to mutual confidence, the public interest requires that the cost of engineering services shall be fair and reasonable but not the controlling consideration in the selection of individual or firms to provide such services and this shall apply to the procurement of the services of other professionals by members).
- 4.6.4 Not attempt to supplant other engineering professionals in a particular employment after becoming aware that definite steps have been taken towards the employment of those other engineering professionals, or after they have been duly employed.
- 4.6.5 Not solicit employment from clients who already have other engineering professionals under contract for the same work.
- 4.6.6 Not accept employment from clients who have already engaged other engineers for the same work not yet paid for unless the performance or payment requirements in the contract are being litigated or the contracted engineering services have been terminated in writing by either party to the contract; in case of the cessation of litigation, the member, as prospective engineer shall, before accepting the assignment, advise the engineering professionals involved in such litigation.
- 4.6.7 Not request, propose or accept professional commissions on a contingent basis in circumstances under which his/

her professional judgment may be compromised, or when contingency provision is used as a device for promoting or securing a professional commission.

- 4.6.8 Not falsify or permit misrepresentation of his associates academic qualifications; or shall misrepresent or exaggerate his degree of responsibility in, or for the subject matter of, prior assignments, (brochures or other presentations incidental to the solicitation or employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, or his past accomplishments with the intent and purpose of enhancing his qualifications or work).
- 4.7 A member may advertise professional services only as a means of identification and such advertisements shall be limited to the following:
- - 4.7.1 Professional cards and listing in recognized and dignified publications, provided they are considered in size and are in a section of the publication regularly devoted to such professional cards and listing; the information displayed must be restricted to firm name, address, telephone number, appropriate symbol or logo, names of principal participations and the fields or practice in which the firm is qualified.
  - 4.7.2 Signs on equipment, office and at the site of projects for which he renders services, and limited to firm name, address, telephone number and types of services, as appropriate.
  - 4.7.3 Brochures, business cards, letter heads, and other factorial representations of experience, facilities, personnel and capacity to render services provided they are not misleading relative to the extent of participation in the projects cited and are indiscriminately distributed.
  - 4.7.4 Listings in the classified section of directories limited to name, address, telephone number and specialties in which the firm is qualified, without resorting to special or bold type.
- 4.8. A member may: -
- 4.8.1 Use display advertising in recognized and dignified business and professional publications, provided it is factual and only to engineering; it is free from ostentation and contains laudatory expressions of implications; and it is not misleading with respect to the members extent to participation in the services of projects described.



- 4.8.2 Prepare for the lay or technical press articles which are factual, dignified and free from ostentation or laudatory expressions or implications, without implying anything other than direct participation in the work described, unless credit is given to other for their share of the work.
  - 4.8.3 Give permission for his name to be used in commercial advertisement such as may be published by manufacturers, contractors, material suppliers etc, only by means of a modest and dignified notation, acknowledging the extent of his participation in the project or product described provided that such permission shall not include public endorsement or proprietary products.
  - 4.8.4 Advertise for recruitment of personnel in appropriate publications or by special distribution, provided that information presented is displayed in a dignified manner, restricted to firm name, address telephone number, appropriate symbol, names of principal participation, the fields of practice in which the firm is qualified and factual descriptions of positions available, qualifications required and benefits available.
- 4.9 A member shall: -
- 4.9.1 Not enter into competitions for design for the purpose of obtaining commissions for specific projects, unless a provision is made for reasonable compensation to be paid for all designs submitted.
  - 4.9.2 Not maliciously or falsely, direct or indirectly, injure the professional reputations, prospects, practice or employment of another engineering professional nor shall be indiscriminately criticise the work of another engineering professionals.
  - 4.9.3 Undertake or agree to perform any engineering service free of charge, except for professional services which are advisory in nature for civic, charitable, religious or non-profit making organizations; and when serving a member of such organizations, a member shall be entitled to utilise his personal engineering knowledge in the service of these organizations.
  - 4.9.4 Not use equipment, supplies, laboratory or office machinery of his employers to carry on outside practice without his employers consent.
  - 4.9.5 Not in the case of tax free or tax aided facilities, use student services less than normal rates applicable to other employees of comparable competence, including fringe benefits.

- 4.9.6 Not associate with or permit the use of his name or firm names in business ventures by any person or firm which he knows, or has reasons to believe, are engaged in business or professional practices of a fraudulent or uncritical acts.
- 4.10 A member shall continue his/her professional development throughout his/her career, and shall provide opportunities for the professional development of other engineering professionals placed under supervision.
- In particular, a member shall: -
- 4.10.1 Encourage her/his engineering employers to further their education;
- 4.10.2 Encourage his engineering employees to become registered as members of the Institution at the earliest possible date;
- 4.10.3 Encourage his engineering employers to attend and present papers, at professional and technical society meetings;
- 4.10.4 Support the professional and technical societies of his discipline;
- 4.10.5 Give proper credit for engineering work to those to whom such credit is due, and recognizing the proprietary interests of others and whenever possible, he shall name the person or persons responsible for any designs, inventions, writings or other such publications.
- 4.10.5 Endeavour to extend the public knowledge of engineering and not participate in the dissemination of untrue, unfair or exaggerated statements regarding engineering.
- 4.10.6 Uphold the principle of appropriate and adequate compensation for those engaged in engineering;
- 4.10.7 Assign to professional engineering duties of a nature which will so far as is possible, utilize their full training and experience and delegate lesser functions to sub professionals or to technicians.
- 4.10.8 Provide prospective engineering employees with complete information concerning other conditions and their proposed status of employment and keep them duly informed of any changes in such status after employment.
- 4.11 A practicing engineering professional shall be required to take up appropriate insurance (professional indemnity) in order to protect the client in the event of performance failure.



