

THE ASSOCIATION OF CONSULTING ENGINEERS OF NAMIBIA

CODE OF CONDUCT

INDEX

	PREAMBLE	CC - 1
1.	REGULATORY	CC - 1
2.	GOOD PRACTICE	CC - 2

PREAMBLE

Members of the Association of Consulting Engineers, in conducting their practices as consulting engineers and allied professions shall:

1. REGULATORY

1.1 Statutory Laws

- Order their conduct according to the laws of the country in which they work.

1.2 Engineering Council of Namibia

- Take all reasonable steps to ensure that registered persons in their practices adhere to the codes of conduct of the Engineering Council of Namibia and similar statutory bodies for registered persons.

1.3 ACEN Constitution

- Conduct their business activities in accordance with the Constitution, policies and By-laws of the Association and with due regard to public interest.
- When working outside Namibia, adhere to relevant recognised standards of professional conduct in the country concerned.
- Conduct their business so as not to bring the Association or any of its members into disrepute.

1.4 FIDIC

- While the Association remains a member of the International Federation of Consulting Engineers, order their conduct according to the rules and standards of that body.

1.5 Competence

- Maintain their knowledge and skills at levels consistent with development in technology, legislation and management, apply due skill, care and diligence on rendering services to a client and only accept or undertake work for which they possess, or can acquire and manage with responsibility, the necessary professional competence and organisation.

1.6 Leadership and Professional Control

- Conduct their business such that the leadership of a Member shall include appropriate professionally registered persons, and that work for a client shall be under the direct control of such persons.

1.7 Corruption or other Misconduct

- Neither offer nor accept reward of any kind which in perception or in effect either:
 - (1) seeks to influence the process of selection or compensation of consulting engineers or allied professionals and/or their clients, or
 - (2) seeks to affect the independent judgement of the consulting engineer or allied professional.
- Co-operate fully with any legitimately constituted investigative body, which conducts enquiry

into the alleged misconduct of a Member.

- Report to the Association any incidences of bribery or corruption that come to their notice.

1.8 Criminal conviction of insolvency

- Notify Council if the Member or any registered person in its employ is found guilty of a criminal offence or is declared insolvent.

2. **GOOD PRACTICE**

2.1 Integrity

- Act at all times in the legitimate interests of the client and other stakeholders involved and discharge their duties with integrity, faithfulness, confidentiality, efficiency, competence and in a non-discriminatory manner.

2.2 Interests of Society

- Uphold, and assist others to uphold the dignity, standing and reputation of the consulting industry, take all reasonable steps to protect life and to safeguard people, and seek solutions that are compatible with the principles of sustainable development and environmental responsibility.
- Inform their clients or employers of the possible consequences in the event that a Member's professional opinions are overruled on matters relating to the welfare of society.
- Inform the relevant authorities of cases that come to the Member's notice in the course of normal business, where the safety of the public is clearly at risk.

2.3 Impartiality

- Be impartial in the provision of advice, judgement and decision, and inform the client of any potential conflict of interest that might arise in the rendering of services to the client.
- Not accept any remuneration or financial gain other than that from the client without the client's approval, and not accept anything which may prejudice independent judgement.

2.4 Fairness to Other Members

- Neither carelessly nor intentionally do anything to injure the reputation or business of others.
- Neither directly nor indirectly attempt to take the place of another Member already appointed for specific work or after definite steps have been taken towards appointment of such Member.

2.5 Reviewing or Taking Work Over

- Not review for a particular client the work of another Member, except:
 - (1) with the prior knowledge of such Member and affording such Member reasonable opportunity to submit comments on the findings of the review, or
 - (2) after receipt of notification from the client that the engagement of such Member has been terminated, or
 - (3) where the review is intended for purposes of a court of law or other legal proceedings.

- Not take over the work of another Member on a specific project before notifying the member in question, and without being advised in writing by the client of the termination of the prior appointment for that work.
- Not accept subcontracted work without the knowledge of the client.

2.6 Preserving Records

- Not, without satisfactory reasons, destroy or dispose of, or knowingly allow any other persons to destroy or dispose of any calculations, drawings or completion of the project concerned for a period not less than ten years.

2.7 Price Competition

- When requested to submit a tender proposal, structure any offer such as to enable them to discharge their responsibilities to the client adequately in every respect.
- Not, without satisfactory reasons, submit a proposal whether priced or unpriced, for the same or substantially the same project for which proposals have previously been submitted to the same body within the preceding six months.
- Inform the Association of instances, of which it becomes aware, of a client body putting out a call for proposals for a project within six months of a previous call for the same or substantially the same product.
- Not to undertake work for fees and under conditions which may jeopardise the quality of the professional service to be rendered.
- Promote the Association's policy regarding the concept of Quality-Based Selections (QBS)

2.8 Quality Management

- Implement and maintain a system of quality management in their practices.
- Provide work or services of a quality and scopes, and to a level, which are commensurate with accepted standards and practices.