



ENGINEERING
COUNCIL

2024

Code of Ethics



Contact Us

www.engcouncil.gov.gh
0303975229 / 0504625831



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1.0 THE DISCIPLINARY COMMITTEE

1. The Disciplinary Committee shall consist of the Chairman and four other members appointed by the Board. The Board may co-opt persons to serve on the Disciplinary Committee as it deems fit.
2. The Chairman shall be the legal representative on the Board. In his absence such other member of the Committee as the Committee may choose, shall preside at meetings of the Committee.
3. The quorum of the Disciplinary Committee shall be three.
4. Meetings of the Disciplinary Committee shall except so far as the Chairman may otherwise direct, be held at the office of the Council.
5. Members of the Disciplinary Committee shall be summoned to meetings of the Committee by the sending of notice by the Registrar or a person authorized by the Registrar.
6. Except in so far as the Committee or the Chairman of the Committee may otherwise direct, the Disciplinary Committee shall meet twice in every year at such times as the Chairman shall determine.
7. Without Prejudice to 6 above, a meeting of the Disciplinary may be summoned at any time by direction of the Chairman.
8. All acts of the disciplinary Committee shall be decided by votes of a simple majority of the members present at a meeting. In the event of an equality of votes, the chairman or the person presiding shall have a second or casting vote.



2.0 FUNCTIONS OF THE DISCIPLINARY COMMITTEE

The functions and responsibilities of the Committee include the following:

1. To convene and conduct hearings of charges or written complaints or information brought to against an individual engineering practitioner or engineering firm or institution who has allegedly caused a breach of the Code of Conduct / Ethics of the Council or whose competence/ and or ability to practice engineering in Ghana has been called into question.
2. To hold an enquiry into any case in which:
 - i. An individual engineering practitioner has been convicted in Ghana of an offence under Engineering Act, 2011, (Act 819) or any other enactment.
 - ii. An allegation of an infamous conduct in a professional respect is made against an individual practitioner or engineering firm or institution.



3.0 PREAMBLE

The Code of Ethics / Conduct aims at maintaining high standards of personal and professional conduct, developing professional competency and integrity and ensuring ethical conduct in fulfilling social responsibility to society, the country and the global community. In regulating the practice of engineering for the common good of the community we should bear in mind the following:

- a) Concern for integrity and competence
- b) Concern for social justice, social order and human rights.
- c) Concern for public safety and protection of the environment.
- d) Dignity of the engineering profession.



4.0 PROFESSIONAL CONDUCT

Every engineering practitioner shall order his/her conduct so as to observe the following:

1. Shall practice his profession with integrity, conscience, dignity and honor and follow the best traditions of the profession.
2. Shall *offer* services, advise on or undertake engineering assignments only in the areas of his competence and furnish information of his qualification and areas of his competence and furnish information of his qualification and experience to concerned clients.
3. Shall uphold and maintain confidentiality and respect for secrets confided in him by the clients, employers and employees in connection with any professional work undertaken by him / her.
4. Shall keep informed and updated regularly in his area of professional activity and strive to provide opportunities for professional development of his subordinates.
5. Shall not accept any unauthorized commission, discount, allowance or profit direct or indirect to himself in connection with any work under his charge or for any professional business entrusted to him.
6. Shall act with due skills care and diligence and with proper regard for professional standards.
7. Shall act faithfully as trustee of the employer /client on professional matters.
8. Shall avoid real or perceived conflicts of interest whenever possible and to disclose them to affected parties when they do exit.
9. Shall improve his / her understanding of technology, its appropriate application and potential consequences.
10. Shall where appropriate approve only those designs which safely and economically meet the requirement of the client.
11. Shall not approve any engineering document, design, materials, and



stages of work which he /she considers to be unsound.

12. Shall seek and offer honest criticism of technical work, acknowledge errors and give proper credit for the contribution of others. Where necessary engineering practitioners shall issue public statements in an objective and truthful manner.
13. Practitioners shall maintain state- of-the - art professional skills and continue professional development of those working under their command.
14. Shall treat fairly all persons and not to engage in acts of discrimination based on race, religion, gender, disability, age, national origin.
15. Shall abide by the laws of the land in which the work is performed respect local customs, uphold human rights, safeguard public property, and renounce violence and acts of terrorism.
16. Shall hold paramount the safety, health, and welfare of the public and the protection of the environment and promote health and safety within the workplace. He / She shall disclose promptly factors that might endanger the public or the environment.
17. Shall maintain a demeanor and candor as shall uphold the dignity and high standing of the profession and generally act in a manner consistent with the best interests of the profession.
18. Shall build his reputation based on the merits of services to his clients and shall not advertise his work or merit in vainglorious manner and he shall avoid all conduct or practice likely to discredit the dignity and honor of the engineering profession.
19. Shall not engage in unhealthy competition in the discharge of his professional duties.
20. Shall not maliciously or falsely injure the professional reputation of another engineering practitioner or organization.
21. Shall not act in a manner which may injure the reputation or image of the Engineering Council.



5.0 DISCIPLINARY COMMITTEE (PROCEDURE) RULES

5.1 Disciplinary Action

No disciplinary action shall be taken against any engineering practitioner engineering firm or institution under the Engineering Act, 2011 (Act 819) unless it is as a result of an enquiry held by the Disciplinary Committee in accordance with these Regulations.

5.2 Complaint

1. Where a written complaint or information is received from any person by the Registrar or the Registrar in any manner becomes aware that a **registered individual, engineering practitioner or engineering firm or institution,**
 - i. has been convicted of an offence under the Engineering Council Act 2011 (Act 819)
 - ii. has been convicted of an offence relating to engineering under any other enactment and fined or sentenced to a term of imprisonment; or
 - iii. is guilty of professional misconduct or breach of professional standards,the Registrar shall submit the complaint, information or written statement to the Council.
2. The Council shall refer the complaint, information or written statement to the Disciplinary Committee.



5.3 Professional Misconduct

Each of the following acts or omissions by a registered engineering practitioner or engineering firm shall constitute professional misconduct:

- i. Conviction for criminal offence which involves dishonesty or fraud.
- ii. Undertaking a job for which he/she is unqualified or incompetent.
- iii. Exposing life, limb or property to danger by his/her practice.
- iv. Disclosing information on business affairs and technical processes of clients or employers without their consent.
- v. Receiving compensation, financial or otherwise from more than one client for the same service.
- vi. Accepting commission or other payment directly or indirectly to influence his/her practice.
- vii. Acting detrimentally to the cultural and historical heritage of Ghana.
- viii. Directly or indirectly injuring the professional reputation, prospects or practices of another engineering practitioner or firm.
- ix. Holding or assuming or consciously accepting a position in which the interest of the practitioner is in conflict with the professional duty of the practitioner.
- x. Putting up a conduct towards a member of the public which is fraudulent or contains an element of fraud. It is immaterial if the registered practitioner concerned may not have been convicted of that fraud by a court of criminal jurisdiction.



5.4 Disciplinary Procedure

1. The Registrar shall within 7 days of reference to the Disciplinary Committee, serve on the practitioner a copy of the complaint or the information inviting the practitioner to submit in writing to the Disciplinary Committee an explanation of the complaint within 30 days from the date of the receipt by the practitioner.
2. An explanation submitted by the practitioner pursuant to sub regulation (1) shall be examined by the Committee to determine whether an enquiry is necessary.

5.5 Summoning of Persons to Testify

1. Where the Disciplinary Committee after considering the complaint and the explanation provided by the practitioner is of the opinion that an enquiry necessary, it shall summon the practitioner, the complainant or other persons likely to give assistance to the Committee to appear before it.
2. The letter inviting the practitioner shall state the day, time and place at which a hearing is proposed to take place and shall be delivered to the practitioner or sent to him by post in a registered letter addressed to him at his address on the Register or any other address at his last known address, if that differs from his address on the register and it appears to the Register that such service will be more effective.
3. A Person summoned to appear before the Committee may be required by the Committee to produce any document or other materials in his possession or control which relates to the enquiry except that no person shall be compelled to produce before the Committee any document which he



could not be compelled in court.

5.6 Enquiry

1. The practitioner shall be examined on oath by the Committee and may be cross-examined by any other person appearing before the Committee in respect of the enquiry.
2. The practitioner or any other person required to appear before the Committee is entitled to appear with a lawyer or other expert.
3. For the purpose of the enquiry before the Committee, the Committee shall administer an oath or affirmation to a person who is required to give evidence before it.
4. Where the practitioner submits an explanation but fails to appear before the committee without reasonable cause the enquiry may proceed in his absence.
5. The proceedings of the enquiry shall be recorded.
6. An enquiry by the disciplinary Committee shall be held in camera.

5.7 Conclusion of Enquiry

1. On the conclusion of the enquiry, the committee shall submit to the Council a record of the enquiry together with its recommendation on penalty, if any.
2. Matters for decision before the Committee shall be determined by a simple majority. In the event of an equality of votes, the chairman or the person presiding shall have a second or casting vote.

5.8 Failure to submit explanation

Where a practitioner from whom an explanation is sought under regulation



3 fails without reasonable cause to provide explanation within the period specified, the Registrar having satisfied himself that the notice to give explanation has been served on the practitioner, shall bring this information before the committee and the committee shall then consider the complaint and make such recommendations as it considers appropriate in respect of the complaint to the Council.

5.9 Action by the Council

1. The Council on receipt of recommendations of the Committee following an enquiry may:
 - (a) Accept the recommendations
 - (b) Remit the recommendation to the Committee for further recommendation, or
 - (c) Modify the recommendations

5.10 Penalties

1. The Council may in any disciplinary enquiry on the recommendations of the Committee impose as it considers appropriate the following penalties:
 - a) Remove the practitioner's name from the Register
 - b) Suspend the practitioner for such period as appropriate
 - c) Payment of a fine, not exceeding..... Cedis
 - d) A reprimand;
 - e) Payment of all costs expended on the enquiry
2. Where the certificate of registration is to be cancelled or suspended, the Registrar shall:
 - a) serve on the practitioner a notice informing him of the order and requiring him to deliver the certificate within 21 days of the date of the service;



- b) publish in the gazette a notice of the cancellation or suspension;
and
 - c) In the case of cancellation, delete the name of the practitioner from the appropriate Register.
 - d) Where a fine is imposed, the practitioner has one week to pay the money to the Registrar.
3. Notwithstanding sub - regulation (2) of this regulation, where a practitioner appeals against a cancellation or suspension, the Registrar shall only act in accordance with sub-regulation (4) on the expiration of the period of notice of appeal or after the disposal of the appeal.
4. The Registrar shall at the expiration of a suspension period return the certificate to the practitioner and cause notice of the expiration of the suspension to be published in the Gazette.
5. Where the Council determines that a disciplinary measure be applied to any practitioner, the Registrar shall serve on him a notification of the determination of the Council.
6. Any notification required to be served by the Registrar may be served by post in a registered letter addressed to the person on whom it is to be served at his address on the Register and it appears to the Registrar that such service will be more effective.

5.11 Re-registration

1. Where a practitioner seeks re-registration after the cancellation of an earlier registration, the application shall be supported by a declaration of good behavior from two persons namely: -
- a) A practitioner with not less than fifteen years' practices of good standing and character; and
 - b) A senior public officer of any public service organization with not less



than twenty years' service.

5.12 Appeal to the High Court

1. A practitioner aggrieved by a decision of the Council under sections 2 and 3 may appeal against the decision to the High Court.
2. Practitioner who desires to appeal to the High Court shall, within 21 days of the service on him of a notification of the determination of the Council, enter an appearance in the Registry of the Court and at the same time lodge a Notice of Appeal and serve a copy upon the Council.
3. Upon receipt of a copy of the Notice of Appeal, the Council shall with all convenient speed deliver to the appellant a certified typewritten record of proceedings before the Disciplinary Committee and shall notify the Registrar of the High Court of the date of such delivery and shall if it desires be heard as respondent before the High Court, enter an appearance forthwith in the Registry and give notice thereof to the appellant.

