

CODE OF ETHICS FOR MEMBERS OF THE INSTITUTION OF INCORPORATED ENGINEERS SRI LANKA

1. PREAMBLE

The objects of the Institution of Incorporated Engineers, Sri Lanka (IIESL) are the advancement of Engineering Technology and the promotion of the acquirement of the knowledge of Engineering Technology connected therewith. The objective of this Code of Ethics is to promote the standard of professional conduct or self-discipline, required of Members of IIESL in the interest of the public. The Members of IIESL are governed by its Act, Byelaws, Regulations and this Code in addition to the Common Law.

This Code of Ethics outlines the standards to which members of the group subscribe and gives an understanding of what the public can expect in its relationship with the profession. The Code of Ethics also serves as a guide to the members of the profession in their conduct and relations with each other. The IIESL member, to uphold and advance the honor and dignity of Engineering Profession and in keeping with the high standard of ethical conduct will (1) be honest and impartial and will serve employer, client, and public with devotion; (2) strive to increase the competence and prestige of their profession; and (3) will apply knowledge and skill in advance human welfare.

A Member must at all times be guided by the spirit of the Code as well as by its precise terms. Compliance with an Undertaking will not of itself be conclusive evidence that the relevant Principle has been honoured, nor will the fact that no particular undertaking has been included prevent a misdemeanor amounting to a contravention of the code being judged to have taken place. Members must have regard to the provisions of this Code irrespective of their field of activity, contract of employment or membership of an association. A Member is liable to reprimand, suspension or expulsion under Byelaws 13.13.0 to 13.13.2 of IIESL if his conduct is found by the Disciplinary Committee to be in contravention of the Code or otherwise inconsistent with his status as a Member or derogatory to his professional character.

2. INTERPRETATION

Throughout this Code:

‘Institution’ means Institution of Incorporated Engineers, Sri Lanka (IIESL)

‘Member’ means a Corporate Member or Non-Corporate Member of IIESL.

‘Client’ means the person or body corporate or incorporated with whom the Member makes an agreement or contract for the provision of services or the supply of goods.

‘Contractor’ means a member who undertakes the performance of works and / or supply of goods.

‘Body corporate or incorporate’ includes a central government department, a local authority, public board or corporation or any society, firm or company.

In particular one gender shall be read as including the other gender; a word in the singular as including the plural; and a word in the plural as including the singular.

3. THE PROFESSIONAL ROLE OF THE ENGINEER

- A.** Engineers would employ the word "professional," restricted to a particular and specialized group of people, identified by distinguishing characteristics that separate its members from non-professionals.
- B.** Member shall abide by the standards of training, skills, achievement, and service sets by IIESL in order to call itself a professional group.

- C. Member as a professional person applies certain knowledge and skill, usually obtained by education, for the service of people.
- D. Member as a professional person observes all acceptable Code of Conduct, uses discretion and judgment in dealing with people, and respects their confidences.
- E. Engineer in industry should be especially conscious of their responsibility in protecting “company proprietary” designs or processes. They should establish performance standards and safety criteria, which protect the purchaser while maintaining a satisfactory return to the manufacturer.
- F. Engineer in government or the engineer in private practice, professionalism should mean capitalizing on a special opportunity to project the profession to the public as a constructive force in society.
- G. Engineer in education, professionalism should mean practicing at the frontier of knowledge in some field and pushing against that boundary, thus impressing on his students those boundaries need not be (and are rarely) static.
- H. Professionalism for all engineers means an active participation in community life.

4. PROFESSIONALISM FOR ENGINEER

- A. The Member joins with members of other learned professional groups in placing honesty and integrity of action above the legal or minimum level allowable.
- B. For the Member professionalism implies that he will make maximum use of his skill and knowledge, and that he will use his competence to its fullest extent:
 - With complete honesty and integrity.
 - With his best effort in spite of the fact that frequently neither client nor employer is able to evaluate that effort.
 - With avoidance of all possible conflicts of interest.
 - With the consciousness that the profession of engineering is often judged by the performance of a single individual.
- C. The Member, to uphold and advance the honor and dignity of the engineering profession and in keeping with high standards of ethical conduct:
 - Will be honest and impartial, and will serve with devotion his employer, his clients, and the public;
 - Will strive to increase the competence and prestige of the engineering profession;
 - Will use his knowledge and skill for the advancement of human welfare.
- D. Professionalism for a Member begins with good moral character, because he occupies a position of trust where he personally must set the standards.
- E. Professionalism for a Member means:
 - Striving to improve his work until it becomes a model for those in his field, using the most up-to-date techniques and procedures.
 - Proper credit for work done and ideas developed by subordinates.
 - Loyalty to his employer or client, always with concern for the public safety in construction, product design, plant operation, and all other phases of engineering.
 - Leadership of less experienced colleagues and subordinates toward personal development and an enthusiasm for the profession.
 - Activity in technical societies in order to keep current in his field, and encouragement of those working under him to improve their technical competence the same way.
 - Participation in professional societies, as well as technical societies, thereby demonstrating his interest in the profession and encouraging his coworkers to recognize the technical and the professional as of equal-ranking
 - Registration, not simply because it may be a legal requirement, but more particularly as a demonstration to his coworkers and the public that this is one important hallmarks of a professional, a willingness to go beyond the minimum to help and encourage others to realize their full Potential.
- F. Members will work through professional societies to encourage and support others who follow the concepts.

5. DEALING WITH PUBLIC

- A. Members will hold paramount the safety, health, and welfare of the public, and proper utilization of funds in the performance of professional duties. If the member's engineering judgment is overruled by non-technical authority, the member will clearly point out the consequences. The member will notify the proper authority of any observed conditions, which endanger public safety and health.
- B. Member shall seek opportunities to be of constructive service in civic affairs and work for the advancement of the safety, health and well being of his community.
- C. Members will approve or seal only those documents, reviewed or prepared by them, which are determined to be safe for public health and welfare in conformity with accepted engineering standards
- D. Members shall be objective and truthful in professional reports, statements, or testimony. They shall include all relevant and pertinent information in such reports, statements, and testimony.
- E. Members will dignified and modest, ever upholding the honour and dignity of their profession, and will refrain from self-laudatory advertising.
- F. Members will express an opinion on engineering subject only when it is founded on adequate knowledge and honest conviction.
- G. Members shall work in conformity with recognized engineering standards so as not to jeopardise the public welfare, health, or safety.
- H. Members shall endeavour at all times to maintain engineering services essential to public welfare.
- I. On engineering, Members will issue no statements, criticism, or arguments that are inspired or paid for by an interested party or parties, unless they prefer their comments by identifying themselves, by disclosing the identities of the party or parties on whose behalf they are speaking, and by revealing the existence of any pecuniary interest they may have in matters under discussion.

6. DEALINGS WITH EMPLOYERS AND CLIENTS

- A. Member will be guided in all his professional relations by the highest standards of integrity, and will act in professional matters for each client or employer as a faithful agent or trustee.
- B. Members shall at all times avoid all known or potential conflict of interest. They should inform their employer or client on all matters, including financial interest which could lead to such a conflict. Members should not allow such interest to affect any decision regarding engineering services that may be called upon to perform.
- C. Members should act fairly towards clients and will not accept any commission or allowances from them without prior approval from their employers.
- D. Members shall undertake only those engineering assignments for which they are qualified.
- E. Members shall treat information coming to them in their course of assignments as confidential and shall not use such information as making a personal profit if such action is adverse to the interest of their clients, their employers, or the public.
- F. Members neither shall nor accept compensation – financial or otherwise- from more than one party for the same service, or for other services pertaining to the same work, without the consent of all interested parties.
- G. Employed Members shall engage in supplementary employment or consulting practice with the consent of their employer or without violating the conditions of employment contract.
- H. Members shall not use resources of their employer to carry an outside private practice without consent of their employers.
- I. Members shall advise their clients or employers when as a result of their studies they believe a project(s) will not be successful or viable.
- J. Members shall neither solicit nor accept gratuities, directly or indirectly from the clients or other parties dealing with their clients unless authorized by the employer.
- K. Members neither shall nor solicit a contract from a state organization on which a principal officer or employer of their organization serves as a member.
- L. The Member shall act with fairness and justice to all parties when administering a contract.
- M. The Member shall not complete, sign or seal and/or specifications that are not of a design safe to public health, welfare, occupation and in conformity with accepted engineering standards. If the client or

- employer insists on such unprofessional conduct, they should immediately notify the proper authorities and withdraw from further service on the project.
- N. Members shall admit and accept their own errors when proven wrong and refrain distorting or altering the facts to justify their decisions.
 - O. Members shall not attempt to attract an employee from another employee by false or misleading representations.
 - P. Members shall exercise their discretion and judgment on any work assign to them
 - Q. Members should establish a relation of confidence between the engineer and client or the engineer and employer.
 - R. Members will be realistic and honest in all estimates, reports, statements, and testimony.
 - S. Member shall faithfully carryout his duties applying his knowledge and experience with efficiency and loyalty towards his client or employer, and being mindful of the interest of those who may be expected to use or enjoy the product of his work
 - a. Member undertakes when acting between parties or giving advice, to exercise his independent professional judgment impartially to the best of his ability and understanding.
 - b. Member undertakes not to transfer his responsibilities, nor reduce the scope of his services by sub-contracting, without the prior consent of his client, nor without defining the changes in the responsibilities of those concerned.
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7. RELATIONS WITH OTHER PROFESSIONALS

- A. Members will provide prospective employees with complete information on working conditions and their proposed status of employment. After employment begins, they will keep the employee informed of any changes in status and working conditions.
- B. Member will not compete unfairly with another Member by attempting to obtain employment or advancement or professional engagements by competitive bidding, by taking advantage of a salaried position, by criticizing other Member, or by other improper or questionable methods.
- C. Member will not attempt to supplant another Member in a particular employment after becoming aware that definite steps have been taken toward the other's employment.
- D. Member shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice or employment of another Member, nor shall he indiscriminately criticize another Member's work in public. If he believes that another Member is guilty of unethical or illegal practice, he shall present such information to the proper authority for action.
- E. Members will not compete unfairly with other engineering professionals.
- F. Member will not associate with or allow the use of his name by an enterprise of questionable character, nor will he become professionally associated with engineers who do not conform to ethical practices, or with persons not legally qualified to render the professional services for which the association is intended.
- G. The Member will cooperate in extending the effectiveness of the profession by interchanging information and experience with other engineers and students, and will endeavor to provide opportunity for the professional development and advancement of engineers under his supervision.
 - a. He will encourage his engineering employees' efforts to improve their education.
 - b. He will encourage engineering employees to attend and present papers at professional and technical society meetings and to attend training programmes etc.
 - c. He will assign professional engineer duties of a nature to utilize his full training and experience, as far as possible,
 - e. He will provide a prospective engineering employee with complete information on working conditions and his proposed status of employment and after employment will keep him informed of any changes in them.
- H. Member will endeavour to provide opportunity for the professional development and advancement of individuals in their employment or under their supervision.
- I. Member may prepare articles for the lay or technical press, which are factual, dignified and free from ostentatious or laudatory implications. Such articles shall not imply other than his direct participation in the work described unless credit is given to others for their share of the work
- J. Members will not request, propose, or accept unethical professional commissions on a contingent basis under circumstances that compromise their professional judgments.

- K. Members will not falsify or permit misrepresentation of their own or their associates' academic professional qualifications. They shall not misrepresent or exaggerate their degrees of responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint ventures, accomplishments, or membership in technical societies.

8. STANDARDS OF PROFESSIONAL PERFORMANCE

- A. Member will avoid all conduct or practice likely to discredit or unfavorably reflect upon the dignity or honor of the profession.
- B. Member will endeavor to extend public knowledge and appreciation of engineering and its achievements and to protect the engineering profession from misrepresentation and misunderstanding.
- C. Member shall not issue statements, criticisms, or arguments on matters connected with public policy, which are inspired or paid for by private interests, unless he indicates on whose behalf he is making the statement.
- D. Member will express an opinion of an engineering subject only when founded on adequate knowledge and honest conviction.
- E. Member will undertake engineering assignments for which he will be responsible only when qualified by training or experience; and he will engage, or advise engaging, experts and specialists whenever the client's or employer's interests are best served by such service.
- F. Member will not disclose confidential information concerning the business affairs or technical processes of any present or former client or employer without his consent.
- G. Member will endeavor to avoid a conflict of interest with his employer or client, but when unavoidable, the Member shall fully disclose the circumstances to his employer or client.
 - a. Member will inform his client or employer of any business connections, interests, or circumstances which may be deemed as influencing his judgment or the quality of his services to his client or employer.
 - b. When in public service as a member, advisor, or employee of a governmental body or department, a Member shall not participate in considerations or actions with respect to services provided by him or his organization in private engineering practice.
- H. Member will uphold the principle of appropriate and adequate compensation for those engaged in engineering work.
 - a. He will not undertake or agree to perform any engineering service on a free basis, except for civic, charitable, religious, or eleemosynary nonprofit organizations when the professional services are advisory in nature.
 - b. When hiring other engineers, he shall offer a salary according to the engineer's qualifications, relevant experience and the recognized standards .
- I. Member will not accept compensation, financial or otherwise, from more than one interested party for the same service, or for services pertaining to the same work, unless there is full disclosure to and consent of all interested parties.
- J. Member in governmental, industrial or educational employment is entitled to review and evaluate the work of other engineers when so required by his employment duties.
- K. Member will give credit for engineering work to who credit is due, and will recognize the proprietary interests of others.
 - a. Whenever possible, he will name the person or persons who may be individually responsible for designs, inventions, writings, or other accomplishments.
 - b. When a Member uses designs supplied to him by a client, the designs remain the property of the client and should not be duplicated by the Member for others without express permission.
 - c. Before undertaking work for others in connection with which he may make improvements, plans, designs, inventions, or other records which may justify copyrights or patents, the Member should enter into a positive agreement regarding the ownership.

- d. Designs, data, records, and notes made by a Member and referring exclusively to his employer's work are his employer's property.
- L. Members shall be dignified and modest in explaining their work and merit and will avoid any act tending to promote their own interest at the expense of the integrity, honour, and dignity of the profession.
- M. Members, when serving as expert witness, shall express opinions or make statements only when it is found upon adequate knowledge of the facts, upon a background of technical competence, and upon honest conviction.
- N. Members should not lay to claim to expertise which they do not have, nor accept commissions which they know are beyond their skill and experience, without arranging for appropriate assistance and advice which will enable them to satisfy the Standard of Professional Performance in the discharge of their professional duties
- O. Member shall at all times, avoid any action or situation which is inconsistent with his professional obligations or which likely to raise doubts about his integrity
- P. Members shall always respect and honour other professions and professionals in their workplace or in the society in all their activities.
- Q. Member shall undertake to fulfill Continuing Professional Development (CPD) obligations and when employing other Members.
 - a) Member undertakes to declare in writing to any prospective client or employer any business interest, the existence of which, if not so declare would, or might be likely to raise a conflict of interest and doubts about his integrity by reason of an actual or apparent connection with or effect upon his engagement. If the prospective client or employer does not in writing accept these circumstances, the Member must withdraw from the situation.
 - b) Member undertakes when finding that in circumstances not specifically covered elsewhere in this Code his personal or professional interests conflict so as to risk a breach of this Principle, either to withdraw from the situation or remove the source of conflict or declare it and obtain the agreement of the parties concerned to the continuance of the engagement.
 - c) Member undertakes not to make, support or acquiesce in any statement, written or otherwise which is contrary to his own knowledge or bona fide professional opinion, or which he knows to be misleading, or unfair to others or otherwise discreditable to the profession.
 - d) Member undertakes not to carry out, nor purport to carry out, the independent functions of a Member or any similar independent functions in relation to a contract in which he or his employer is the contractor, or where the engineering practice and the contractor's firm are under substantially the same management or control.
 - e) Member undertakes not to disclose, or use to the benefit of him or others confidential information acquired in the course of his work without the prior written consent of the parties concerned.
 - f) Member undertakes irrespective of the form of his practice, and notwithstanding the provisions of the Companies Acts, to conduct his business in a manner consistent with this Principle.
 - g) Member undertakes on becoming personally or professionally insolvent or being disqualified under the Company Directors Disqualification Act, to notify the IIESL's principal executive officer of the facts.
- R. Member shall in every circumstance conduct himself in a manner which respects the legitimate rights and interest of others
 - a) Member undertakes when offering services as an independent consultant, not to quote a fee without receiving an invitation to do so and sufficient information on the nature and scope of the project to enable a quotation to be prepared which clearly indicates the service covered by the fee.
 - b) Member undertakes not to attempt to oust another Member from an engagement.
 - c) Member undertakes not to enter any engineering competition which the IIESL has declared to be unacceptable.
 - d) Member undertakes not when appointed as a competition assessor subsequently to act in any other capacity for the work.
 - e) Member undertakes not maliciously or unfairly to criticize or attempt to discredit another Member or his work.
 - f) Member undertakes on being approached to undertake work upon which he knows or can ascertain by reasonable inquiry that another Member has an engagement with the same client, to notify the fact to such Member.

- g) Member undertakes when engaged to give an opinion on the work of another Member, to notify the fact to that Member unless it can be shown to be prejudicial to prospective or actual litigation to do so.
- h) Member undertakes appropriately to acknowledge the contribution made to his work by others.
- i) Member undertakes subject to any restriction imposed by law or the courts, to report to the IIESL any alleged breach of code of which he may become aware and assist the IIESL in its investigation.
- j) Member undertakes subject to the Byelaws governing the IIESL's disciplinary procedures, to respect and maintain confidentiality in any matter involving breaches, either alleged or proven, of the Code of Professional Conduct or the Standard of Professional Performance by a Member of the IIESL.
- k) Member undertakes to report to the IIESL if convicted of any indictable criminal offence including a suspended sentence or court order and personal or professional disqualification.

9. OTHER MATTERS ON PROFESSIONAL CONDUCT

- A.** Members shall be guided in all their professional relations by the highest standard of integrity.
- B.** Members shall avoid any act tending to promote their own interest at the expense of the dignity and integrity of the profession
- C.** Members shall refrain from attending official meetings and functions if the Member feels he is not in the proper mental state due to influence of liquor or otherwise.
- D.** Members should respect each other and should cooperate with each other in carrying out their duties for the Institution
- E.** Members should always keep the Institution at high esteem and should not make any derogatory remarks about the Institution
- F.** Members should not utilize the resources of the Institution for their personal gain or their image building
- G.** Members should adhere to the dress code decided by the Management of the Institution for official meetings and functions
- H.** Important decisions regarding the activities of the Institution at Council Level or Functional Committee Level or Sub Committee Level should always be taken on the will of the majority in the order of authority level stated. Such decisions taken should not be altered single handedly but it should always be done on the majority consent.
- I.** Members should recognize and respect the expertise of other Members, and collaborate with them in the interest of the profession.
- J.** Members appointed by the Institution to participate on various committees of the Institution or as official representative of the Institution to outside organizations should serve such committees regularly. Those who are unable to fulfill this obligation should tender resignation honorably leaving the Institution to appoint another Members to serve in place of them..
- K.** Institution funds should always spent on the approval of the proper authorities. Members responsible for such transaction should maintain proper records pertaining to such transaction and transparency of such transactions should be maintained at all levels.
- L.** When Members represent IIESL in any local or foreign fora he should at all times uphold the dignity of the Institution