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The Gazette of the Democratic Socialist Republic of Sri Lanka EXTRAORDINARY

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PART I : SECTION (I) — GENERAL

Government Notifications

ENGINEERING COUNCIL, SRI LANKA ACT, No. 4 OF 2017

REGULATIONS made by the Minister of Irrigation under Section 16(6) read with Section 38 of Engineering Council Sri Lanka Act, No. 4 of 2017.

Roshan Ranasinghe (M.P.),
Minister of Irrigation.

Colombo,
15th January 2023.

Regulations

1. These regulations may be cited as Professional misconduct regulations.
2. The acts and omissions pronounced and declared in this regulation are subject to a disciplinary inquiry conducted by the Engineering Council or their Disciplinary panel or Disciplinary Board which is empowered to do so.
3. Interpretation of professional misconduct of an engineering practitioner, means:-
 - (I) Any act or omission while performing the professional practice as an engineering practitioner, which amounts to a violation of laws in Sri Lanka passed by the legislature.
 - (II) Any act or omission while performing the professional practice as an engineering practitioner, which amounts to a violation of written policies and regulations of the government of Sri Lanka.



- (III) Any act or omission while performing the professional practice as an engineering practitioner, which amounts to a violation of written agreements or proclamations where the Democratic Socialist Republic of Sri Lanka has signed and taken part.
- (IV) Any act or omission while performing the professional practice as an engineering practitioner, which violates the rules and code of ethics passed and introduced by the Engineering Council of Sri Lanka from time to time.
- (V) Any act or omission which amounts to malpractice and dishonesty as an Engineering practitioner while performing the professional practice as an engineering practitioner.
- (VI) Any act or omission which amounts to a criminal offense or civil damage while performing the professional practice as an engineering practitioner.
- (VII) Any act or omission while performing the professional practice as an engineering practitioner which fails to pay sufficient and adequate attention due to professional negligence.
- (VIII) Unpleasant characteristics which damage the honesty and reputation of the engineering profession.
- The engineering practitioner who contravenes No. 4, 5, and 6 of this regulation is also amounting to professional misconduct.
4. The engineering practitioner must only undertake the tasks and duties, for which they are assigned and are specifically qualified.
 5. All kinds of guidelines, orders, designs and performing steps that an engineering practitioner must follow should be in writing.
 6. All kinds of guidelines, orders, designs and performing steps that are passed by an engineering practitioner should be in writing.
 7. If an engineering practitioner fails to give the attention required from a reasonable man, it will amount to professional misconduct in his practice.
 8. The engineering Council with expertise knowledge, hereby is empowered to examine by an incident to incident or act to act or omission to omission whether professional misconduct is occurred within the specific area of engineering where the dispute arises.
 9. The Engineering Council is free to get assistance from the law of evidence relating to expert evidence as long as it's applicable to the specific issue (under section 45 of the Evidence Ordinance of Sri Lanka).
 10. The engineering practitioner who contravenes this regulation is to be ruled by the disciplinary procedure passed by the Engineering Council of Sri Lanka from time to time.
 11. In these regulations –
- Act means the Engineering Council, Sri Lanka Act, No. 4 of 2017;
- “Engineering Council” or “Council” or “Engineering Council Sri Lanka” or “Engineering Council of Sri Lanka” refers to the Engineering Council of Sri Lanka established under Act, No. 4 of 2017.