



# ENGINEERS' CODE OF CONDUCT

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## **VISION**

To promote and ensure the highest standards of professionalism in engineering practice in Nigeria.

## **MISSION**

To Register and license Engineering Personnel and Firms and make provisions for the control of engineering practice.

To determine the academic standards of courses and accredit programmes to be offered by institutions training Engineering Personnel.

To foster speedy acquisition of relevant engineering and technological skills through Continuous Professional Development.

To ensure that engineering is practiced to improve the quality of life and promote sustainable development.

To promote and ensure stability and cooperation within the Engineering family.

**By order of Council**

**June, 2015.**

# **ENGINEERS' CODE OF CONDUCT**

## **1.0 PREAMBLE**

The Engineering profession has a set of laws, rules and regulations governing all activities of its practitioners to ensure discipline and uniformity. These laws, rules and regulations are further translated to Code of Conduct and Ethics for all Engineers. All Engineers are therefore expected to adhere and comply fully with the Code of Conduct and Ethics of the profession and defaulters shall be sanctioned appropriately.

Essentially, the Ethics of the Engineering profession is based on the broad principles of trustworthiness, truthfulness, respect of human life and welfare, competence and accountability. All Engineers should always be aware of their paramount responsibilities in the discharge of their duties, bearing in mind that the engineering profession has a direct impact on the quality of life of the people or community around them. Engineers shall demonstrate respect and care for humanity's cultural, historical and archaeological heritage, while ensuring that no direct harm is done to the health and wellbeing of present and future generations. They shall also exhibit full regard for the sustainable management of natural and environmental resources. Engineers shall therefore be guided by the content of this Code of Conduct and ensure strict adherence to the Ethics of the profession.

A Registered Engineer maybe engaged in the design of an item or an infrastructure, teaching and research, production, supervision and/or management of an infrastructure. He/she maybe retained as a consultant for professional advice, inspection, certification and/or adjudication or be engaged in a combination of any of these.

In discharging these responsibilities, a Registered Engineer shall uphold and enhance the honour, integrity and dignity of the engineering profession and shall at all times act in strictly

judicial manner as a trustee of his/her client or as official arbiter between the contractor and the client. He/she shall act with full regard to the codes of practice of the professional society, association or institution to which he/she belongs and in accordance with the rules laid down in this Code of Conduct.

This Code of Conduct and Ethics document has been carefully compiled to ensure that engineering practice in Nigeria is in line with world best practices, with particular reference to World Federation of Engineering Organisations (WFEO) Model Code of Ethics, so that all professional activities as well as the engineer's disposition towards colleagues, client, the public, service to humanity, etc, are done with utmost care and diligence.

## **2.0 RULES OF CONDUCT**

### **2.1 OBLIGATIONS OF AN ENGINEER TO THE PROFESSION.**

#### **2.1.1 Knowledge and Competence**

- a) Engineers shall only undertake works or tasks they are competent to do. They shall offer services or undertake engineering assignments only in their areas of expertise as indicated on their COREN Registration Certificate and enabled by their academic training and professional experiences.
- b) As it relates to rule 2.1.1(a) above, in the event of an assignment that essentially requires expertise outside their fields of competence, Engineers shall endeavour to inform all Stakeholders (clients, employers, contractors etc) involved and make appropriate recommendations on obtaining further advice, from a more suitably trained and experienced engineering professional.

- c) It is the responsibility of Engineers to ensure that their knowledge and competence level remain up to date, hence they shall endeavour to stay abreast of developments and knowledge advancements within their specific fields.
- d) Engineers shall seek to advance the body of knowledge in their specific areas of practice. They shall also provide such opportunities for the professional development of their subordinates.

### **2.1.2 Professional Accountability.**

- a) Engineers shall at all times apply due care and diligence in their areas of practice. In doing so, they must constantly demonstrate willingness to take responsibility for their actions and professional decisions.
- b) Engineers shall not knowingly take part in any competition involving the submission of proposals and designs for engineering work, unless an assessor who shall be an Engineer of acknowledged standing, has been appointed, to whom all such proposals and designs are to be submitted for adjudication.
- c) An Engineer shall satisfy himself to the best of his ability that enterprises with which he becomes identified, are of legitimate character. If after becoming associated with an enterprise in good faith, he/she finds it to be of

questionable character, he/she should sever his/her connection with it as soon as practicable.

- d) An Engineer shall be answerable to questions arising from the conduct of the engineering team which he superintends.
- e) In a situation where the safety of the public which an Engineer has sworn to uphold, is being threatened or compromised as a result of an engineering decision, the Engineer shall advise all concerned stakeholders or seek professional advice as soon as possible, to remedy the situation.
- f) It shall be the duty of every Engineer to bring to the attention of COREN any violation of this Code of Conduct and endeavour to encourage other Engineers to adhere to its provisions.
- g) Any Engineer who violates Rule 2.1.2(f) above also contravenes the provision of Section 23 of the Independent Corrupt Practices and Other Related Offences, Act 2000 and is guilty of an offence (of failure to report) and shall on conviction, be liable to a fine not exceeding One Hundred Thousand Naira (N100, 000) or to imprisonment for a term not exceeding two (2) years or both fine and imprisonment.

## **2.2 OBLIGATIONS OF ENGINEERS TO OTHER ENGINEERS**

- a) Engineers shall not attempt to injure, maliciously or falsely, the professional reputation or prospects of



another Engineer. However, in the event of perceived unethical practices or actions considered as unbecoming of a representative of the engineering profession, such cases shall be reported to COREN for appropriate action.

- b) An Engineer shall not attempt to obtain employment, advancement or professional engagements, including reviewing or taking over the work of another Engineer by untruthfully criticizing other Engineers, or by other improper or questionable methods.
- c) An Engineer shall not review or take over the work of another engineer, acting as a consulting Engineer for the same client, until he has either obtained the consent of such professional colleague or has been notified by the client in writing that the connection of such Engineer with the work had been terminated. In either case, his reports and advice shall be confined to the particular matters upon which he had been consulted.
- d) An Engineer shall not accept engagement while the just claim for compensation or damages, or both, of another Engineer previously employed on the same project and whose engagement has been terminated, remains unsatisfied. Even when such claim has been referred to arbitration or issue has been joined at law, an Engineer shall not accept engagement in this regard unless the Engineer previously employed has neglected to press his claim legally after a reasonable length of time.
- e) An Engineer shall not take undue advantage of his salaried position to compete with other Engineers either for public contracts or jobs of like manner.
- f) Any Engineer who violates rule 2.2(d) above also contravenes section 19 of the Independent Corrupt Practices and Other Related Offences Act 2000 and shall

be guilty of an offence of using his office or position to gratify or confer corrupt or unfair advantage upon himself or any relation or associate and shall be liable to five (5) years imprisonment without the option of fine.

- g) Engineers shall at all times recognize the proprietary interests of others. Any work, ideas, designs, inventions or writings shall be duly credited to the real authors.
- h) In relation to rule 2.2(f) above, if an Engineer agrees to use designs provided by a client, he/she must recognise and accept that such design remains the property of the client and may not be duplicated for other purposes without first obtaining a formal permission from the author to that effect.
- i) In reviewing or evidencing the works of others, an Engineer shall ensure the avoidance of actions or statements which can be construed as being unfairly critical or an act of victimisation of another or deeds intended to favour his/her own position at the expense of another Engineer.

### **2.3 OBLIGATIONS OF ENGINEERS TO THE PUBLIC.**

- a) In the course of discharge of duty, Engineers shall hold in full consideration all matters of public and environmental interest.
- b) Engineers shall avoid all actions or speeches deemed capable of deceiving or misleading the public, which in itself may directly or indirectly influence their decisions.
- c) Engineers shall ensure that the health, safety and total welfare of the general public or the immediate environment is held paramount.

- d) Engineers shall at all times, ensure that all engineering works under their adjudication conform to all acceptable laws and regulations on public health and safety. In discharging their duties, they shall strive towards applying all Engineering practice codes and standards.
- e) An Engineer shall carry out the necessary engineering judgements and risk assessments necessary to rule out every foreseeable risk or preventable danger to the public, and where necessary, report or communicate these risks appropriately.

## **2.4 OBLIGATIONS OF AN ENGINEER AS AN EMPLOYER**

- a) It shall be the duty of an Engineer as an employer, to ensure that no person in his employment other than an Engineer holds any post, discharges or purports to discharge any function that is properly that of an Engineer.
- b) An Engineer employing the services of any person working or training to become an Engineer, shall ensure that such a person is given every opportunity to satisfy the conditions to enable him/her earn satisfactory Certificate of Experience and shall not improperly withhold the issue of such a certificate when required to do so.

## **2.5 OBLIGATIONS OF AN ENGINEER TO HIS CLIENT OR EMPLOYER.**

- a) An Engineer shall not be a Director or salaried employee of any company, firm or person carrying on any commercial, contracting or manufacturing business which is, or may be involved in the class of work to which his appointment relates, nor have any substantial financial interest in, nor

be an agent for any such company, firm or person, without disclosing the fact to his client in writing.

- b) Any Engineer who is employed in the public service and is at the same time a shareholder or Director of a private company shall have violated the provisions of rule 2.5(a) above. This also contravenes section 12 of the Independent Corrupt Practices and other Related Offences Act 2000 and is guilty of an offence of fraudulent acquisition of property and shall on conviction, be liable to imprisonment for seven (7) years.
- c) An Engineer shall at all times strive to protect the confidential information of business affairs, facts, data, technical processes, etc of his/her client and employer, and shall not disclose this without his/her prior consent. However, an Engineer shall reconsider the confidentiality requirement, if such information holds any potential danger to him or the public.
- d) An Engineer shall not place Orders on his behalf, in respect of a project on which he is engaged but shall only do so explicitly on behalf of his client.
- e) An Engineer shall discharge his duties to his client or employers with utmost truthfulness. Where need be, he shall present clearly, and in the most professional manner, the possible societal or environmental consequences of any engineering decision and judgements, and shall as well, provide a professional recommendation as required.
- f) An Engineer shall not be the medium of payment made on his client's behalf, unless specially so requested in writing by his client, but shall only issue certificates for payment.

- g) Any Engineer who violates the provisions of rule 2.5(f) above has also contravened the provision of section 8 of the Independent Corrupt Practices and Other Related Offences Act 2000 and is guilty of an offence of official corruption and is liable, on conviction, to imprisonment for seven (7) years.

## **2.6 OBLIGATIONS OF ENGINEERS REGARDING CONTRACTS.**

- a) An Engineer shall ensure that every provision which he considers necessary to protect the interest of owner, Engineer, Contractor and the public, is incorporated in the contract.
- b) In private or public bidding for contracts, an Engineer shall demonstrate professional integrity by avoiding compromise such as paying, offering or receiving either directly or indirectly any form of inducement to secure jobs.
- c) An Engineer shall ensure that fairness and honour shall govern the use of every bid over which he is to adjudicate. The contract shall be awarded on the basis of the original bids, except when substantial change is made in the work, or when further bidding on alternate items is requested. Any reduction of a bid disproportionate to such change constitutes unfair competition.
- d) An Engineer shall not inflate or reduce the cost or the estimates from prospective bidders on a tentative project. If for any reason, an Engineer calls upon a contractor for preliminary estimates or review, he shall ensure that the contractor is fully paid for his/her services.

### **3.0 ENFORCEMENT**

The Engineers' Code of Conduct is not a stagnant document. It is a compilation meant to preserve the high ethical standards of the Engineering profession. COREN maintains and enforces the Code of Conduct which every Engineer must subscribe to and it is the duty of every Engineer to report promptly to COREN any observed violation of the Code.

COREN is a professional regulatory body established by Decree 55 of 1970 as amended by Decree 27 of 1992 and now known as Engineers (Registration, etc) Act CAP E11, LFN, 2004. The Council is empowered by the Act to appoint its Investigating Panel to conduct a preliminary investigation into any case where it is alleged that a Registered Engineer has misbehaved in his capacity as such, or should be referred to Registered Engineers Disciplinary Tribunal after being investigated by the Investigating Panel. In 2014, COREN signed a Memorandum of Understanding with the Independent Corrupt Practices and Other Related Offences Commission (ICPC) in which COREN and ICPC agreed to jointly investigate offenders of corrupt practices and other related violations, including infractions to the Code of Conduct. ICPC shall investigate such violation and in appropriate cases, take steps to secure and ensure the prosecution.

The Registered Engineers' Disciplinary Tribunal acts like a grand jury and considers the report of the Investigating Panel and ICPC report. Hearings are conducted in accordance with its standing Order, 2013 made pursuant to Section 2(b) of the Engineers (registration, etc.) Act, CAP E11, 2004, article 6(1) of Schedule 2. Due process is afforded to the Engineer, including reasonable notice of the charges and fair hearing before an unbiased panel. Upon finding a violation of the code, hearings are made following the Tribunal Rules, 2007 made pursuant to paragraph 2(1) of second schedule to the Engineers (Registration, etc) Act, CAP E11, 2004. The Registered Engineers' Disciplinary Tribunal may take disciplinary action, including expulsion or a letter of

admonition or a suspension of registration or any other sanction deemed necessary.

Any Engineer who has been convicted by a competent tribunal or a law court of a criminal offence which, in the opinion of the disciplinary body renders him unfit to be a member of his professional society, association or institution, shall be deemed to have been guilty of improper conduct.

COREN enforces the provisions of its Code of Conduct as contained herein to preserve the high standards of the engineering profession.