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GRENADA

ACT NO. 32 OF 2014

I assent,

CÉCILE E. F. LA GRENADE
*Governor-General.**2nd July, 2014.*

AN ACT to provide for the regulation and practice of professional engineering, to govern its members and for connected purposes.

[By Proclamation].

BE IT ENACTED by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Grenada, and by the authority of the same as follows—

PART I**PRELIMINARY**

1. This Act may be cited as the

ENGINEERS' REGISTRATION ACT, 2014.

Short title
and com-
mencement.

(2) This Act shall come into operation on such date as the Governor-General may appoint by proclamation.

Interpretation.

2.—(1) In this Act—

“appropriate fee” means the appropriate registration fee payable;

“Board” means the Engineers' Registration Board established under section 3;

“certificate” means a certificate granted under section 31;

“Code of ethics” means the Code of Ethics set out in Schedule III;

“Engineer” means a person who through specialized education, training and experience is skilled in the principles and practice of engineering;

“engineering” includes the act of designing, composing, evaluating, advising, reporting, directing or supervising any of the works, operations or other matters of any discipline of engineering, including those set out in Schedule I;

“Minister” means the Minister responsible for Communications and Works;

“Register” means the Register of Engineers to be kept by the Registrar in accordance with section 42;

“registered engineer” means a person registered in accordance with section 25 and 26;

“Secretary” means Secretary to the Board appointed under section 9.

PART II

ENGINEERS REGISTRATION BOARD

3. For the purposes of this Act there is hereby established a Board to be known as the Engineers Registration Board, which shall be a body corporate to which the provisions of section 49 of the Interpretation and General provisions Act Cap. 153 shall apply.

Establishment
of Engineers
Registration
Board.

4.—(1) The Board;

Constitution
of Board.

- (a) shall consist of five registered engineers appointed by the Minister upon consultation with the Executive Committee of the Grenada Institute of Professional Engineers; and
- (b) two other persons who the Minister may deem necessary for the proper functioning of the Board,

except that for the Board first set up after the coming into effect of this Act, the five members appointed by the Minister need not be registered engineers but must be eligible for registration under this Act.

(2) The names of the initial members, their title, if any, and every change in membership of the Board shall be published in the *Gazette* by the Minister.

Functions of the Board.

5. The functions of the Board shall include the following—

- (a) to assess the qualification and experience of persons applying for registration as registered engineers;
- (b) to conduct examinations for persons applying for registration as registered engineers;
- (c) to register engineers and organizations engaging in engineering work and to issue certificates of registration to engineers and certificate of authorization to organizations;
- (d) to monitor adherence to and investigate breaches of the Code of Ethics;
- (e) to advise the Minister respecting amendments to this Act or the making of Regulations or Orders to be made under this Act; and
- (f) generally to regulate the practice of engineering in accordance with this Act and Regulations made thereunder.

Committees.

6. The Board may—

- (a) appoint such other committees as may be necessary for the proper carrying out of its function; and
- (b) delegate to such committees any functions it considers necessary.

7.—(1) Members of the Board shall hold office for a term ^{Tenure of} of two years, but are eligible for reappointment for a ^{office.} maximum of two consecutive terms.

(2) Notwithstanding sub-section (1), no member shall hold office for more than 2 consecutive terms, but such member is eligible for reappointment after the expiration of one year thereafter.

(3) In the case of the first Board constituted after the commencement of this Act, the persons appointed by the Minister under section 4 (1) (a) shall be appointed for a term of one year and thereafter appointments shall be made in the manner otherwise provided by the Minister.

8.—(1) The Minister shall appoint one of the members of ^{Election of} the Board to be Chairperson of the Board. ^{Chairperson.}

(2) The Chairperson shall have an original and a casting vote.

(3) The Chairperson shall preside at all meetings of the Board at which he or she is present.

(4) The Chairperson appointed each year shall hold office until his or her successor is elected, or for such lesser period as he remains a member of the Board.

(5) If the Chairperson ceases to be a member of the Board before the expiration of the period for which he or she has been elected, the Board shall elect some other member in his or her place to be Chairperson for the remainder of the period.

(6) If at any meeting of the Board the Chairperson is not present or there is no Chairperson, the members present shall elect one of their members to act as Chairperson in respect of that meeting.

Appointment of
Secretary and
other officers,
etc.

9.—(1) The Board may with the approval of the Minister, appoint a Secretary and such other officers as may be deemed necessary for the purpose of carrying out its function under this Act.

(2) The Secretary and other officers of the Board shall receive such pay and allowances, as the Board with the approval of the Minister may determine.

Resignation of
members of
registration
Board.

10.—(1) Any member of the Board other than the Chairperson may at any time resign his office by instrument in writing addressed to the Minister and transmitted through the Chairperson, and from one month after the date of the receipt by the Minister of such instrument shall cease to be a member of the Board.

(2) The Chairperson may at any time resign his or her office by instrument in writing addressed to the Minister, and such resignation shall take effect as from the date of the receipt of such instrument by the Minister, except if otherwise agreed by the parties in writing.

Temporary
appointments.

11. In the absence or inability to act of any member, the Board may appoint any person to act temporarily in place of such member, and such temporary appointment shall be made in the same manner and from the same category of persons if any, as the appointment of such member.

Disqualification.

12. The Minister may after consultation with the Board disqualify a person from being a member of the Board if the person—

- (a) absents himself from three consecutive meetings of the Board without leave of the Board;

- (b) is convicted of an offence under this Act or an offence under any law in Grenada involving dishonesty or fraud;
- (c) becomes totally or permanently incapable of performing his or her duties as a member of the Board; or
- (d) is guilty of gross misconduct in relation to the performance of his or her duties.

13. The office of a member of the Board is vacated— Vacancies.

- (a) on the death of the member;
- (b) if the member becomes disqualified under section 12; or
- (c) if the member resigns from membership under section 10.

14.—(1) An act, decision, or proceedings of the Board is Validity of proceedings. not invalid and must not be called into question by reason of—

- (a) a vacancy amongst the members of the Board; or
- (b) a defect or irregularity in the appointment of a member of the Board.

(2) Where a disqualified member sits at a meeting of the Board, an act, decision or proceedings of the Board shall be deemed invalid.

Meetings.

15.—(1) The Board shall hold meetings as often as may be necessary or expedient for the purpose of fulfilling its functions and such meetings shall take place not less than twice in each calendar year.

(2) Decisions of the Board are to be by a majority of votes, and where voting is equal, the Chairperson, in addition to his original vote has a casting vote.

(3) The Chairperson shall summon a special meeting of the Board to be held not later than fourteen days after he or she receives a written request for that purpose addressed to the Chairperson and signed by three other members of the Board.

(4) Where the Chairperson of the Board summons a special meeting, he or she shall give to members of the Board not less than seven days notice in writing of the meeting.

(5) The Secretary shall keep in proper form, minutes of all meetings of the Board and shall furnish each member of the Board with copies of the minutes not later than twenty-one days after the date on which the meeting was held.

Quorum.

16. At any meeting of the Board, a majority of the members present shall form a quorum.

Declaration of interest and abstention from voting.

17.—(1) A member of the Board who is in any way, either directly or indirectly interested in a matter before the Board shall declare the nature of his or her interest at the first meeting of the Board at which it is practicable to do so and shall leave the meeting on the matter coming up for discussion.

(2) A declaration and the departure of a member of the Board from the meeting in accordance with sub-section (1) must be noted in the minutes of the meeting.

(3) A member of the Board shall not—

- (a) vote in respect of a matter before the Board in which he or she is in any way interested, whether directly or indirectly; or
- (b) seek to influence the vote of any other member of the Board in relation to the matter.

(4) A member of the Board who fails to comply with sub-section (3) must be promptly removed from the Board

18. All documents made by, and the decisions of the Board shall be signified under the hand of the Chairperson or any member of the Board authorised by the Chairperson to act in that behalf, or by the Secretary of the Board. Signing of documents and decisions.

19. The financial year of the Board is the twelve month period beginning 1st day of January to 31st day of December. Financial year of Board.

20. The Board shall not later than three months before the beginning of the next financial year cause to be prepared and shall adopt and submit to the Minister— Budget and plan of action of Board.

- (a) a budget with the estimates of its income and expenditure; and
- (b) a plan of action,

for the Board in respect of the next financial year.

Accounts of the Board.

21. The Board shall keep proper records of accounts in accordance with generally accepted international standards and principles and shall prepare and retain financial statements in respect of each financial year.

Audit of Board.

22.—(1) The Board shall as soon as is practicable after each financial year have its accounts audited annually by the Director of Audit or his representative, or an independent auditor appointed by the Board, who shall conduct the audit in accordance with generally accepted international auditing standards and principles.

(2) The Board shall grant to an auditor appointed under sub-section (1) access to all books, deeds, contracts, accounts, vouchers, or other documents which the auditor may deem necessary and the auditor may require the person holding or accountable for such document to appear, make a signed statement or provide such information in relation to the document as the auditor deems necessary.

(3) A person required to appear, make a signed statement or to provide information under sub-section (2) and who fails to comply, commits an offence and is on summary conviction liable to a fine not exceeding three thousand dollars or to imprisonment for a term not exceeding six months or to both and to revocation of his or her appointment as a member or staff of the Board in accordance with this Act.

Auditor's report of Board.

23. An auditor appointed under section 22 shall as soon as practicable, and not later than two months after the end of each financial year submit copies of the audited financial statement of the Board and a report on the financial statement to the Board.

24.—(1) In accordance with sub-section (2) and not later ^{Annual report} than three months after the end of each financial year, the ^{of Board.} Board shall submit to the Minister—

- (a) an annual report on the work and activities of the Board for that financial year; and
- (b) a copy of the audited financial statement of the Board together with a report on the financial statement as provided to the Board by an auditor under section 23.

(2) The Minister shall on receipt of the annual report, the audited financial statement and report on the financial statement under sub-section (1), lay the statement and reports in Parliament at its next meeting following the date on which the statement and reports were received by him or her.

(3) An annual report under sub-section (1) must be in the form approved by the Minister.

(4) The Minister shall cause a summary of an annual report under sub-section (1) to be published in the *Gazette* and at least two newspapers in general and at least weekly circulation in Grenada and the entire annual report must be available to the public after the laying of such report in Parliament in accordance with this section.

(5) The annual report must be made available to the public under sub-section (4) upon payment of the prescribed fee to the Board.

PART III**REGISTRATION AND QUALIFICATIONS**

Qualifications
for registration.

25.—(1) An application for the registration shall be made to the Secretary of the Board in the form approved by the Board as set out in Schedule II.

(2) Subject to section 26, a person is entitled to be registered as an engineer under this Act if, on application made to the Board, he or she satisfies the Board that—

- (a) he or she is qualified to be registered as an engineer; and
- (b) he or she is a fit and proper person to practice as a registered engineer in Grenada.

(3) For the purposes of sub-section (1), a person is qualified to be registered as an engineer who—

- (a) has been awarded a degree or other equivalent qualification in Engineering from a university or school of engineering, which, is acceptable by the State as evidence of satisfactory engineering qualification as may be prescribed in regulations; and
- (b) has had not less than four years experience in the practice of engineering, being experience of a kind approved by the Board.

(4) An applicant for registration shall furnish to the Secretary of the Board—

- (a) evidence of his or her qualifications and experience;
- (b) proof of his or her identity; and
- (c) such further and other information as the Board requires in respect of the matters referred to in subsection (2); and
- (d) such fees as may be prescribed.

26.—(1) Notwithstanding section 25, any person who does not possess the qualifications specified in the section but who, on application made to the Board within one year of the commencement of this Act, satisfies the Board that he or she—

Conditions of registration of certain existing practitioners.

- (a) has had, before the commencement of this Act not less than ten (10) years experience in the practice of engineering in a responsible position; and
- (b) is a fit and proper person to be registered as an engineer,

is entitled to be registered as an engineer.

(2) In determining whether a person satisfies the requirements of sub-section (1), the Board may conduct such investigation relating to the experience in engineering of such person, as it considers necessary and may require such person to undergo a written or oral examination in engineering or both such written and oral examination.

(3) Notwithstanding any provision to the contrary, a refusal by the Board with respect to the entitlement of a person to be registered under this section may be appealed in writing, to the Minister who may by regulations prescribe a procedure for determining the Appeal.

(4) A decision by the Minister under sub-section (3) shall be final.

(5) Notwithstanding sub-sections (3) and (4), a person who is dissatisfied with any other decision of the Board shall appeal in writing, to the Minister who may by regulations prescribe a procedure for determining such appeals.

Withdrawal of application.

27. An applicant may without prejudice, withdraw his or her application at any time prior to the issuance of a final decision by the Board.

Refusal to grant registration.

28.—(1) The Board shall grant registration if an applicant satisfies the conditions in sections 25 and 26.

(2) The Board may refuse to grant registration of a person and shall give to the person notice in writing of the intention to refuse registration and the reasons for the intended refusal.

(3) A notice given under sub-section (2) must state that within twenty-one days of service, the person on whom it is served may make representations in writing to the Board concerning the matter and the Board shall not determine the matter without considering any representations received within that period of twenty-one days.

(4) Subject to section 26(3), if the Board refuses the registration of a person under this section, the Board shall give to the person notice in writing of the refusal and a note giving information concerning the right of appeal under section 44.

29.—(1) In determining whether a person who applies for registration is duly qualified to be registered under this Act the fact that he adopts or refrains from adopting, intends to adopt or refrain from adopting the practice of any particular theory of engineering or applied science shall not be taken into consideration.

Certain factors not to be taken into consideration in determining qualifications for registration.

(2) Where a candidate submits to examination in order to entitle him to register under this Act there shall not be imposed upon him an obligation to adopt or refrain from adopting the practice of any particular theory of engineering or applied science as a test or condition of admitting him to examination or registration under this Act.

30.—(1) On receipt of an application for registration made under section 25 the Board may issue temporary registration if satisfied that the person—

Temporary registration.

- (a) is neither ordinarily resident in or a citizen of Grenada;
- (b) is temporarily visiting Grenada for the purpose of engaging in the practice of engineering at an institute or place in Grenada in the capacity of a teacher, or on a research student programme or under a foreign assistance programme or as a consultant or visiting Grenada for any other purpose relating to the practice of engineering;

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- (c) possesses qualifications and experience of at least equal to those required for registration as an engineer in Grenada; and
 - (d) has obtained the necessary work permit under the requisite laws of Grenada.

(2) The names, address, qualifications and such other particulars as may be prescribed of all persons whom a temporary registration is issued under this section must be entered in a separate part of the register.

(3) The Board may cancel, with notice, any temporary registration issued under this section.

(4) A certificate issued under this section must specify the work upon which and the name of the employer or beneficiary as the case may be, in Grenada by whom the holder of the certificate is to be employed or to whom the holder of the certificate is to provide the engineering service and the period for which it is issued, but in no case shall the period extend beyond the calendar year in which the certificate is issued.

(5) A certificate issued under this section may specify such other terms and conditions as the Board thinks fit.

Registered
engineers
entitled to
practice
engineering.

31.—(1) A person registered under this Act shall be entitled—

- (a) on payment of the appropriate fee as prescribed by the Minister to receive from the Registrar a certificate in the form approved by the Board to practice engineering in Grenada;

- (b) to demand and recover reasonable remuneration for engineering services rendered;
- (c) to use the title "Engineer" or any abbreviation thereof against his name; and
- (d) to possess and affix a professional seal to certify designs and other engineering documents under his direction.

(2) A Certificate of Registration issued under this section may specify such terms and conditions as the Board thinks fit.

(3) Without prejudice to any other provision, a Certificate of Registration issued under this Act is valid for a period of one calendar year.

32.—(1) A Certificate of Registration issued under section 31 is renewable no later than the 31st day of January of every year by an application in the prescribed form being made to the Secretary of the Board in duplicate. Renewal of Certificate of Registration.

(2) An application for renewal of a Certificate of Registration must be accompanied by—

- (a) the prescribed fee; and
- (b) evidence that the registered engineer has participated in such continuing development programmes as the Board may stipulate.

Provision relating to the practice of engineering by persons other than those registered under this Act.

33. Nothing in this Act shall prevent a person, who is not a registered engineer, from—

- (a) operating, executing or supervising any engineering works as owner, contractor, superintendent, foreman, technician, inspector or master;
- (b) performing, as a member of the armed forces of the Crown, duties involving the practice of engineering,

where the interests of public safety are not likely to be affected, or require any such person to become registered under this Act for the purpose of doing anything mentioned in this section.

Validity of Engineers' certificate.

34. After the commencement of this Act no certificate required by an enactment to be signed by an engineer is valid, unless the person signing it is registered under this Act.

Persons not qualified for the purposes of the Act.

35.—(1) Notwithstanding section 33 a person not a registered engineer for the purposes of this Act may engage in the construction of buildings and other works as prescribed by the Minister in Regulations.

(2) A person providing services under sub-section (1) shall be entitled—

- (i) to compensation or remuneration for services rendered; and

- (ii) to recover in any action any fee, charge, gratuity or remuneration for his services.

36. A registered engineer who has obtained a higher degree of qualification, other than the qualifications in respect of which he has been registered, is entitled to have that higher degree or qualification inserted in the Register in substitution for or in addition to the qualification previously registered. Additional qualifications.

37.—(1) Without prejudice to any other provision of this Act, the Board may cancel registration, where a person registered under this Act— Cancellation of registration.

- (a) has been convicted of an offence under this Act or Regulations made under this Act; or
- (b) fails to comply with any condition imposed on the registration.

(2) If the Board proposes to cancel a person's registration, the Board shall give to the holder of the Certificate of Registration, notice in writing of such proposal and the Board's reasons for the proposal and shall invite the person to show cause why the Board should not proceed as proposed.

(3) A notice to show cause under sub-section (2) shall state that within twenty-one days, the holder of the Certificate of Registration may make representation in writing or otherwise and the Board shall not determine the matter without considering the submissions or representations made within that period of twenty-one days.

(4) If the Board cancels registration under this section, the Board shall give the holder of the Certificate of Registration notice in writing of the cancellation and shall give information concerning the right of appeal under section 44.

Reciprocity.

38. The Board may, upon application, register as an engineer any person who furnishes it with satisfactory proof where necessary, that—

- (a) he or she is registered as an engineer in another country whose requirements for registration are, in the opinion of the Board, no less exacting than those required for registration in Grenada;
- (b) reciprocal arrangement or agreements exist between the Registration Board of Grenada and that other country;
- (c) he or she has sufficient practical knowledge of the local conditions peculiar to the practice of engineering in Grenada; and
- (d) he or she obtained a work permit under the Grenada Labour Code.

Continuing education.

39. A person registered under this Act shall be obligated to ensure that he or she remains current with ever changing requirements of the practice of engineering through continuing education in a form and format to be determined by the Board.

Partnerships, Association, etc.

40. A partnership, association or corporation may practice engineering in its own name if one of its principal and customary functions is to practice engineering and the practice is done under the responsibility and supervision of a—

- (a) member of the partnership or association or a director of the corporation, who is a registered engineer; or

- (b) full-time permanent employee of the partnership, association or corporation who is a registered engineer.

41.—(1) The Board shall, if it considers that a person registered as an engineer has improperly obtained such registration, require such person to apply to have himself properly registered under this Act. Improper registration.

(2) If for the period of three months or such longer period as the Board allows, such person fails without reasonable excuse to apply to be properly registered, the Registration Board may cause the name of such person to be struck off the Register.

42.—(1) The Board shall keep a register to be known as the Engineers' Register in which it shall cause to be entered the name of every person entitled to be registered as an engineer under section 25 or 26 together with the following particulars in respect of each person— Engineers' Register.

- (a) his or her full name and address;
- (b) the date of his or her registration;
- (c) a description and the date of the qualifications in respect of which he or she is registered.

(2) The Register shall at all reasonable times be open to inspection at the office of the Board during normal working hours.

(3) The Board shall cause to be published in the official *Gazette*—

- (a) in the month of February in every year an alphabetical list of persons who have at the 31st day of January in the year registered their names as engineers;
- (b) as soon as practicable after such registration, the name of any person registering his name as an engineer after the 31st day of January in any year; and
- (c) at least once in every year a list of persons whose certificate of registration has been suspended or cancelled.

(4) The Board shall—

- (a) make the necessary alterations in the register of the names or address of persons registered under this Act; and
- (b) remove from the Register the names of all persons registered under this Act who are deceased or no longer qualified to practice engineering.

(5) After the commencement of this Act, every person who is qualified to be registered as an engineer under this Act and desires to practice as such in Grenada, shall in the month of January in every year cause his name to be entered by the Board in the register and on payment of the appropriate fee as may be prescribed, shall be entitled to obtain a certificate of such registration.

PART IV**MISCELLANEOUS**

43. Any expense incurred in the administration of this Act Expenses. shall be defrayed out of—

- (a) moneys voted for the purpose by Parliament;
- (b) fees received by the Board on registration and renewal of registration; and
- (c) fees paid by applicants in respect of examinations.

44. An appeal against any decision made by the Board Right of Appeal. other than a decision with respect to the entitlement of a person to be registered under section 26 (3) and (4), shall lie to a Judge in chambers and every such appeal shall be within such time and in such form and shall be heard in such manner as may be prescribed by rules of court.

45. No personal liability must be attached to any— Protection from liability.

- (a) member of the Board;
- (b) member of any committee appointed under section 6 of this Act; or
- (c) office or servant of the Board,

in respect of any act or thing done or omitted to be done in good faith in the exercise of a power or function conferred by this Act.

Offences and penalties.

46.—(1) Subject to section 33, a person who—

- (a) fraudulently procures or attempts to procure the registration under this Act of himself or any other person by making or producing or causing to be made or produced any false or fraudulent representation or declaration either orally or in writing;
- (b) fraudulently makes, causes or permits to be made—
 - (i) any false or incorrect entry or copy of an entry in the register; or
 - (ii) any alteration in any entry or a copy of an entry in the register;
- (c) not being a registered engineer—
 - (i) practices engineering for which he demands or receive any fee, gratuity or remuneration whether or not such fee, gratuity or remuneration is demanded or received in Grenada;
 - (ii) pretends to be a registered engineer;
 - (iii) makes use of the name or title of engineer or any other name, title, addition, designation or description implying that he is a registered engineer or is entitled to be recognized or to practice as a registered engineer,

is guilty of an offence under this Act.

(2) A person who is guilty of an offence under this Act is liable on summary conviction—

- (a) for a first offence, to a fine not exceeding five thousand dollars or to a term of imprisonment not exceeding two (2) years or both;
- (b) for each subsequent offence, to a fine not exceeding ten thousand dollars or to a term of imprisonment not exceeding four (4) years or both; and
- (c) to lose his license to practice as a registered engineer.

(3) In the prosecution under paragraph (c) of sub-section (1), the absence of the name of the person charged from the list last published in the official *Gazette* pursuant to section 42(3) is *prima facie* evidence that such person is not a registered engineer.

47.—(1) A registered Engineer shall conform to the Code of Ethics for registered engineers set out in Schedule III. Code of ethics third schedule.

(2) A registered engineer who breaches any provisions of the Code of Ethics is liable to disciplinary action by the Board.

(3) The Code of Ethics may be amended by order of the Board with the approval of the Minister.

48. The Minister may, with the approval of the Board, amend the Schedules to this Act, by Order published in the *Gazette*. Amendment of Schedules to the Act.

Regulations.

49. The Minister may on the recommendation of the Board, make regulations—

- (a) prescribing the procedure to be followed in respect of disciplinary proceedings against engineers in relation to professional misconduct;
- (b) setting up for any period or ad hoc a disciplinary body to investigate and adjudicate upon any allegation of professional misconduct on the part of an engineer and make recommendations thereon;
- (c) providing for the publication of the recommendations of a body referred to in paragraph (b);
- (d) determining the constitution and membership and regulating the procedure of a body referred to in paragraph (b) and providing for any other matter which may be relevant to any such body or its functions;
- (e) for the regulating of indemnity insurance for registered engineers;
- (f) for a licensing regime under this Act;
- (g) regulating the conditions of engineering practices in Grenada;
- (h) the fees payable to its members and to the Board;

- (i) specifying what institutions and programs are approved by the Board for the purposes of section 25(3)(a);
 - (j) the review, payment and collection of fees; and
 - (k) generally for giving effect to the provisions of this Act.
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SCHEDULE I

(Section 25(1))

WORKS AND OPERATIONS

- (a) any public utilities;
- (b) industrial, harbour, drainage, irrigation, sewerage and hydraulic works;
- (c) industrial processes;
- (d) railways, tramways, bridges, tunnels, roads, canals and river improvements;
- (e) lighthouses, wet, dry and floating docks;
- (f) dredges, lifts, winches, hoists and cranes;
- (g) waterworks;
- (h) incinerators;
- (i) power transmission, electric lighting and electric communication systems and equipment;
- (j) any electrical apparatus and machinery;

- (k) electronics;
- (l) mineral property and mining operations of any kind;
- (m) smelters, refineries, metallurgical machinery and equipment and apparatus for carrying out such operations;
- (n) boilers and their auxiliaries;
- (o) steam engines, hydraulic turbines, pumps, internal combustion engines and other mechanical structures;
- (p) chemical machinery;
- (q) airports;
- (r)
 - (i) buildings consisting or intended to consist of more than two storeys or 2500sf or as stipulated in the Grenada Building Code;
 - (ii) buildings (whether or not buildings referred to in sub-paragraph (1)) used or intended to be used for the purposes of a business;
 - (iii) any other buildings to which the public has or are intended to have access;
- (s) any other operations, works or matters connected with or incidental to those listed in this Schedule.

SCHEDULE II

(Section 17(3))

GRENADA ENGINEERS REGISTRATION BOARD

**APPLICATION FOR REGISTRATION
As Registered Engineer**



Dear Sir,

I request that my name be registered on the Register of Grenada Engineers Register as a Registered Engineer under the Engineers' Registration Act, 2014 with following particulars and qualifications so that I may be furnished with a Certificate of Registration:

1. Name of Applicant
(As per degree)

Day Month Year

2. Date of Birth

....								
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3. Permanent Address

4. Office Address

5. Mobile Number

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Telephone Office

Residence

E-mail Address

Fax Number

6.	Nationality	

7.	Qualifications:	Name of College/ University	Year of Passing

8. Period of Employment

From: _____ dd / mm / yy To: _____ dd / mm / yy	Employer: _____ _____
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9. Current Employment Status

Government Semi Government Private Unemployed

Name of the Organisation/Department

10. I certify that the above particulars mentioned by me are correct. I undertake to inform the Engineers Registration Board, of any change in my postal address and profession. I also undertake to abide by the Bye-Laws, relevant rules and Codes of Ethics and Conduct, prescribed for the members of the Council.

Yours Faithfully,

Signature of Applicant

Dated: _____ Name of Applicant: _____

Attested By:

Engr.

..... Mobile #:

Signature: Dated:

SCHEDULE III

(Section 33)

CODE OF ETHICS**ARTICLE 1**

A registered engineer owes a duty to the public, to his employers and clients, to other member of his profession and to himself and shall act at all time with—

- (a) fidelity to public needs;
- (b) fairness and loyalty to his associates, employers, clients, and subordinates and employees; and
- (c) devotion to high ideals of personal honour and professional integrity.

THE PUBLIC

ARTICLE 2

A registered engineer shall—

- (a) express any opinion on engineering matters only on the basis of adequate knowledge and honest conviction;
- (b) ensure, to the best of his ability, that the statements on engineering matters attributed to him are not misleading and properly reflect his professional opinion; and
- (c) not express publicly or while he is serving as a witness before a court, commission or other tribunal, opinions on professional engineering matters that are not founded on adequate knowledge and honest conviction.

ARTICLE 3

A registered engineer shall—

- (a) have proper regard for the safety, health and welfare of the public in the performance of his professional duties;
- (b) notify the proper authorities of any situation which he considers, on the basis of his professional knowledge, to be a danger to public safety, health or the environment; and
- (c) complete, sign or stamp only those plans or specifications which reflect proper regard for the safety and health of the public.

ARTICLE 4

A registered engineer shall—

- (a) endeavour to extend public understanding of engineering and its place in the society;
- (b) endeavour at all times to enhance the public regard for, and its understanding of, the profession by extending the public knowledge thereof and discouraging untrue, unfair or exaggerated statements with respect to professional engineering; and
- (c) not give opinion or make statements on professional engineering projects connected with public policy where such statements are inspired or paid for by private interests unless he or she clearly discloses on whose behalf he or she is giving the opinions or making the statements.

ARTICLE 5

A registered engineer shall—

- (a) not be associated with enterprises contrary to the public interests or sponsored by persons of questionable integrity, or person who does not conform to the basic principles of the Code of Ethics;
- (b) conform to the provision of this Act in his or her practice of engineering;
- (c) not sanction the publication of his reports in part or in whole in a manner calculated to mislead and if it comes to his knowledge that they are so published, he or she shall take immediate steps to correct any false impressions given by them.

ARTICLE 6

A registered engineer shall sign or stamp only those plans, specifications and reports actually prepared by him or her or under his or her direct professional supervision.

THE EMPLOYER AND CLIENT**ARTICLE 7**

A registered engineer shall—

- (a) act for his client or employer as a faithful agent;

- (b) be realistic and honest in all estimates, reports, statement and testimony;
- (c) admit and accept his own errors when proven obviously wrong and refrain from distorting or altering the facts in an attempt to justify his decision;
- (d) so advise his client or employer when he or she believes that a project will not be successful;
- (e) not accept outside employment to the detriment of his or her regular work or without the consent of his employer;
- (f) not attempt to attract an engineer from another employer by unfair methods;
- (g) engage, or advise on engaging, experts and specialists when such services are in his or her client's or employers best interests; and
- (h) adhere to another code of ethics practiced by the Employer or the Client, once it is not in conflict with the present Code of Ethics.

ARTICLE 8

A registered engineer shall not—

- (a) disclose confidential information pertaining to the interests of his or her clients or employers without their consent;
- (b) use information coming to him or her confidentially in the course of his assignment as a means of making personal gain except with the knowledge and consent of his client or employer as the case may be; and
- (c) divulge any confidential findings resulting from studies or actions of any commission or board of which he is a member or for which he is acting without the consent of the commission or board.

ARTICLE 9

A registered engineer shall present clearly to his or her clients or employers the consequences to be expected if his or her professional judgment is overruled by non-technical persons or bodies in matters pertaining to work for which he or she is professionally responsible.

ARTICLE 10

A registered engineer—

- (a) whose interest is likely to be affected whether directly or indirectly by any decision of his or her client or employer on any matter whatsoever shall in writing disclose to his or her client or employer the nature of his or her interest immediately after the relevant facts have come to his or her knowledge;
- (b) shall be treated as having an indirect interest in a matter with which his or her client or employer is concerned if he or she or his or her spouse is a director, shareholder, partner or employee of a person or company who is a party to any contract with his or her client or employer and has a pecuniary interest in any other matter with which his or her client or employer is concerned;
- (c) shall, when functioning as a member, advisor or employee of a public authority, State enterprise or a government body or department, make a prior full disclosure with respect to services provided by him or her or his organization in private engineering practice and shall decline to participate in any considerations or actions where a conflict of interests is likely to arise.

ARTICLE 11

A registered engineer shall not—

- (a) accept remuneration for service rendered other than from his or her client or employer;
- (b) accept compensation from more than one interested party for the same service pertaining to the same work, under circumstances that may involve a conflict of interest, without the consent of all interested parties.
- (c) accept any royalty or commission on any article or process used on the work for which he or she is responsible without the consent of his or her client or employer;
- (d) where he or she is acting in a consulting or any other capacity in respect of works tender for work in any other capacity in respect of such works without the consent of his or her client or employer.

OTHER MEMBERS OF THE PROFESSION

ARTICLE 12

A registered engineer shall—

- (a) conduct himself or herself towards other registered engineers with courtesy, fairness and good faith;
- (b) not accept any engagement to review the work of another registered engineer for the same employer or client except with the knowledge of such engineer, unless such engineer's engagement on the work has been terminated; and
- (c) not maliciously injure the reputation or business of another registered engineer.

ARTICLE 13

A registered engineer shall not—

- (a) compete unfairly by attempting to obtain employment, advancement or professional engagements by unfair bidding, that is to say by taking advantage of a salaried position, or by unfairly criticizing other registered engineers;
- (b) attempt to supplant another registered engineer in a particular employment after becoming aware that definite steps have been taken towards the other's employment;
- (c) offer to pay, either directly or indirectly, any commission, political contribution or a gift or other consideration in order to secure professional engineering work;
- (d) use equipment, supplies, and laboratory or office facilities of his employer to carry on outside private practice without consent.

MISCELLANEOUS

ARTICLE 14

A registered engineer shall—

- (a) undertake only such work as he or she is competent to perform by virtue of his or her training and experience; and
- (b) not misrepresent his or her qualifications.

ARTICLE 15

A registered engineer—

- (a) shall not advertise his or her work or merit in a self-feudatory manner, and shall avoid all conduct or practice likely to discredit or unfavourably reflect upon the dignity or honour of the profession; and
- (b) may employ circumspect advertising to announce his practice and availability. Only those media shall be used as are necessary to reach directly an interested and potential client or employer, and such media shall in themselves be dignified, reputable and characteristically free of any factor or circumstance that would bring disrepute to the profession or to the professional using them. The substance of such advertising shall be limited to fact and shall contain no statement or offer intended to discredit or displace another registered engineer, either specifically or by implication.

ARTICLE 16

A registered engineer shall—

- (a) advise the Board of any practice which is contrary to the Code of Ethics and which has come to his or her attention.
- (b) assist and cooperate with the Board and the Disciplinary committee with respect to disciplinary inquiries and proceedings under this Act to the best of his or her ability.

Passed by the House of Representatives this 16th day of May, 2014.

RAPHAEL DONALD
Acting Clerk to the House of Representatives.

Passed by the Senate this 11th day of June, 2014.

RAPHAEL DONALD
Acting Clerk to the Senate.

GRENADA
