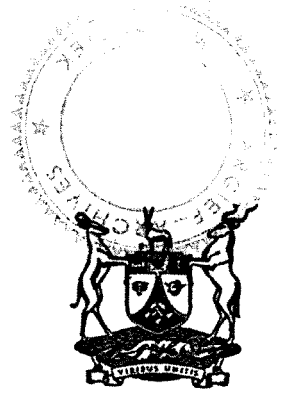


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J. J. KLOPPER,
Sekretaris van Suidwes-Afrika.

J. J. KLOPPER,
Secretary for South West Africa.

antoor van die Administrateur,
Windhoek.

Administrator's Office,
Windhoek.

GOEWERMENSKENNISGEWINGS**DEPARTEMENT VAN ARBEID**

No. R. 380 14 Maart 1969
 REGULASIES INGEVOLGE DIE WET OP PROFES-
 SIONELE INGENIEURS, 1968 (WET 81 VAN 1968)

Die Minister van Openbare Werke het kragtens artikel 26 van die Wet op Professionele Ingenieurs, 1968 (Wet 81 van 1968), die volgende regulasies uitgevaardig:—

Hoofstuk A: Definisies.

Hoofstuk B: Vergaderings en prosedure op vergaderings van die Raad en adviserende komitees.

Hoofstuk C: Besoldiging en toelaes van lede van die Raad en van adviserende komitees.

Hoofstuk D: Register van professionele ingenieurs en ingenieurs-in-opleiding.

Hoofstuk E: Professionele gedragskode.

Hoofstuk F: Gedrag wat onbehoorlike gedrag uitmaak.

Hoofstuk G: Strawwe wat ten opsigte van onbehoorlike gedrag opgelê kan word.

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Hoofstuk J: Voorgeskrewe en erkende eksamens.

Hoofstuk K: Algemeen.

HOOFSTUK A
DEFINISIES

A1.1 In hierdie regulasies, tensy in stryd met die samehang, het 'n woord of uitdrukking waaraan in die Wet op Professionele Ingenieurs, 1968 (Wet 81 van 1968), 'n betekenis geheg is, dieselfde betekenis en beteken—

“die Wet” die Wet op Professionele Ingenieurs, 1968 (Wet 81 van 1968);

“President” die President van die Suid-Afrikaanse Raad vir Professionele Ingenieurs.

GOVERNMENT NOTICES**DEPARTMENT OF LABOUR**

No. R. 380 14 March 1969
 REGULATIONS IN TERMS OF THE PROFES-
 SIONAL ENGINEERS' ACT, 1968 (ACT 81 OF 1968)

The Minister of Public Works has, in terms of section 26 of the Professional Engineers' Act, 1968 (Act 81 of 1968), made the following regulations:—

Chapter A: Definitions.

Chapter B: Meetings and procedure at meeting of the Council and advisory committees.

Chapter C: Remuneration and allowances of members of the Council and advisory committees.

Chapter D: Register of professional engineers and engineers in training.

Chapter E: Code of professional conduct.

Chapter F: Conduct constituting improper conduct.

Chapter G: Punishments which may be imposed in respect of improper conduct.

Chapter H: Recognition of educational institutions as examining bodies.

Chapter J: Prescribed and recognised examinations.

Chapter K: General.

CHAPTER A
DEFINITIONS

A1.1 In these regulations, unless contrary to the context, any expression or word to which a meaning has been assigned in the Professional Engineers' Act, 1968 (Act 81 of 1968), shall bear the same meaning and—

“the Act” means the Professional Engineers' Act, 1968 (Act 81 of 1968);

“President” means the President of the South African Council for Professional Engineers.

HOOFSTUK B

VERGADERINGS EN PROSEDURE OP VERGADERINGS VAN DIE RAAD EN ADVISERENDE KOMITEES

Vergaderings van die Raad

B1.1 Alle vergaderings van die Raad word behoudens die bepalings van artikel 3 (7) van die Wet en subregulasie 2, gehou op die tye en plekke wat die Raad bepaal: Met dien verstande dat die Raad minstens twee maal in elke jaar moet vergader en verder met dien verstande dat indien die Raad aan die einde van 'n vergadering nie die tyd en plek vir sy volgende vergadering bepaal het nie, die President sodanige tyd en plek moet bepaal.

B1.2 Die President kan te eniger tyd 'n buitengewone vergadering van die Raad belê vir sodanige tyd en plek as wat hy bepaal.

B1.3 Die President moet op skriftelike versoek wat deur minstens vyf lede van die Raad onderteken is, 'n buitengewone vergadering van die Raad belê wat op 'n tyd en plek deur hom bepaal, dog binne vier weke na die datum van ontvangs van bedoelde versoek gehou moet word.

B1.4 Aan elke lid van die Raad moet minstens twee weke skriftelike kennis gegee word van elke vergadering van die Raad.

Kworum en Prosedure op Vergaderings

B2.1 'n Meerderheid van al die lede van die Raad maak 'n kworum vir 'n Raadsvergadering uit.

B2.2 Die beslissing van die meerderheid van die lede van die Raad wat op 'n Raadsvergadering aanwesig is, maak 'n besluit van die Raad uit, en by 'n staking van stemme oor enige aangeleentheid het die persoon wat op die betrokke vergadering voorsit, benewens sy beraadslagende stem ook 'n beslissende stem.

B2.3 Indien 'n lid van die Raad wat teenwoordig is op 'n vergadering van die Raad, dit nie eens is met 'n besluit van die Raad wat op sodanige vergadering geneem is nie, kan hy versoek dat sy teenkanting, met of sonder die redes daarvoor, genotuleer word, en die persoon wat op sodanige vergadering voorsit, moet aan sodanige versoek voldoen of toesien dat daaraan voldoen word.

Vergaderings van die Adviserende Komitees

B3.1 Die eerste vergaderings van die onderskeie adviserende komitees word op tye en plekke wat die president in oorleg met die Raad bepaal en alle daaropvolgende vergaderings word, behoudens die bepalings van subregulasie 2, gehou op tye en plekke wat die onderskeie adviserende komitees self in oorleg met die registrateur bepaal.

B3.2 Die voorsitter van 'n adviserende komitee kan in oorleg met die President, te eniger tyd 'n buitengewone vergadering van daardie adviserende komitee belê vir sodanige tyd en plek as wat die voorsitter bepaal.

B3.3 Aan elke lid van 'n adviserende komitee moet minstens twee weke skriftelike kennis gegee word van elke vergadering van sodanige adviserende komitee.

Kworum en Prosedure op Vergaderings

B4.1 'n Meerderheid van al die lede van 'n adviserende komitee maak 'n kworum vir 'n vergadering van sodanige adviserende komitee uit.

B4.2 Alle aangeleenthede waaroor daar op 'n vergadering van 'n adviserende komitee besluit moet word, word beslis deur die meerderheidstem van die lede wat op die vergadering aanwesig is: Met dien verstande dat die persoon wat op die vergadering voorsit, by 'n staking van stemme benewens sy beraadslagende stem ook 'n beslissende stem het.

CHAPTER B

MEETINGS AND PROCEDURE AT MEETINGS OF THE COUNCIL AND ADVISORY COMMITTEES

Meetings of the Council

B1.1 Subject to the provisions of section 3 (7) of the Act and subregulation 2 all meetings of the Council shall be held at such times and places as may be fixed by the Council: Provided that the Council shall meet at least twice in every year and provided further that if at the close of any meeting the Council has not fixed the time and place for its next meeting, such time and place shall be determined by the President.

B1.2 The President may at any time call a special meeting of the Council to be held at such time and place as he may determine.

B1.3 The President shall, upon a written request signed by not less than five members of the Council, call a special meeting thereof to be held within four weeks after the date of receipt of such request, at such time and place as he may determine.

B1.4 Every member of the Council shall be given not less than two weeks notice, in writing, of every meeting of the Council.

Quorum and Procedure at Meetings

B2.1 A majority of all members of the Council shall form a quorum at any meeting of the Council.

B2.2 The decision of a majority of the members of the Council present at any meeting thereof shall constitute a decision of the Council and, in the event of an equality of votes in regard to any matter, the person presiding at the meeting in question shall have a casting vote in addition to his deliberative vote.

B2.3 If a member of the Council who is present at a meeting of the Council does not agree with a resolution of the Council passed at such a meeting, he may request that his dissension, with or without the reasons therefor, be recorded in the minutes and the person presiding at such a meeting shall comply with such request or ensure that it be complied with.

Meetings of the Advisory Committees

B3.1 The first meetings of the various advisory committees shall be held at times and places to be fixed by the President after consultation with the Council, and all subsequent meetings shall, subject to the provisions of subregulation 2, be held at such times and places as the various advisory committees shall, in consultation with the registrar, themselves determine.

B3.2 The Chairman of an advisory committee may, in consultation with the President, at any time call a special meeting of such advisory committee to be held at such time and place as he may determine.

B3.3 Every member of an advisory committee shall be given not less than two weeks notice, in writing, of every meeting of such advisory committee.

Quorum and Procedure at Meetings

B4.1 A majority of all members of an advisory committee shall form a quorum at any meeting of such advisory committee.

B4.2 All matters which have to be resolved at a meeting of an advisory committee shall be decided by the majority vote of the members present at such meeting: Provided that in the event of an equality of votes the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.

HOOFSTUK C

BESOLDIGING EN TOELAES VAN LEDE VAN DIE
RAAD EN VAN ADVISERENDE KOMITEES*Die Raad en Komitees van die Raad*

C1.1 Daar word aan 'n lid van die Raad of 'n komitee van die Raad, insluitende 'n persoon wat as plaasvervanger van so 'n lid aangestel is, maar nie 'n lid of persoon in diens van die Staat is nie, vir dienste in verband met die werk van die Raad deur hom gelewer sodanige besoldiging, en tot dekking van uitgawes redelikerwys deur hom aangegaan in verband met die verrigting van sy pligte as lid van die Raad of van so 'n komitee, sodanige toelaes betaal as wat die Minister van tyd tot tyd na oorlegpleging met die Raad bepaal.

C1.2 'n Lid van die Raad of van 'n komitee wat in diens van die Staat is, kan benewens sy besoldiging ten opsigte van daardie diens, sodanige besoldiging ontvang vir spesiale dienste deur hom gelewer as wat die Minister van tyd tot tyd na oorlegpleging met die Raad bepaal.

C1.3 Enige besoldiging of toelaes wat kragtens subregulasie 1 of 2 betaalbaar word, word uit die fondse van die Raad betaal.

C1.4 Die Raad moet aan die Minister enige reis- of verblyftoelaes terugbetaal wat uit staatsfondse betaal word aan 'n lid van die Raad wat kragtens artikel 3 (1) (e) van die Wet aangestel is, of aan iemand kragtens artikel 3 (4) van die Wet deur so 'n lid aangewys om in sy plek op te tree, of aan 'n lid van 'n komitee van die Raad wat in diens van die Staat is, terwyl hy besig is met die sake van die Raad of 'n komitee van die Raad.

Adviserende Komitees

C2.1 Daar word aan 'n lid van 'n adviserende komitee, insluitende 'n persoon wat as plaasvervanger van so 'n lid aangestel is maar nie 'n lid of persoon in diens van die Staat is nie, vir dienste in verband met die werk van die adviserende komitee deur hom gelewer sodanige besoldiging en tot dekking van uitgawes redelikerwys deur hom aangegaan in verband met die verrigting van sy pligte as lid van 'n adviserende komitee sodanige toelaes betaal as wat die Minister van tyd tot tyd na oorlegpleging met die Raad bepaal.

C2.2 'n Lid van 'n adviserende komitee wat in diens van die Staat is, kan benewens sy besoldiging ten opsigte van sodanige diens sodanige besoldiging vir sy diens as lid ontvang as wat die Minister van tyd tot tyd na oorlegpleging met die Raad bepaal.

C2.3 Enige besoldiging of toelaes wat kragtens subregulasie 1 of 2 betaalbaar word, word uit die fondse van die Raad betaal.

C2.4 Die bepalings van regulasie C1.4 is *mutatis mutandis* van toepassing ten opsigte van verblyf- en vervoertoelaes wat uit staatsfondse betaal word aan 'n lid van 'n adviserende komitee wat kragtens artikel 12 (1) (a) (ii) of (b) (ii) van die Wet aangestel is of aan iemand wat kragtens artikel 12 (2) van die Wet aangestel is om in sy plek op te tree.

HOOFSTUK D

REGISTER VAN PROFESSIONELE INGENIEURS
EN INGENIEURS-IN-OPLEIDING*Aanlê van Register*

D1.1 Behoudens die bepalings van artikel 7 (2) van die Wet moet vanaf die inwerkingtreding van die Wet 'n register gehou word waarin ingeskryf moet word die naam,

CHAPTER C

REMUNERATION AND ALLOWANCES OF
MEMBERS OF THE COUNCIL AND ADVISORY
COMMITTEES*The Council and Committees of the Council*

C1.1 There shall be payable to a member of the Council or a committee of the Council, including any person appointed as alternate to any such member, not being a member or person in the service of the State, such remuneration for services rendered by him in connection with the work of the Council and such allowances to cover expenses reasonably incurred by him in the performance of his duties as a member of the Council or of any such committee as the Minister may from time to time, after consultation with the Council, determine.

C1.2 Any member of the Council or of a committee who is in the service of the State may, in addition to his remuneration in respect of such service, receive such remuneration for special services rendered by him to the Council as the Minister may from time to time, after consultation with the Council, determine.

C1.3 Any remuneration or allowances which become payable in terms of subregulation 1 or 2 shall be paid out of the funds of the Council.

C1.4 The Council shall refund to the Minister any transport or subsistence allowances paid out of public funds to any member of the Council appointed in terms of section 3 (1) (e) of the Act or a person designated by such member under section 3 (4) of the Act to act in his stead or any member of a committee of the Council who is in the service of the State, whilst engaged in the business of the Council or a committee thereof.

Advisory Committees

C2.1 There shall be payable to a member of an advisory committee, including any person appointed as an alternate to any such member, not being a member or person in the service of the State, such remuneration for services rendered by him in connection with the work of the advisory committee and such allowances to cover expenses reasonably incurred by him in the performance of his duties as a member of an advisory committee as the Minister may from time to time, after consultation with the Council, determine.

C2.2 Any member of an advisory committee who is in the service of the State may, in addition to his remuneration in respect of such service, receive such remuneration for his services as a member as the Minister may from time to time, after consultation with the Council, determine.

C2.3 Any remuneration or allowances which become payable under subregulation 1 or 2, shall be paid out of the funds of the Council.

C2.4 The provisions of regulation C1.4 shall apply *mutatis mutandis* in connection with any subsistence and transport allowances paid out of public funds to any member of an advisory committee appointed under section 12 (1) (a) (ii) or (b) (ii) of the Act or any person appointed under section 12 (2) of the Act to act in his stead.

CHAPTER D

REGISTER OF PROFESSIONAL ENGINEERS AND
ENGINEERS IN TRAINING*Establishment of Register*

D1.1 As from the commencement of the Act, a register shall, subject to the provisions of section 7 (2) of the Act, be kept in which shall be entered the name, address,

adres, kwalifikasies en die dag van eerste registrasie van en sodanige ander besonderhede as wat die Raad mag voorskryf aangaande 'n persoon wie se aansoek om registrasie as 'n professionele ingenieur kragtens artikel 18 (2), (4) of (6), of as 'n ingenieur-in-opleiding kragtens artikel 18 (3) van die Wet deur die Raad goedgekeur is.

D1.2 So spoedig moontlik na die inwerkingtreding van die Wet moet bedoelde besonderhede aangaande 'n persoon vermeld in subregulasie 1 teen betaling van gelde voorgeskryf deur die Raad, in die register ingeskryf word.

D1.3 Die datum van eerste registrasie van 'n persoon bedoel in subregulasie 1 is die datum wat verskyn op die registrasiesertifikaat wat kragtens die Wet aan hom uitgereik is.

Hou van Register

D2.1 Die registrateur moet die register met juistheid en ooreenkomstig die bepalings van die Wet hou, die naam van enige professionele ingenieur of ingenieur-in-opleiding wat oorlede is of wie se registrasie ingevolge artikel 18 (8) of (9) gekanselleer is of verval het of wat ingevolge artikel 23 (1) weens onbehoorlike gedrag of kragtens artikel 25 (2) weens gekrenkte geestesvermoë in sy beroep geskors is, daaruit skrap en moet op gesag van die Raad van tyd tot tyd die nodige veranderinge of aanvullings bewerkstellig.

D2.2 Geen besonderhede aangaande 'n graad, diploma of sertifikaat word in die register ingeskryf nie, tensy die Raad daarvan oortuig is dat die persoon wat op die besit van daardie graad, diploma of sertifikaat aanspraak maak, daartoe geregtig is.

D2.3 Indien die Raad op grond van gelewerde bewys daarvan oortuig is dat 'n inskrywing plaasgevind het per abuis of ten gevolge van bedrieglike voorstellings of onder omstandighede wat nie regtens verdedigbaar is nie, moet sodanige inskrywing uit die register geskrap word.

D2.4 Wanneer 'n inskrywing ten opsigte van 'n persoon op gesag van die Raad geskrap is, moet die registrateur die betrokke persoon binne sewe dae na sodanige skraping skriftelik by sy laaste bekende adres daarvan in kennis stel.

D2.5 'n Registrasiesertifikaat wat kragtens artikel 18 van die Wet uitgereik is, word geag gekanselleer te wees vanaf die datum waarop die betrokke registrasie deur die Raad kragtens die toepaslike bepalings van die Wet of van hierdie regulasies gekanselleer is of kragtens artikel 18 (9) van die Wet verval het.

D2.6 Die register word gehou in die kantoor van die Raad en die registrateur moet van tyd tot tyd op gesag van die Raad eksemplare van die register laat druk en publiseer.

Register Dien as Bewys

D3.1 As iemand se naam nie in die jongste gepubliseerde uitgawe van die register verskyn nie, geld dit, totdat die teendeel bewys is, as bewys dat sodanige persoon nie ooreenkomstig die bepalings van die Wet geregistreer is nie: Met dien verstande dat 'n sertifikaat uitgereik onder die hand van die registrateur dat iemand wie se naam nie in die register verskyn nie of wie se naam in die register bygevoeg is ná die datum van die laaste gepubliseerde uitgawe daarvan, wel geregistreer is, as bewys geld dat sodanige persoon kragtens die bepalings van die Wet geregistreer is: Met dien verstande verder dat in die geval van 'n persoon wie se naam sedert die datum van die jongste gepubliseerde uitgawe van die register uit die register geskrap is en nie daarin herstel is nie, 'n sertifikaat uitgereik onder die hand van die registrateur en ten effekte dat die naam van die persoon uit die register geskrap is, as bewys geld dat sodanige persoon nie ooreenkomstig die Wet geregistreer is nie.

qualifications and date of first registration of and such other particulars as the Council may prescribe relating to any person whose application for registration as a professional engineer under section 18 (2), (4) or (6) or as an engineer in training under section 18 (3) of the Act, has been approved by the Council.

D1.2 As soon as possible after commencement of the Act, such particulars regarding any person referred to in subregulation 1 shall upon payment of any fees prescribed by the Council, be entered in the register.

D1.3 The date of first registration of any person referred to in subregulation 1 shall be the date which appears on the certificate of registration issued to him in terms of the Act.

Keeping of Register

D2.1 The registrar shall keep the register correctly and in accordance with the provisions of the Act, shall remove therefrom the name of any professional engineer or engineer in training who has died or whose registration has been cancelled or has lapsed in terms of section 18 (8) or (9) thereof or who has been suspended from his profession under section 23 (1) by reason of improper conduct or under section 25 (2) by reason of mental disability, and shall under the authority of the Council, from time to time make the necessary alterations or additions.

D2.2 No particulars in regard to any degree, diploma or certificate shall be entered in the register unless the Council is satisfied that the person claiming to possess such degree, diploma or certificate is entitled thereto.

D2.3 Any entry which is proved to the satisfaction of the Council to have been made in error or through fraudulent misrepresentation or under circumstances not tenable in law, shall be deleted from the register.

D2.4 Whenever any entry in respect of any person has been deleted under the authority of the Council, the registrar shall within seven days of such deletion notify the person concerned, in writing, thereof at his last known address.

D2.5 Any certificate of registration issued in terms of section 18 of the Act shall be deemed to be cancelled from the date upon which the relative registration is cancelled by the Council in terms of the appropriate provisions of the Act of these regulations or has lapsed in terms of section 18 (9) of the Act.

D2.6 The register shall be kept in the office of the Council and the registrar shall from time to time under the authority of the Council cause copies of the register to be printed and published.

Register Serves as Evidence

D3.1 The absence of the name of any person from the last published issue of the register shall, until the contrary is proved, be evidence, that such person is not registered in accordance with the provisions of the Act: Provided that in the case of any person whose name does not appear in such register or whose name has been added to the register after the date of the last published issue thereof, a certificate under the hand of the registrar that such person has been registered, shall be evidence that such person is registered under the provisions of the Act: Provided further that in the case of a person whose name has been removed from the register since the date of the last published issue thereof and has not been restored thereto, a certificate under the hand of the registrar that the name of such person has been removed from the register, shall be evidence that such person is not registered in accordance with the provisions of the Act.

D3.2 Teen betaling van sodanige gelde en onderworpe aan sodanige voorwaardes as wat die Raad van tyd tot tyd voorskryf, kan die registrateur 'n duplikaat van 'n registrasiesertifikaat aan 'n geregistreerde persoon uitreik of 'n gewaarmerkte uittreksel uit die register aan enigiemand uitreik.

HOOFSTUK E

PROFESSIONELE GEDRAGSKODE

E1.1 'n Professionele ingenieur en 'n ingenieur-in-opleiding moet by die uitoefening van sy beroep die volgende gedragskode nakom: —

(a) Hy moet in sy verpligtinge teenoor sy werkgewer of kliënt en sy beroep ten volle rekening hou met die openbare belang.

(b) Hy moet hom so gedra dat die waardigheid, status en goeie naam van die ingenieursberoep hoog gehou word.

(c) Hy moet sy verpligtinge teenoor sy werkgewer of kliënt op 'n bevoegde en bekwame wyse en met volkome getrouheid nakom.

(d) Hy mag nie werk van 'n ingenieursaard onderneem as sy opleiding en ondervinding hom nie vir die uitvoering daarvan bevoegd maak nie.

(e) Hy moet enige aansienlike belang wat hy het by 'n maatskappy, firma of persoon wat kontrak-, konsulerende of vervaardigingsake verrig wat betrokke is of kan wees by die werk waarop sy diens betrekking het, skriftelik onder die aandag van sy werkgewer of kliënt bring.

(f) Hy mag nie regstreeks of onregstreeks vergoeding by wyse van tantieme, gratifikasie, kommissie of ander vergoeding ontvang ten opsigte van 'n artikel of proses wat gebruik word in of vir doeleindes van die werk ten opsigte waarvan hy in diens is nie, behalwe waar sy werkgewer of kliënt skriftelike magtiging daartoe verleen het dat hy sodanige tantieme, gratifikasie, kommissie of ander vergoeding kan aanvaar.

(g) Hy mag nie op onbehoorlike wyse professionele werk werf of probeer werf of aanbied om by wyse van kommissie of andersins vir verkryging van sulke werk te betaal nie.

(h) Hy mag nie sy dienste as professionele konsultant adverteer op 'n selfverheffende wyse of op 'n ander wyse wat die waardigheid van die professie kan skaad nie.

(i) Hy moet hom daarvan weerhou om die voordele verbonde aan 'n gesalarieerde betrekking te gebruik om op onbillike wyse met ander professionele ingenieurs mee te ding.

(j) Hy moet sy gedrag in verband met ingenieurswerk buite die Republiek skik na die reëls in hierdie regulasie neergelê vir sover hulle van toepassing is: Met dien verstande dat waar daar in 'n land buite die Republiek erkende standaarde van professionele gedrag bestaan, hy sodanige standaarde moet eerbiedig.

(k) Hy moet hom daarvan weerhou om voorstelle met prysopgawes aan te vra of voor te lê onder omstandighede wat op prysmededinging vir professionele raadgevende dienste neerkom.

(l) Hy moet hom daarvan weerhou om, regstreeks of onregstreeks kwaadwilliglik of op roekelose wyse die professionele aansien, professionele vooruitsigte of sake van 'n ander professionele ingenieur te benadeel.

(m) Hy mag nie pogings aanwend om met betrekking tot 'n besondere diens 'n ander professionele ingenieur te verdring nadat besliste stappe gedoen is om laasgenoemde persoon in diens te neem nie.

D3.2 The registrar may issue a duplicate registration certificate to any registered person or a certified extract from the register to any person upon payment of such fees and subject to such conditions as the Council may from time to time prescribe.

CHAPTER E

CODE OF PROFESSIONAL CONDUCT

E1 A professional engineer or an engineer in training shall, in carrying on his profession, comply with the following code of conduct: —

(a) He shall, in his responsibility to his employer or client and to the profession, have full regard to the public interest.

(b) He shall order his conduct so as to uphold the dignity, standing and reputation of the profession.

(c) He shall discharge his duties to his employer or client in an efficient and competent manner and with complete fidelity.

(d) He shall not undertake work of an engineering nature for the execution of which his training and experience have not rendered him competent.

(e) He shall disclose to his employer or client, in writing, any substantial interest he may have in any company, firm or person carrying on any contracting, consulting or manufacturing business which is or may be involved in the work to which his employment relates.

(f) He shall not receive, directly or indirectly, any royalty, gratuity, commission or other remuneration on any article or process used in or for the purposes of the work in respect of which he is employed, unless or until such royalty, gratuity, commission or other remuneration has been authorised, in writing, by his employer or client.

(g) He shall not improperly canvass or solicit professional employment nor offer to make, by way of commission or otherwise, payment for the obtaining of such employment.

(h) He shall not advertise his professional consulting services in a self-laudatory manner or any other manner derogatory to the dignity of the profession.

(i) He shall not use the advantages of a salaried position to compete unfairly with other professional engineers.

(j) He shall order his conduct in connection with engineering work outside the borders of the Republic of South Africa to the rules in this regulation in so far as they are applicable: Provided that where there are recognised standards of professional conduct in a country outside the Republic, he shall adhere to those standards.

(k) He shall not invite or submit priced proposals under conditions that constitute price competition for professional consulting services.

(l) He shall not maliciously or recklessly injure, whether directly or indirectly, the professional reputation, professional prospects, or business of any other professional engineer.

(m) He shall not attempt to supplant another professional engineer in a particular engagement after definite steps have been taken towards the latter's employment.

(n) Hy mag die werk van 'n ander professionele ingenieur vir dieselfde kliënt nie sonder die medewete van sodanige professionele ingenieur nagaan nie, tensy bedoelde professionele ingenieur se diens in verband met die werk wat nagegaan word, beëindig is.

(o) Hy mag nie in sy hoedanigheid van professionele ingenieur in private praktyk 'n vennootskap of ander betrekking met iemand anders as 'n professionele ingenieur, aangaan as die goedkeuring van die Raad nie eers verkry is nie.

(p) Behalwe op gesag en ten behoeve van sy werkgewer of kliënt, mag hy nie kontrakte aangaan of bestellings plaas nie; hy mag ook nie die medium vir betalings namens sy werkgewer of kliënt wees nie, dog moet slegs betalingsertifikate aan sy werkgewer of kliënt uitreik.

(q) Hy mag nie 'n private konsultpraktyk onder die naam van 'n maatskappy met beperkte aanspreeklikheid of onder beskerming van beperkte aanspreeklikheid beoefen nie en hy mag ook nie praktiseer in deelgenootskap met 'n maatskappy met beperkte aanspreeklikheid wat voorgee dat hy werk doen wat kragtens artikel 7 (3) (c) van die Wet voorgeskryf is nie: Met dien verstande dat hy met die voorafverkreë goedkeuring van die raad in deelgenootskap met 'n maatskappy met beperkte aanspreeklikheid soos voormeld mag tree onderworpe aan sodanige bedinge en voorwaardes as wat die Raad voorskryf.

HOOFSTUK F

GEDRAG WAT ONBEHOORLIKE GEDRAG UITMAAK

Professionele Ingenieurs

F1.1 Benewens die gedrag vermeld in artikel 22 (1) is iemand wat as 'n professionele ingenieur geregistreer is, skuldig aan onbehoorlike gedrag as hy versuim om enige bepaling van die professionele gedragskode vervat in Hoofstuk E van hierdie regulasies na te kom.

Ingenieurs-in-opleiding

F1.2 Artikels 23 en 24 van die Wet is van toepassing op 'n ingenieur-in-opleiding wat enige bepaling van Hoofstuk E van hierdie regulasies oortree of nie nakom nie.

HOOFSTUK G

STRAWWE WAT TEN OPSIGTE VAN ONBEHOORLIKE GEDRAG OPGELEË KAN WORD

G1.1 Iemand wat as 'n professionele ingenieur of 'n ingenieur-in-opleiding geregistreer is en na 'n ondersoek deur die Raad soos bepaal in artikels 23 en 24 van die Wet skuldig bevind is aan onbehoorlike gedrag of gedrag wat na die mening van die Raad onbehoorlike gedrag is, of iemand van wie in artikel 22 (2) en (3) van die Wet melding gemaak word en wat deur 'n geregshof skuldig bevind is aan 'n misdryf wat na die mening van die Raad onbehoorlike gedrag is of deur die Raad as sodanig geag word, is behoudens die bepalings van artikel 23 (1) van die Wet strafbaar met een of meer van die volgende strawwe, naamlik:—

(a) 'n Berisping of 'n waarskuwing of 'n berisping en 'n waarskuwing; of

(b) skorsing vir 'n vasgestelde tydperk van hoogstens drie jaar waartydens dit vir hom verbode is om te praktiseer as of die handeling of werk te verrig van 'n professionele ingenieur; of

(c) tydelike of permanente diskwalifisering vir registrasie; of

(d) 'n boete van hoogstens vyfhonderd rand.

(n) He shall not review the work of another professional engineer for the same client, except with the knowledge of such professional engineer, unless the engagement of such professional engineer on the work which is being reviewed has been terminated.

(o) He shall not, in his capacity as a professional engineer in private consulting practice, enter into partnership or other association with any person other than a professional engineer except with the prior approval of the Council.

(p) He shall not, except with the authority and on behalf of his employer or client, place contracts or orders, nor shall he be the medium of payments on his employer's or client's behalf, but he shall only issue certificates to his employer or client for payment.

(q) He shall not engage in private consulting practice under the style of a limited liability company or under the protection of limited liability nor shall he practice in association with a limited liability company purporting to do work which has been prescribed in terms of section 7 (3) (c) of the Act: Provided that he may, on the prior approval of the Council having been obtained, associate with a limited liability company as aforesaid on such terms and conditions as the Council may impose.

CHAPTER F

CONDUCT CONSTITUTING IMPROPER CONDUCT

Professional Engineers

F1.1 Apart from the conduct referred to in section 22 (1) of the Act, any person registered as a professional engineer shall be guilty of improper conduct if he fails to comply with any provision of the code of professional conduct as set out in Chapter E of these regulations.

Engineers in Training

F1.2 Sections 23 and 24 of the Act shall apply to an engineer in training who contravenes or fails to comply with any of the provisions of Chapter E of these regulations.

CHAPTER G

PUNISHMENTS WHICH MAY BE IMPOSED IN RESPECT OF IMPROPER CONDUCT

G1.1 Any person registered as a professional engineer or as an engineer in training who, after an enquiry by the Council as laid down in sections 23 and 24 of the Act, has been found guilty of improper conduct or conduct which in the opinion of the Council constitutes improper conduct, or any person referred to in section 22 (2) or (3) of the Act who has been convicted by a court of law of any offence which in the opinion of the Council constitutes or is held to constitute improper conduct is, subject to the provisions of section 23 (1) of the Act, liable to one or more of the following punishments:—

(a) Reprimand or caution or reprimand and caution; or

(b) suspension, for a specified period not exceeding three years, from practising as or performing the functions or work of a professional engineer; or

(c) temporary or permanent disqualification for registration; or

(d) a fine not exceeding five hundred rand.

G1.2 Die raad kan, as hy daarvan oortuig is dat daar voldoende regverdiging vir so 'n stap bestaan, ten opsigte van een of meer strawwe wat kragtens subregulasie 1 opgelê is, besluit om enige skorsing te beëindig voor verstryking van die bepaalde tydperk of om 'n besluit aangaande iemand se tydelike of permanente diskwalifisering vir registrasie te wysig of om te gelas dat 'n persoon wie se naam uit die register geskrap is, opnuut as 'n professionele ingenieur of 'n ingenieur-in-opleiding geregistreer word.

HOOFSTUK H

ERKENNING VAN OPVOEDKUNDIGE INRIGTINGS AS EKSAMINERENDE LIGGAME

Besonderhede wat Inrigtings, Institute en Ander Liggame Moet Verstrekk

H1.1 Die Raad kan 'n opvoedkundige inrigting wat grade of diplomas toeken of 'n professionele ingenieursinstituut of eksaminerende liggaam wat sertifikate toeken, versoek om volle besonderhede van die studiekursusse of die opleiding of die eksamens wat vir die verwerwing van sodanige kwalifikasie vereis word, aan die Raad te verstrek.

H1.2 Die Raad kan na goeë dunde by enige bedoelde opvoedkundige inrigting, professionele ingenieursinstituut of eksaminerende liggaam vermeld in subregulasie 1 'n inspeksie ter plaatse uitvoer ten einde hom te vergewis dat die studiekursusse daar aangebied of die opleiding daar verskaf of die eksamens daar afgeneem, voldoen aan die standarde wat van tyd tot tyd deur die Raad neergelê is: Met dien verstande dat 'n inspeksie ter plaatse alleen mag geskied na vier weke skriftelike kennisgewing aan die beherende owerheid van sodanige liggaam.

H1.3 As so 'n opvoedkundige inrigting, professionele ingenieursinstituut of eksaminerende liggaam versuim of weier om besonderhede te verstrek waarom die Raad kragtens subregulasie 1 vra, of indien die beherende owerheid van 'n opvoedkundige inrigting of professionele ingenieursinstituut of eksaminerende liggaam weier om 'n in subregulasie 2 bedoelde inspeksie ter plaatse toe te laat, of as die Raad na ondersoek besluit dat 'n graad, diploma of sertifikaat toegeken deur 'n opvoedkundige inrigting, professionele ingenieursinstituut of eksaminerende liggaam nie langer erken moet word nie, kan die Minister, op aanbeveling van die Raad, in die *Staatskoerant* verklaar dat die besit van 'n spesifieke graad of diploma of sertifikaat wat deur bedoelde opvoedkundige inrigting, instituut of liggaam toegeken is of gaan word, na 'n datum wat in die kennisgewing bepaal word, die houër daarvan nie die reg verleen om as 'n professionele ingenieur geregistreer te word nie: Met dien verstande dat 'n opvoedkundige inrigting, instituut, liggaam of persoon wat aldus geraak word, hom op die Minister kan beroep.

H1.4 Die Minister kan op aanbeveling van die Raad 'n kennisgewing herroep of wysig, waarvan in subregulasie 3 melding gemaak word.

HOOFSTUK J

VOORGESKREWE EN ERKENDE EKSAMENS

Afneem van Eksamens

J1.1 Die Raad kan, in samewerking met die Departement van Hoër Onderwys, self 'n eksamen vir die doeleindes van die Wet afneem of kan enige opvoedkundige inrigting versoek om 'n eksamen namens hom af te neem.

G1.2 The Council may, if it is satisfied that there is sufficient justification for such a step, decide in respect of one or more of the punishments imposed under subregulation 1, either to terminate any suspension before the expiry of the specified period or to amend any decision concerning the temporary or permanent disqualification of any person for registration or to direct that any person whose name has been removed from the register be re-registered as a professional engineer or as an engineer in training.

CHAPTER H

RECOGNITION OF EDUCATIONAL INSTITUTIONS AS EXAMINING BODIES

Particulars to Be Furnished by Institutions, Institutes and Other Bodies

H1.1 The Council may call upon any educational institution, awarding degrees or diplomas or upon any professional engineers' institute or examining body awarding certificates, to furnish the Council with full particulars regarding the courses of study or the training or examinations required for such qualifications.

H1.2 The Council may, in its discretion, carry out an inspection *in loco* at any educational institution, professional engineers' institute or examining body in order to satisfy itself that the curricula offered or the training provided or the examinations conducted by it complies with the standards laid down by the Council from time to time: Provided that an inspection *in loco* may only be carried out after two weeks written notice to the controlling authority of such body.

H1.3 If any such educational institution, professional engineers' institute or examining body fails or refuses to furnish particulars required by the Council under subregulation 1, or if the controlling authority of any educational institution, professional engineers' institute or examining body should refuse to allow an inspection *in loco* as referred to in subregulation 2, or if the Council after enquiry decides that any degree, diploma or certificate awarded by any educational institution, professional engineers' institute or examining body should no longer be recognised, the Minister may, on the recommendation of the Council, by notice in the *Gazette*, declare that the possession of any specific degree or diploma or certificate awarded or to be awarded by such educational institution, institute or body after a date fixed in the notice, shall not entitle any holder thereof to qualify for registration as a professional engineer: Provided that any educational institution, institute or body or any person thus affected shall be entitled to appeal to the Minister.

H1.4 The Minister may, on the recommendation of the Council, rescind or amend any notice referred to in subregulation 3.

CHAPTER J

PRESCRIBED AND RECOGNISED EXAMINATIONS

Conducting of Examinations

J1.1 The Council may, for the purposes of the Act, request any educational institution to conduct any examination on its behalf or may, in collaboration with the Department of Higher Education, itself conduct an examination.