



# Code of Ethics for the Practice of Professional Engineering & Professional Geoscience



Association of Professional Engineers and Geoscientists of the Province of Manitoba



## INTRODUCTION

Persons registered or enrolled with, or licensed by, or who are the holders of a Certificate of Authorization from, this Association, hereinafter referred to as “practitioners”, shall apply their specialized knowledge and skill at all times in the public interest, with honesty, integrity and honour, and conduct themselves in a spirit of fairness and tolerance when dealing with fellow professionals.

This Code of Ethics is a general guide to professional conduct. As such, it is intended to supplement, and is not intended to deny the existence of, professional responsibilities equally important, though not specifically mentioned. Association representatives are available for consultation as to appropriate conduct in specific matters.

Each practitioner is required by “The Engineering and Geoscientific Professions Act” to subscribe to and follow this Code of Ethics. Non-compliance with this Code of Ethics, or failure to fulfill other professional responsibilities, by any practitioner shall be considered inconsistent with honourable and dignified professional practice, and any such practitioner may be deemed to be guilty of, unskilled practice of professional engineering or professional geoscience or professional misconduct, or both, and subject to an action or an order as a result of disciplinary procedures carried out under Part 10 of “The Engineering and Geoscientific Professions Act”.

## FUNDAMENTAL CANONS

1. Each practitioner shall obey the laws of the land.
2. Each practitioner shall regard the physical, economic and environmental well-being of the public as the prime responsibility in all aspects of professional engineering and professional geoscientific work.
3. Each practitioner shall employ all reasonably attainable skill and knowledge to perform and satisfy the engineering and geoscientific needs of each client or employer in a professional manner.
4. Each practitioner shall uphold and enhance the honour, integrity and dignity of the engineering and geoscientific professions.
5. Each practitioner shall be fair to colleagues and shall support their professional development.

## CANONS OF CONDUCT

1. Each practitioner shall obey the laws of the land.

Specifically, and without limiting the generality of this statement, each practitioner shall:

- 1.1 obey the laws of the land;
- 1.2 be open and honest when engaged as an expert witness and give opinions conscientiously, only after an adequate study of the matter under review; and
- 1.3 make responsible provision to comply with statutes, regulations, standards, codes, by-laws and rules applicable to all work.

**2. Each practitioner shall regard the physical, economic and environmental well-being of the public as the paramount responsibility in all aspects of professional engineering and professional geoscientific work.**

Specifically, and without limiting the generality of this statement, each practitioner shall:

- 2.1 possess the training, ability and experience necessary to fulfill the requirements of any engineering or geoscientific work undertaken;
- 2.2 guard against conditions that are dangerous or threatening to health, life, limb or property in engineering or geoscientific work for which he or she is professionally responsible and notify his or her employer or client and the appropriate public authority, including the Association, if the practitioner's judgement is overruled or disregarded in circumstances that may endanger life or property;
- 2.3 upon becoming aware of any condition or situation that may endanger life or property (whether arising from his or her work or the work of another practitioner), promptly report the condition or situation to the practitioner having professional responsibility and to the appropriate public authority including the Association;
- 2.4 ensure that designs and work for which he or she is professionally responsible are based on sound environmental principles;
- 2.5 not knowingly associate with, or personally endorse, an enterprise of questionable character;
- 2.6 not issue statements on engineering or geoscientific matters, or provide criticism or argument, or allow any publication of his or her reports, or any part of them, in a manner which might mislead;
- 2.7 refrain from expressing an opinion publicly on engineering or geoscientific matters without being qualified to do so, and without being aware of the pertinent facts;
- 2.8 seal all plans and other engineering or geoscientific documents which "The Engineering and Geoscientific Professions Act" stipulates shall be sealed, whether acting in the professionally responsible capacity of a consultant or an employee; and
- 2.9 sign and seal only those plans and other engineering or geoscientific documents for which he or she has assumed professional responsibility and which he or she has prepared, or supervised the preparation of, or reviewed in detail and approved.

**3. Each practitioner shall employ all reasonably attainable skill and knowledge to perform and satisfy the engineering and geoscientific needs of each client or employer in a professional manner.**

Specifically, and without limiting the generality of this statement, each practitioner shall:

- 3.1 act as a faithful agent and trustee in professional matters for each client or employer;
- 3.2 strive to maintain a high standard of competence by seeking opportunities to acquire knowledge of, and experience with, new techniques and developments;
- 3.3 ensure that the extent of his or her professional engineering or professional geoscientific responsibility is understood by each client or employer before accepting an assignment;

- 3.4 not disclose information concerning the lawful business affairs or technical processes without the consent of the employer or client, except as authorized or required by by-law or this Code of Ethics;
- 3.5 engage, or advise each client or employer to engage, and cooperate with other experts and specialists whenever the client's or employer's interests are best served by such service;
- 3.6 inform each client or employer of the potential consequences which may result from deviations from an engineering or geoscientific judgment, should that judgement be disregarded or overruled by another authority;
- 3.7 inform each client or employer of any interests, circumstances or business connections which the client or employer could deem as influencing his or her engineering or geoscientific judgement, or the quality of professional services, before accepting an assignment;
- 3.8 not allow any interests, circumstances or business connections to inappropriately affect engineering or geoscientific decisions for which he or she is professionally responsible;
- 3.9 not receive, directly or indirectly, any compensation, financial or otherwise, from other than a client or employer, for specifying the use of any materials, proprietary products, processes or systems for work for which he or she is professionally responsible, without the prior written authorization of the client or employer for the receipt of such compensation;
- 3.10 not accept, directly or indirectly, any royalty or commission from any patented or protected article or process on which he or she holds any part of the rights, and specified for work undertaken on behalf of a client or employer, without the prior written authorization of the client or employer for the acceptance of such a royalty or commission;
- 3.11 not accept compensation, financial or otherwise, from more than one interested party for services pertaining to the same work or works, without the prior written consent of all interested parties;
- 3.12 not receive any gratuity from, or have any financial interest in, the bids of any business in work for which he or she is professionally responsible, without the prior written consent of the client or employer; and
- 3.13 not accept an assignment outside of his or her regular employment which might interfere with regular duties, or make use of the employer's resources or facilities, without first notifying his or her employer, preferably with written confirmation.

**4. Each practitioner shall uphold and enhance the honour, integrity and dignity of the engineering and geoscientific professions.**

Specifically, and without limiting the generality of this statement, each practitioner shall:

- 4.1 co-operate in extending the effectiveness of the engineering and geoscientific professions by willingly participating in the exchange of information and experience with others in the professions;
- 4.2 advertise only in a manner that serves the public interest by reporting accurate and factual information which does not exaggerate, mislead, or detract from the public image of the professions;

- 4.3 endeavour to extend public knowledge of professional engineering and professional geoscience, discourage the spreading of unfair or exaggerated statements regarding professional engineering or professional geoscience, and strive to protect the professions collectively and individually from misrepresentation and misunderstanding;
- 4.4 present appropriate information to the Registrar of the Association if a professional colleague, or any other person or entity, is believed to be in violation of the Act, the By-laws or this Code of Ethics; and
- 4.5 co-operate with the Association in the investigation of any complaint or other matter that is before the Association.

**5. Each practitioner shall be fair to colleagues and shall support their professional development.**

Specifically, and without limiting the generality of this statement, each practitioner shall:

- 5.1 take care that credit for engineering and geoscientific work is given to those to whom credit is properly due;
- 5.2 support the standards of the professions by upholding the principle that appropriate and adequate compensation for all those engaged in engineering and geoscientific work is in the public interest;
- 5.3 endeavour to provide opportunities for the professional development of employees or subordinates in engineering, geoscience and/or related technical fields;
- 5.4 encourage qualified employees to become registered as professional engineers or professional geoscientists;
- 5.5 not attempt to injure falsely or maliciously, directly or indirectly, the professional reputation, prospects, practice or employment of another practitioner ;
- 5.6 notify a practitioner , as soon as practicable, when giving an opinion on that practitioner's work;
- 5.7 not attempt to supplant another practitioner in a particular employment or contract if a definite commitment has been made toward the employment of, or a contract with, that practitioner; and
- 5.8 not attempt to gain advantage over another practitioner by offering a gratuity in order to secure professional engineering or professional geoscience work.

*Approved by the Council on May 9, 2000, and adopted by By-Law December 14, 2000*



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