

## CODE OF ETHICS

### Code of Ethics for Warrant holders

#### *(Kodiċi ta' Etika għall-Inġiniera)*

Every person has values that stem from one's background in relation to beliefs, the cultural upbringing and environment. These values define the moral principles upon which one would construct his/her life and any decision taken is affected by these moral principles. Indirectly, moral principles therefore are a result of a person's character.

The approach of a society towards ethics is therefore very much dependent on the moral values of the individuals constituting that community. Consequently the approach towards an ethical dilemma could vary dramatically from one community to another and this would have an impact on the setting up and interpretation of a Code of Ethics.

The Chamber has sought to regulate the behaviour of the members of the engineering profession who are warrant holders, through the introduction of a Code of Ethics. The Code is written with reference to broad conceptual philosophies indicating the appropriate overarching principles to be followed by the warrant holders in the execution of their duties. It is however very relevant to point out that this Code of Ethics is therefore not specific to situations. Hence it is imperative for warrant holders to seek not only guidance of the code but also of the Ethics Committee within the realms of the Chamber, to secure their ethical behaviour in any given ethical dilemma which they have doubts as how to address.

CODE OF ETHICS				
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## 1. Purpose for the Code

Ethics is a branch of philosophy that defines what is morally right and wrong in specific situations. It therefore sets standards for correct behaviour within society. Since its aim is the harmonious interchange between persons, it assigns duties and responsibilities to all the players involved.

Whilst this code is concerned mainly with the correct behaviour of the warrant holder towards others and the environment, it also recognises the reciprocal nature of the act of giving a service. Therefore, in providing the service, the warrant holder is morally justified in expecting a holistically balanced return.

## 2. Code of Ethics

The Code of Ethics for warrant holders addresses four principal duties, namely,

Duties towards:-

- I. Society;
- II. the Profession;
- III. Colleagues;
- IV. Employers;

The rules are mandatory on all warrant holders since the Code is entrenched in the Engineering Profession Act Chap 321. A warrant holder shall be subject to disciplinary action by the Engineering Board if found in breach of the Code.

The Code sets rules of conduct in order to achieve common objectives, namely,

Objective towards:-

- I. credibility;
- II. professionalism;
- III. quality of Service;
- IV. public Confidence;

CODE OF ETHICS				
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### 3. Rules of Conduct

#### a) *Competence*

A warrant holder must:-

- I. maintain competence at the highest level. This shall be achieved through the process of continuous professional development;
- II. keep up to date with relevant regulations;
- III. provide opportunities for the professional and ethical development of those engineers under one's supervision, including trainee engineers;
- IV. provide services and advice only within one's competence, and may accept assignments outside one's own field of competence only when restricted to those phases of the project in which one is qualified. All other phases shall be performed by appropriately qualified persons;
- V. co-operate with others to foster technology transfer at all levels within an organisation.

#### b) *Safeguard of Human Life, Welfare and the Environment*

A warrant holder shall:-

- I. hold paramount the safety, health and welfare of the public;
- II. take reasonable steps to avoid waste of natural resources, damage to the environment and ill-treatment of animals;
- III. not certify the safety, quality and reliability of any engineering system unless:-
  - a. one has either personally carried out the required inspection,

OR

  - b. one has personally performed an audit of the required inspection carried out by suitably qualified personnel. The audit should include at least one site visit;

CODE OF ETHICS				
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IV. not approve plans and/or specifications that are not of a safe design or that are not environmentally friendly, or waste or destroy products of human skill and industry;

V. take all reasonable steps to point out the danger of refusing one's professional advice and to counter such refusal by providing published or otherwise legally acceptable evidence. If after all measures have been taken by the warrant holder and the refusal is deemed to bring harm to third parties, then the warrant holder shall refer the case to the Police and notify the Board accordingly.

**c) Personal Integrity**

A warrant holder shall:-

- I. not associate with persons and organisations of ill-repute;
- II. prevent one's name from being used in ventures engaging in fraudulent or dishonest activities.
- III. be factual, truthful and avoid incorrect, misleading or exaggerated statements in all writings and presentations;
- IV. avoid any act to promote one's self-interest at the expense of others and of the profession;
- V. avoid plagiarism;
- VI. acknowledge the work of others;
- VII. be permitted to contribute to the media as long as in any such contribution one shall not advertise or offer professional services or solicit work, or imply superior competence or use self-laudatory language. If in doubt, the warrant holder shall refer the case to the Ethics committee of the Chamber of Engineers for guidance and interpretation.

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**d) Advertising**

A warrant holder shall:-

- I. be permitted to advertise in forms which are not considered to be derogatory to the dignity of the profession. The information so advertised should be factual, comprising the name of the warrant holder or of the firm, the contact details, qualifications and competence.

**e) Conduct towards Colleagues**

A warrant holder shall:-

- I. avoid reckless or malicious injury to the reputation or business of other warrant holders;
- II. avoid destructive criticism of the work of other warrant holders;
- III. limit oneself to factual evaluation if called upon to give a professional opinion on the work of colleagues;
- IV. not engage in unfair competition with others.

**f) Handing Over**

Warrant holders accepting to replace other warrant holders shall:-

- I. immediately notify the fact to the warrant holder being replaced;
- II. ascertain that no outstanding fees are owed to the warrant holder being replaced;
- III. be entitled to an explanation for the replacement from the outgoing warrant holder;

Warrant holders being replaced by other warrant holders shall:-

- IV. give a reasonable hand-over to the new warrant holder;

CODE OF ETHICS				
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**g) Duties towards Clients and employers, and Conflicts of Interest**

A warrant holder shall:-

- I.inform all interested parties of any conflict of interest;
- II.act as a faithful agent of one’s clients or employers;
- III.refuse compensation, financial or otherwise, from more than one party for the same services unless such compensation is agreed to by all parties;
- IV.refuse and not solicit compensation from suppliers for specifying their products and/or services;
- V.inform one’s clients or employers that a proposed project is not feasible when studies indicate this;
- VI.make clear agreements with the client or employer in respect of any intellectual property rights arising out of the warrant holder’s involvement in a project prior to its commencement;
- VII.not make use of the facilities of one’s clients or employers to conduct private practice without their consent.

**h) Confidentiality**

A warrant holder shall:-

- I.treat information coming to one’s self in the course of one’s assignments as confidential;
- II.not reveal information or findings of any commission or board of which the warrant holder is a member unless required by law or court order.

**i) Soliciting**

A warrant holder shall:-

- I.not solicit work improperly, either directly or indirectly.

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***j) Discrimination***

A warrant holder shall:-

- I. treat equitably and promote the equitable treatment of clients, colleagues and co-workers, regardless of race, religion, gender, sexual orientation, age, physical or mental ability, marital or family status and national origin.

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