

BILLS SUPPLEMENT

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Bill No. 15*Engineering Professionals Bill***2024****THE ENGINEERING PROFESSIONALS BILL, 2024****MEMORANDUM****Object of the Bill**

The object of the Bill is to establish the Uganda Institution of Engineering Professionals and to provide for its objects, to provide for membership to the Institution and Council as the governing body; to provide for the establishment of the Engineering Professionals Board and its functions and membership; to provide for the registration and licensing for engineers, technologists and technicians and to repeal the Engineers Registration Act.

Justification

The Engineers Registration Act Cap. 271, regulates aspects of engineers only and does not provide for the regulation of the other engineering professionals including the technologists and technicians. The Act provides for registration but does not provide for licensing of the engineering professionals. The Act does not provide for a code of ethics or any mechanism for inquiry into the conduct of an engineering professional who contravenes the code of ethics.

There is therefore need to regulate the technologists and engineers who are the other cadres of engineering professionals aside from engineers, to provide for the licensing of the engineering professionals and provide for a code of ethics for the engineering professionals and a

mechanism for inquiry into the conduct of an engineering professional who contravenes the code of ethics.

There Bill seeks to—

- (a) regulate the technologists and engineers who are the other cadres of engineering professionals aside from engineers;
- (b) to provide for the licensing of the engineering professionals;
- (c) to provide for a code of ethics for the engineering professionals; and
- (d) to provide for a mechanism for inquiry into the conduct of an engineering professional who contravenes the code of ethics.

Provisions of the Bill

The Bill consists of eight parts and three schedules as follows—

PART I – PRELIMINARY

This Part deals with the interpretation of key words and phrases used within the context of the Bill.

PART II – THE UGANDA INSTITUTION OF ENGINEERING PROFESSIONALS

This part provides for the establishment of the Uganda Institution of Engineering Professionals and the objects of the Institution (Clauses 2 and 3 of the Bill).

It also provides for the membership of Institution, membership fees and termination of membership to the Institution (Clauses 4, 5 and 6).

The part further provides for the Council of the Institution which shall be responsible for the management of the affairs of the Institution (Clause 7).

The part further provides for the seal of Institution, meetings of the Institution, accounts of the Institution and the register of the Institution (Clauses 8, 9, 10 and 11).

PART III — THE ENGINEERING PROFESSIONALS BOARD

Part III provides for the establishment of Engineering Professionals Board and the functions of the Board (Clauses 12 and 13).

The part further provides for the membership of the Board, seal of the Board, meetings of the Board and committees of Board (Clauses 14, 15, 16 and 17).

PART IV — SECRETARIAT AND STAFF OF BOARD

This part provides for the secretariat, the registrar, other officers and staff of the secretariat and consultants (Clauses 18, 19, 20 and 21).

PART V — REGISTRATION OF ENGINEERING PROFESSIONALS.

This part provides for the qualifications for registration as an engineer, qualifications for registration as a technologist, qualifications for registration as a technician and registration of an engineering professional (Clauses 22, 23, 24 and 25).

Further, the part provides for the power to revoke, correct and update register, restoration to the register, publication of registers, inspection of the register and temporary registration (Clauses 26, 27, 28, 29 and 30).

PART VI — PRACTICE OF ENGINEERING PROFESSIONALS

This part requires an engineering professional to acquire an annual licence before practice, application for an annual licence, renewal of a licence and revocation of an annual licence (Clauses 31, 32, 33 and 34).

PART VII — DISCIPLINE OF ENGINEERING PROFESSIONALS

This part provides for a professional Code of Ethics, the proceedings at inquiry into the conduct of an engineering professional who contravenes

the Professional Code of Ethics, powers to suspend registration, etc, regulations for the better carrying out of the provisions of this Part (Clauses 35, 36, 37 and 38).

PART VIII — MISCELLANEOUS.

This part deals with miscellaneous matters. It provides for the use of description “Registered Engineer”, “Consulting Engineer”, “Registered Technologist”, “Registered Technician”, appeals against decisions of the Council or Board, limitation of liability of members, fees payable under Act, offence and penalty for misuse of title and false claims to qualifications and other offences and penalties (Clauses 39, 40, 41, 42, 43 and 44).

The part further empowers the Minister to make regulations and amend the schedules. The part further provides for savings and transitional provisions for the Uganda Institution of Professional Engineers, savings and transitional provisions for the Engineers Registration Board and the repeal of the Engineers Registration Act, Cap 271 (Clauses 45, 46, 47, 48 and 49).

GEN. EDWARD KATUMBA WAMALA
Minister of Works and Transport

THE ENGINEERING PROFESSIONALS BILL, 2024

ARRANGEMENT OF CLAUSES

Clause

PART I—PRELIMINARY

1. Interpretation

**PART II—THE UGANDA INSTITUTION OF ENGINEERING
PROFESSIONALS**

Uganda Institution of Engineering Professionals

2. Establishment of the Uganda Institution of Engineering Professionals
3. Objects of Institution
4. Membership of Institution
5. Membership fees
6. Termination of membership

Council of the Institution

7. The Council

General Provisions

8. Seal of Institution
9. Meetings of the Institution
10. Accounts of the Institution
11. Register of Institution

*Clause***PART III—THE ENGINEERING PROFESSIONALS BOARD**

12. Establishment of Engineering Professionals Board
13. Functions of the Board
14. Membership of the Board
15. Seal of the Board
16. Meetings of the Board
17. Committees of Board

PART IV—SECRETARIAT AND STAFF OF BOARD

18. Secretariat
19. Registrar
20. Other officers and staff of the Secretariat
21. Consultants

PART V—REGISTRATION OF ENGINEERING PROFESSIONALS.

22. Qualifications for registration as engineer
23. Qualifications for registration as technologist
24. Qualifications for registration as technician
25. Registration of engineering professional
26. Power to revoke, correct and update register
27. Restoration to register
28. Publication of registers
29. Inspection of register
30. Temporary registration

PART VI—PRACTICE OF ENGINEERING PROFESSIONALS

31. Annual licence

Clause

32. Application for annual licence
33. Renewal of licence
34. Revocation of annual licence

PART VII—DISCIPLINE OF ENGINEERING PROFESSIONALS

35. Professional Code of Ethics
36. Proceedings at inquiry
37. Powers to suspend registration, etc.
38. Regulations

PART VIII—MISCELLANEOUS

39. Use of description “Registered Engineer”, “Consulting Engineer”, “Registered Technologist”, “Registered Technician”
40. Appeals against decisions of the Council or Board
41. Limitation of liability of members
42. Fees payable under Act
43. Offence and penalty for misuse of title and false claims to qualifications.
44. Other offences and penalties.
45. Regulations
46. Amendment of Schedule
47. Savings and transitional provisions for the Uganda Institution of Professional Engineers
48. Savings and transitional provisions for the Engineers Registration Act, Cap 271
49. Repeal

SCHEDULES

- Schedule 1** Currency Point
- Schedule 2** Meetings of the Institution
- Schedule 3** Meetings of the Board

A Bill for Act

ENTITLED

THE ENGINEERING PROFESSIONALS ACT, 2024

An Act to provide for the establishment of the Uganda Institution of Engineering Professionals and to provide its objects, membership and Council; to provide for the establishment of the Engineering Professionals Board and its functions and membership; to provide for the registration and licensing for engineers, technologists and technicians; to repeal the Engineers Registration Act, Cap. 271 and for related matters.

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY

1. Interpretation

In this Act, unless the context otherwise requires—

“Board” means the Engineering Professionals Board established by section 12 of this Act;

“Council” means the Council of the Uganda Institution of Engineering Professionals established by section 7;

“currency point” has the value assigned to a currency point in Schedule 1;

“engineering professional” means an engineer, a technologist and a technician registered under this Act;

“Government” includes local governments;

“Institution” means the Uganda Institution of Engineering Professionals established by section 2;

“Minister” means the Minister responsible for works;

“registered engineer” means a person who is registered as such under Part V;

“registered technologist” means a person who is registered as such under Part V;

“registered technician” means a person a person who is registered as such under Part V;

“Registrar” means the registrar of the Board appointed under section 19;

“Uganda Association of Consulting Engineers” means the Uganda Association of Consulting Engineers established under the Companies Act.

**PART II—THE UGANDA INSTITUTION OF ENGINEERING
PROFESSIONALS**

Uganda Institution of Engineering Professionals

2. Establishment of the Uganda Institution of Engineering Professionals

(1) There is established the Uganda Institution of Engineering Professionals.

(2) The Institution shall be a body corporate with perpetual succession and may sue and be sued in its corporate name.

(3) The Institution may hold, acquire and dispose of any property, movable and immovable.

(4) The Institution may establish branches in any part of Uganda.

3. Objects of Institution

The objects for which the Institution is established are to—

- (a) maintain and improve the standard of the engineering profession in Uganda;
- (b) offer continuous professional development programmes to engineering professionals;
- (c) facilitate the acquisition of knowledge in engineering by the engineering professionals and others;
- (d) to represent the engineering professionals in Uganda as regards the conditions of practice and other related matters and where necessary provide any assistance that may be required for practice as professionals; and
- (e) to advise the Board, Government and the public in all matters affecting the regulation and practice of the engineering professionals.

4. Membership of Institution

The Institution shall consist of the following members—

- (a) fellows, who shall be members who—
 - (i) enrolled as engineers for at least ten years;

- (ii) served as Government officers at the rank of commissioner or above;
 - (iii) served as members of the Council;
 - (iv) served as a member of the Board; or
 - (v) have advanced knowledge and experience in engineering practice, research or training of twenty years or more;
- (b) engineers, who shall be –
- (i) holders of degrees in engineering or of qualifications equivalent to degrees in engineering, where the degree or the qualification and the university or institution that awarded it, are recognised as such by the National Council for Higher Education;
 - (ii) have postgraduate practical training as engineers, of at least two years and have experience in positions of responsibility as engineers, of at least two years or for persons who do not have postgraduate practical training, have experience in positions of responsibility as engineers in excess of two years in substitution for the postgraduate practical training;
- (c) graduate engineers, who shall be holders of degrees in engineering or of qualifications equivalent to degrees in engineering, where the degree or the qualification and the university or institution that awarded it, are recognised as such by the National Council for Higher Education;
- (d) technologists, who shall be—
- (i) holders of higher national diplomas in engineering or technology, or of qualifications equivalent to higher national diplomas in engineering or

technology, where the higher national diploma or the qualification and the institution that awarded it are recognised as such by the National Council for Higher Education;

- (ii) have practical experience of not less than four years and as technologists;
- (e) graduate technologists, who shall be holders of higher national diplomas in engineering or technology, or of qualifications equivalent to higher national diplomas in engineering or technology, where the higher national diploma or the qualification and the institution that awarded it are recognised as such by the National Council for Higher Education;
- (f) technicians, who shall —
 - (i) be holders of ordinary diplomas in engineering or technology or of qualification equivalent to ordinary diplomas in engineering or technology, where the ordinary diploma or the qualification and the institution that awarded it, are recognised as such by the National Council for Higher Education;
 - (ii) have practical experience in engineering of not less than four years, as technicians;
- (g) graduate technicians, who shall be holders of ordinary diplomas in engineering or technology or of qualification equivalent to ordinary diplomas in engineering or technology, where the ordinary diploma or the qualification and the institution that awarded it, are recognised as such by the National Council for Higher Education;
- (h) student members, who shall be students pursuing degree courses in engineering, higher national diploma

in engineering or technology or ordinary diploma in engineering or technology, as the case may be, where the course, qualification and the university or institution are recognised as such by the National Council for Higher Education; and

- (i) honorary members, who shall be persons who are not engineering professionals but who have rendered service to the Institution or the engineering profession.

5. Membership fees

(1) A member of the Institution shall on registration as a member, pay a registration fee, as may be prescribed by the Council.

(2) A member of the Institution, except an honorary member shall pay an annual subscription fee, as may be prescribed by the Council.

6. Termination of membership

(1) Any member of the Institution, other than a honorary member, who ceases to qualify for membership shall cease to be a member of the Institution.

(2) A member whose name is struck of the register of engineering professionals, or who is suspended from practice as an engineering professional shall be deemed to have been expelled from the Institution or to have been suspended from the Institution as the case may be.

Council of the Institution

7. The Council

(1) There shall be a Council of the Institution which shall be responsible for the management of the affairs of the Institution.

(2) The Council shall comprise of fifteen members who shall include—

- (a) the president, who shall be elected from the members of the previous Council for a term of two years and who may be re-elected for one further term;
- (b) three vice presidents;
- (c) the honorary secretary;
- (d) the honorary treasurer;
- (e) two representative of the engineers;
- (f) a representative of the technologists; and
- (g) a representative of the technicians
- (h) the immediate past president;
- (i) three representatives the chairpersons of the branches; and
- (j) the Registrar of the Board.

(3) The members of the Council shall be elected at a meeting of the Institution.

(4) The procedure of the council shall be determined by the Council.

(5) A branch of the Institution established under section 2(4) shall fulfill the objective of the Institution in the region where the branch is situated.

(6) A branch shall have a committee comprise of—

- (a) the chairperson;
- (b) the vice chairperson;

- (c) the secretary;
- (d) the treasurer;
- (e) three members representing engineers, technologists and technicians, respectively.

(7) The Council shall make rules to govern the election of the committees of the branches and the conduct and management of the affairs of the branches.

General Provisions

8. Seal of Institution

(1) The Institution shall have a seal which shall be kept by the secretary and which shall not be affixed to any document except by the order of the Council.

(2) The seal of the Institution shall be authenticated by the signatures of the president and the honorary secretary or in the absence of the president, by the signature of a vice president and the honorary secretary.

9. Meetings of the Institution

The meetings of the Institution shall be held in accordance with Schedule 2 to this Act and Regulations made under the Act.

10. Accounts of the Institution

The Council shall cause proper accounts of all the funds and property of the Institution to be kept and to be audited by an auditor appointed by the members of the Institution at a general meeting of the Institution.

11. Register of Institution

The Council shall maintain a register of the members of the Institution in which shall be entered the particulars of the members, as may be prescribed.

PART III—THE ENGINEERING PROFESSIONALS BOARD**12. Establishment of Engineering Professionals Board**

(1) There is established the Engineering Professionals Board.

(2) The Board shall be a body corporate with perpetual succession and a common seal and may for the purposes of discharging its functions under this Act—

- (a) acquire, hold or dispose of movable and immovable property;
- (b) sue and be sued in its corporate name; and
- (c) do all acts and things that a body corporate may lawfully do.

13. Functions of the Board

The Board shall—

- (a) regulate the practice of engineering professionals in Uganda;
- (b) register engineers, technologists and technicians;
- (c) issue annual practice licences to registered engineers, registered technologists and registered technicians;
- (d) regulate the continuous professional development programmes offered for the engineering professionals;
- (e) advise the Government, the public and the private sector in relation to the engineering practice;
- (f) hold inquiries under Part VII; and
- (g) perform any other functions as may be necessary for the purposes of this Act.

14. Membership of the Board

(1) The Board shall consist of the following members—

- (a) two registered engineers in the service of the Government who shall be nominated by the Permanent Secretaries of the Ministries of those registered engineers;
- (b) a registered engineer in the service of a local government, who shall be at the rank of district engineer, or its equivalent and who shall be nominated by the Permanent Secretary of the Ministry responsible for local governments;
- (c) a registered engineer in the service of a university, who shall be nominated by the Permanent Secretary of the Ministry responsible for education;
- (d) the President of the Institution;
- (e) one registered engineer, not in the service of Government, who shall be nominated by the Council;
- (f) one registered technologist who shall be nominated by the Council;
- (g) one registered technician who shall be nominated by the Council; and
- (h) a representative of the Uganda Association of Consulting Engineers.

(2) At least three of the members referred to in sub section (1) shall be women.

(3) The members of the Board shall be appointed by the Minister for a period of three years and the members are eligible for reappointment for one further term.

(4) The chairperson shall be appointed from the members specified in subsection (1) (a), (c) or (e).

(5) The members shall at the first meeting of the Board elect from amongst themselves a vice chairperson.

(6) The Minister may reject a person nominated under paragraph (1) (e), (f), (g) or (h).

(7) A member may resign by giving a notice of one month, in writing, to the Minister.

(8) A member of the Board shall be paid such remuneration as shall be determined by the Minister in consultation with the Ministers responsible for finance and public service and which shall be specified in his or her instrument of appointment.

(9) The Minister may revoke the appointment of any member of Board—

- (a) for inability to perform the functions of his or her office arising from infirmity of body or mind;
- (b) for misconduct;
- (c) for incompetence;
- (d) for absence for more than three consecutive meetings of the Board or absence from the country for more than twelve months, without reasonable excuse;
- (e) for bankruptcy or insolvency;
- (f) for conviction for a criminal offence in Uganda or elsewhere in respect of which the sentence of imprisonment exceeds six months; or
- (g) where information relating to the conduct of the member, which could have precluded his or her appointment if it had been made available to the Minister, is brought to the attention of the Minister.

(10) The Minister may at any time revoke the appointment of the member referred to in subsections (1)(a) (b) and (c) and appoint another person to replace the member for the period specified in subsection (3).

15. Seal of the Board

(1) The Board shall have a common seal, and the fixing of the seal shall—

- (a) be authorised or ratified by a resolution of the Board; and
- (b) be authenticated by the signatures of the chairperson, or in his or her absence the person acting as the chairperson of the Board and of one other member of the Board.

(2) Any document purporting to be a document duly executed under the seal of the Board shall be received in evidence in any court proceedings and shall, until the contrary is proved, be presumed to be a document so executed.

16. Meetings of the Board

The procedure of the meetings of the Board shall be prescribed in Schedule 3 to this Act.

17. Committees of Board

(1) The Board shall establish an inquiry committee and may establish any other committee to assist it in the performance of its functions.

(2) The Board may appoint any person to be a member of a committee and shall appoint the chairperson of a committee and where the Board does not appoint a chairperson for a committee, the committee may, at its first meeting, elect a chairperson from among its members.

(3) The Board may at any time dissolve or reconstitute a committee.

(4) The procedure of the meetings of a committee shall be determined by the Board.

PART IV—SECRETARIAT AND STAFF OF BOARD

18. Secretariat

The Board shall have a Secretariat to implement the decisions of the Board and to perform any other function in the furtherance of this Act, as the Board may direct.

19. Registrar

(1) The Board shall appoint a Registrar of the Board who shall be the head of the Secretariat, responsible for the day-to-day operations and the administration of the Board.

(2) The Registrar shall be a registered engineer with high moral character and proven integrity and shall hold office in accordance with the terms of his or her appointment.

(3) The registrar shall be the secretary to the Board.

(4) The registrar shall be responsible for—

- (a) maintaining the registers of registered engineers, registered technologists and registered technicians;
- (b) the implementation of the decisions of the Board and making reports on these to the Board;
- (c) the proper management of the funds and property of the Board;
- (d) the organisation and control of the staff of the Board; and

- (e) performing any other duty that may be assigned to him or her by the Board.

(5) The registrar shall be under the general supervision and guidance of the Board and in the performance of his or her functions, the registrar shall be answerable to the Board.

- (6) The registrar shall cease to hold office where—

- (a) he or she is declared or becomes bankrupt or insolvent or has made an arrangement with his or her creditors;

- (b) he or she is convicted of a criminal offence, in Uganda or elsewhere, in respect of which the maximum penalty exceeds a term of imprisonment of six months without the option of a fine; or

- (c) he or she is removed from office by the Board.

(7) The registrar may be removed from office by the Board for—

- (a) inability to perform the functions of his or her office arising from infirmity of body or mind;

- (b) misconduct; or

- (c) incompetence.

20. Other officers and staff of the Secretariat

(1) The Board may, on the advice of the registrar, appoint other officers and staff of the Board as may be necessary for the effective performance of the functions of the Board.

(2) The officers and staff appointed under this section shall hold office on such terms and conditions as may be determined by the Board and specified in their instruments of appointment.

21. Consultants

The Board may engage consultants, as may be necessary for the Board to discharge its responsibilities.

PART V—REGISTRATION OF ENGINEERING PROFESSIONALS.**22. Qualifications for registration as engineer**

A person shall be entitled, on making an application to the Board in the prescribed manner and on payment to the Board of the prescribed fee, to be registered as an engineer or as a consulting engineer, where—

- (a) for registration as an engineer, he or she —
 - (i) is a member of the Institution under section 4 (b); or
 - (ii) is a member of an institution of engineers, which is recognised by the Board, with membership with sufficient academic knowledge of, and practical experience in engineering; and
- (b) for the registration as a consulting engineer, he or she qualifies under paragraph (a) and in addition has specialization and experience in a field of engineering and has achieved a level of competency to enable him or her to practice as such in the area of specialisation, as may be determined by the Board.

23. Qualifications for registration as technologist

A person shall be entitled, on making an application to the Board in the prescribed form and on payment to the Board of the prescribed fee, to be registered as a technologist, if he or she is a member of the Institution under section 4 (d).

24. Qualifications for registration as technician

A person shall be entitled, on making an application to the Board in the prescribed form and on payment to the Board of the prescribed fee, to be registered as a technician, if he or she is a member of the Institution under section 4 (f).

25. Registration of engineering professional

(1) A person who makes an application under section 22, 23 or 24 shall be registered by the Board as a registered engineer, registered technologist or a registered technician.

(2) A person shall be registered by entering the particulars that person in the register of engineers, register of technologists or register of technicians, respectively.

(3) For the purposes of subsection (2), the Board shall keep and maintain a register of engineers, a register of technologists and a register of technicians, in a format prescribed by regulations made under this Act.

(4) The Board shall issue a certificate of registration to a registered engineer, registered technologist or a registered technician.

(5) A registered engineer, registered technologist and registered technician, shall on registration take the Oath of Affirmation as may be prescribed.

26. Power to revoke, correct and update register

(1) The Board may at any time direct that the name of a registered engineer, registered technologist or registered technician be removed from a register where—

(a) a registered engineer, registered technologist or registered technician, as the case may be, requests that his or her name be removed from a register, in which case that person shall confirm, by an affidavit lodged with the registrar that there are no criminal proceedings or proceedings under Part VII, against him or her;

(b) the Board finds that registered engineer, registered technologist or registered technician guilty of professional misconduct under Part VII;

- (c) registered engineer, registered technologist or registered technician, as the case may be, ceased to be a member of the Institution; or
- (d) a registered engineer, registered technologist or registered technician does not pay the annual licence fee prescribed for a period of three consecutive years.

(2) Subject to section 27, a person whose name is removed from a register under this section shall from the date the name is removed, cease to be registered for the purposes of this Act.

27. Restoration to register

(1) The name that is removed from a register under section 26, may, by the direction of the Board, be restored on the register.

(2) The Board shall prescribe the conditions and procedure for restoring on the register, a name that is removed under section 26.

28. Publication of registers

(1) The registrar shall cause to be published in the Gazette, in a newspaper of nationwide circulation and on the website of the Board, as soon as may be practicable after registration, the name, address and qualifications of each registered engineer, registered technologist and registered technician.

(2) The registrar shall cause to be published in the Gazette, a newspaper of nationwide circulation and on the website of the Board, as soon as practicable, the name, address and qualifications of a registered engineer, registered technologist or registered technician who is removed from a register.

(3) A publication under subsection (1) shall be prima facie evidence that the persons named in the publication are registered under this Act, and the removal from the register of the name of any person

under subsection (2), or the absence of the name of any person from a publication, shall be prima facie evidence that that person is not so registered.

(4) The register, and any publication made under this section or copies of or extracts from them which purport to have been certified under the hand of the registrar shall be receivable as evidence in any court or other body authorized to receive evidence, as prima facie evidence of the facts stated in them.

29. Inspection of register

Any person may, on payment of the prescribed fee, inspect a register and any document relating to any entry in the register. and may obtain from the registrar a copy of or an extract from a register.

30. Temporary registration

(1) Where a person who is not ordinarily resident in Uganda, intends to practice in Uganda as an engineering profession, for the purpose of carrying out specific work or works for which he or she is engaged, the Board may, direct that that person be registered under this section, as may be prescribed.

(2) Where the person referred to in subsection (1) is a citizen of a Partner State of the East African Community, the provisions of Article 10 of the Protocol for the Establishment of the East African Community Common Market and the Protocols made under the Protocol and Mutual Recognition Agreement of the Engineering Professions shall apply.

(3) A person shall be registered under this section where immediately prior to entering Uganda the person was in practice as an engineer, technologist or technician and the Board is satisfied that the person is fit to serve in Uganda as a professionally qualified engineer, qualified technologist or qualified technician and that the skills to be offered by that person cannot be offered by a person to whom Part VI of this Act applies.

(4) An application for registration under this section shall be in the prescribed form, accompanied by the prescribed fee, and the Board may require an applicant to appear before it for the purposes of considering his or her application and shall require every applicant to produce documentary evidence of his or her work or employment immediately prior to his or her entering Uganda.

(5) A person who is registered under subsection (1) shall be registered for a period of two years or for the duration of the work or works, whichever is shorter and may, where required, apply to the Board for an extension of the registration for the duration of work or works to be completed or for one year, whichever is shorter.

(6) The Board shall for the purposes of this section, periodically demand from employers returns on the employment of persons registered under this section.

(7) Where the application under this section is denied, the applicant may appeal to the High Court.

PART VI—PRACTICE OF ENGINEERING PROFESSIONALS

31. Annual licence

(1) A person registered under section 22, 23 and 24 of this Act who intends to practice as an engineering professional, shall hold an annual licence issued by the Board.

(2) A person shall not practice as an engineering professional in Uganda without an annual license issued by the Board under this Part.

(3) A person who is licenced under this Part, may be licenced to practice as a consulting engineer.

(4) An engineering professional who is issued an annual licence shall be entitled to offer services to the public for gain or reward or by way of trade as an engineering professional.

(5) An annual licence may be issued with conditions and shall bear the date on which it is issued and shall be effective from that date to the end of the year in which it is issued.

(6) Where the name of an engineering professional is removed from a register, the annual licence of the engineering professional shall expire upon removal of the name of that person from a register.

32. Application for annual licence

(1) A person registered under this Act who intends to practice as an engineering professional shall upon payment of the prescribed fee, make an application the Board for an annual licence in the prescribed form.

(2) The Board may, reject the application for a licence and where the Board rejects an application, it shall, in writing, give reasons for the rejection.

33. Renewal of licence

(1) A person issued a licence may make an application to the Board for the renewal of an annual licence, in the prescribed form.

(2) A person who seeks to renew a licence under subsection (1) shall upon payment of the prescribed fee, make an application the Board for renewal of the annual licence.

(3) The Board may, reject the application for renewal of a licence and where the Board rejects an application, it shall, in writing, give reasons for the rejection.

34. Revocation of annual licence

The Board may, revoke an annual licence where—

- (a) the holder of the licence contravenes any provision of this Act or regulations made under the Act;

- (b) the holder of the licence fails to comply with any condition specified in the licence; or
- (c) the Board considers it to be in the interest of the public to cancel the licence.

PART VII— DISCIPLINE OF ENGINEERING PROFESSIONALS

35. Professional Code of Ethics

An engineering professional shall be subject to the Professional Code of Ethics, as may be prescribed by regulations made under this Act.

36. Proceedings at inquiry

(1) The Board shall conduct an inquiry into the conduct of an engineering professional who contravenes the Professional Code of Ethics.

(2) An engineering professional whose conduct is inquired into shall be entitled to appear before the Board and to be heard in person or to be represented by an advocate.

(3) For the purposes of proceedings at any inquiry held by it, the Board shall have the following powers—

- (a) the power to administer oaths;
- (b) the power to summon persons to attend and give evidence; and
- (c) the power to order the production of documents.

37. Powers to suspend registration, etc.

Where after due inquiry held by the Board, an engineering professional is found to be guilty of contravention of the Professional Code of Ethics, or where an engineering professional is convicted of any offence under this Act or any other Act, the Board may—

- (a) caution the engineering professional;
- (b) cause the suspension of the engineering professional for a specified period not exceeding two years; or
- (c) cause the removal of the name of the engineering professional from the respective register.

38. Regulations

The Board shall make Regulations for the better carrying out of the provisions of this Part.

PART VIII—MISCELLANEOUS.

39. Use of description “Registered Engineer”, “Consulting Engineer”, “Registered Technologist”, “Registered Technician”

(1) A person who is registered under this Act shall in accordance with the provisions of this Act, be entitled to adopt and use the style and title, “Registered Engineer”, “Consulting Engineer”, “Registered Technologist” or “Registered Technician”, as the case may be.

(2) An engineering professional who is issued with an annual licence shall have a practice stamp with his or her name or the trade name and his or her profession and shall affix the stamp to all documents signed by him or her.

40. Appeals against decisions of the Council or Board

Any person who is aggrieved by a decision of the Council or the Board under this Act may appeal to the High Court against the decision.

41. Limitation of liability of members

A member of the Council or the Board or a member of staff of the Institution or the Board, shall not be personally liable for any act done or omitted to be done, in good faith, in the course of performing the functions of, or in the exercise of the powers of, the Council or the Board.

42. Fees payable under Act

The following fees are payable under this Act –

- (a) membership fees under section 5;
- (b) fees for annual licence and renewal of annual licences under sections 32 and 33;
- (c) fees charged for services rendered by Board including consultancy services.

43. Offence and penalty for misuse of title and false claims to qualifications.

(1) A person who not being a registered engineer, registered technologist or registered technician—

- (a) pretends to be a registered engineer, registered technologist or registered technician;
- (b) uses the style or title “Registered Engineer”, “Registered Technologist”, “Registered Technician” or any other name, style, title or description implying, whether in itself or in the circumstances in which it is used, that the person is a registered engineer, registered technologist or registered technician;
- (c) holds himself or herself out, whether directly or by implication to be a professionally qualified engineer, technologist or technician,

commits an offence and is liable on conviction to a fine not exceeding fifty currency points or to imprisonment for a term not exceeding two years or both.

(2) A registered technologist or registered technician who—

- (a) pretends to be a registered engineer;

- (b) uses the style or title "Registered Engineer", or any other name, style, title or description implying, whether in itself or in the circumstances in which it is used, that the person is a registered engineer;
- (c) holds himself or herself out, whether directly or by implication to be a professionally qualified engineer; or
- (d) practices as a registered engineer while holding an annual licence to practice as a registered technologist or registered technician,

commits an offence and is liable on conviction to a fine not exceeding fifty currency points or to imprisonment for a term not exceeding two years or both.

44. Other offences and penalties.

(1) Any person who—

- (a) fraudulently makes, or causes or permits to be made, any false or incorrect entry in the register or any copy of it;
- (b) fraudulently procures or attempts to procure himself or herself or any other person to be registered under this Act;
- (c) qualifies for registration under section 22, 23 and 24, who fails or neglects to register in accordance with the sections;
- (d) practices or attempts to practice as a registered engineer, registered technologist or registered technician without holding a valid annual licence; or
- (e) knowingly and wilfully makes any statement which is false in a material particular, or which is misleading, with a view to gaining any advantage, concession or privilege under this Act, whether for himself or herself or for any other person,

commits an offence and is liable on conviction to a fine not exceeding fifty currency points or imprisonment not exceeding two years or both.

(2) Where a person who commits an offence under subsection (1) is a body corporate, every person who, at the time of the commission of the offence, was a director or officer of the body corporate may be charged jointly, in the same proceedings with the body corporate, and where the body corporate is convicted of that offence, every director or officer shall be deemed to have committed the same offence unless he or she proves that the offence was committed without his or her knowledge or that he or she exercised all due diligence to prevent the commission of the offence.

45. Regulations

(1) The Minister may make Regulations generally for better carrying out the provisions of this Act, and any such Regulations may, without prejudice to the generality of the foregoing —

- (a) prescribe anything required to be prescribed under this Act;
- (b) prescribe the fees to be paid under this Act.

(2) Regulations made under this section may prescribe penalties not exceeding ten currency points or imprisonment not exceeding two years or both.

46. Amendment of Schedule

The Minister may, by statutory instrument, with the approval of the Cabinet, amend the Schedule.

47. Savings and transitional provisions for the Uganda Institution of Professional Engineers

(1) At the commencement of this Act—

- (a) all property and assets vested in the Uganda Institution of Professional Engineers in existence before the commencement of this Act, shall subject to all interests, liabilities, obligations and trusts affecting the property,

vest in the Uganda Institution of Engineering Professionals established under section 2;

- (b) all contracts, agreements and undertakings made by the Uganda Institution of Professional Engineers in existence before the commencement of this Act, and all securities lawfully given to or by it, and in force, shall have effect as contracts, agreements and undertakings by and with the Uganda Institution of Engineering Professionals established under section 2 and may be enforced by and against the Institution, as the case may be; and
- (c) any proceedings commenced by or against the Uganda Institution of Professional Engineers in existence before the commencement of this Act may be continued by or against the Uganda Institution of Engineering Professionals established under section 2.

(2) The members of the Council of the Uganda Institution of Professional Engineers in office immediately before the commencement of this Act, shall continue in office until the election of members specified under section 7, by the annual general meeting of the Institution.

(3) At the commencement of this Act, a person whose name is on the register of engineers of the Institution, shall be deemed to be registered under sections 4 and 11 of this Act.

(4) The Uganda Institution of Professional Engineers in existence before the commencement of this Act shall be wound up in accordance with the laws of Uganda.

48. Savings and transitional provisions for the Engineers Registration Act, Cap 271

- (1) At the commencement of this Act—

- (a) all property and assets vested in the Engineers Registration Board under Engineers Registration Act, Cap 271 shall, subject to all interests, liabilities, obligations and trusts affecting the property, vest in the Engineering Professionals Board established under section 12;
 - (b) all contracts, agreements and undertakings made by the Engineers Registration Board and all securities lawfully given to or by it, and in force, shall have effect as contracts, agreements and undertakings by and with the Board and may be enforced by and against the Engineering Professionals Board; and
 - (c) any proceedings commenced by or against the Engineers Registration Board may be continued by or against the Engineering Professionals Board.
- (2) The Board in existence immediately before the commencement of this Act, shall continue in office until the expiry of its term.
- (3) An annual licence issued at the commencement of this Act, shall remain valid until its expiry.
- (4) A person appointed to any office under or by virtue of the Engineers Registration Act, Cap 271 shall continue in office in accordance with the provisions of this Act.

49. Repeal.

The Engineers Registration Act, Cap. 271, is repealed.

SCHEDULES

SCHEDULE 1

Section 1

Currency Point

A currency point is equal to twenty thousand Uganda Shillings.

SCHEDULE 2*Section 9***Meetings of the Institution****1. Annual general meeting**

(1) The Institution shall at least once every year hold an annual general meeting at a time, date and place determined by the Council.

(2) The following business shall be transacted at an annual general meeting—

- (a) the receipt and consideration of the annual report of the Council
- (b) the receipt and consideration of the accounts of the Institution and the auditor's report;
- (c) election of members of the Council;
- (d) appointment of the auditors of the Institution;
- (e) any other business.

2. Special meetings

(1) The Council may convene a special meeting of the Institution whenever it considers it necessary.

(2) Any thirty members of the Institution may at any time requisition a special meeting of the Institution, by written notice signed by them, specifying the object of the proposed meeting, and deposited with the honorary secretary of the Institution, and the Council shall convene a special meeting of the Institution accordingly.

3. Notice of meeting

(1) The honorary secretary shall send to the members of the Institution notice of a meeting and the agenda of the meeting, not less than fourteen days and not more than twenty- one days before the date of the meeting.

(2) In case of an annual general meeting, the honorary secretary shall send with the notice—

- (a) a copy of the annual report of the Council;
- (b) a copy of the accounts of the Institution and the auditor's report;
- (c) a list of the persons nominated or proposed for election to the Council;
- (d) a list of the auditors proposed for appointment as the auditors of the Institution;
- (e) particulars of any business to be brought before the meeting.

4. Quorum

(1) At a general meeting, the quorum shall be thirty members and where quorum is not realized after one hour from the time appointed for the meeting, the meeting shall be adjourned for two weeks to the day and same time and place or as may be determined by the Council.

(2) On the date to which a meeting is adjourned, the meeting shall proceed notwithstanding that there are less than thirty members present.

SCHEDULE 3*Section 16***Meetings of the Board**

1. The Board shall meet at such times as may be necessary to expedient the transaction of the business of the Board.
2. A meeting of the Board shall be convened by the chairperson who shall appoint the time, date and place for holding the meeting.
3. The chairperson of the Board shall preside over a meeting of the Board and in the absence of the chairperson, the vice chairperson shall preside over the meeting.
4. At a meeting of the Board, the quorum shall be five members.
5. Three members of the Board may at any time requisition a meeting of the Board by written notice signed by them, specifying the object of the proposed meeting, and deposited with the chairperson of the Board, and the chairperson shall convene the meeting, accordingly.
6. A meeting of the Board convened under paragraph 5 shall be held within twenty-one days of requisition by the members.