



IEM NEWSLETTER

P. O. BOX 464 Port Louis

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Major Developments foreseen in the regulation of engineering practice in Mauritius.

A Communication from IEM Council

A Proposed Engineering Council of Mauritius (Draft) Bill 2009 is in circulation.

IEM is currently examining the draft text of a proposed Engineering Council of Mauritius (Draft) Bill 2009 being proposed as a replacement for the current Council of Registered Professional Engineers Act (1966).

Our members will be aware that the current legislation dates back to 1965/6, and that it came about largely through the efforts of the Institution of Engineers. At that time IEM considered that IEM should regulate the profession for the protection of society and for safeguarding the interests of professional engineers. Our lawmakers, then under British administration, decided that practice of engineering should be regulated by an independent body. The CRPE was thus born, and always had two representatives of IEM on its Council.

It is to IEM's knowledge that the Ministry of Public Infrastructure has in the first instance sought the views of the departments and bodies under its own jurisdiction, and we presume that in a second stage it will enlarge the consultations, before it goes to Cabinet/State Law Office. That sequence and the form in which it will go is a matter for the MPI. We expect IEM to be informed when that happens.

IEM is also aware that CRPE has invited all the engineers on its roll to show interest in the draft document, and has circulated the draft to all engineers who choose to respond affirmatively to its e-mail communication. On our side we request that any one of who has examined the draft document separately circulated to you and who wishes to make some comments thereon may do by mail addressed to IEM, or the Secretary to allow IEM to examine the comments and prepare its response. WE are highlighting some of its salient features here.

Members of IEM are strongly advised to peruse the draft separately circulated by IEM for an accurate

and fuller appreciation of the content and intent of the draft Bill. The above information does not replace the text of the draft Bill.

Essential Features of the Draft

It is understood from background information supplied by CRPE that the intention of the legislation is to align Mauritian professional engineering standard with international standards. The draft proposal expects to achieve this objective through the following provisions:

- (i) development, and promulgation of a Standard of Professional Engineering Competence benchmarked on international standards, including the UKSPEC of Engineering Council (UK), the EC2000 of ABET (USA) and the European EUR-ACE Framework of Accreditation.
- (ii) establishment of a Standard Advisory Board under the eventual Act, and comprising stakeholders from the Academia and the Industry, for approval of the Standard.
- (iii) the academic standard satisfying the education requisites for registration (as Engineer) to be a degree satisfying the Council's Standard.
- (iv) establishment of a Board of Engineering Accreditation under the aegis of Council and comprising stakeholders from the Academia and professional engineers, aligned on international practices in relation to accreditation of engineering degree programmes for engineering practice.
- (v) an enlarged Council to make it more representative of the professional disciplines.
- (vi) two years experience for registration is maintained but comes under greater scrutiny.
- (vii) degrees accredited by institutions which are members of the Washington Accord will satisfy the Council's standard; registration as Chartered Engineer with UK Engineering Council, or Professional Engineer with other bodies, which prescribe equivalent standards and criteria for registration or licensing as Professional Engineer, will satisfy both the academic and experience requirements of Council for registration.
- (viii) introduction of a (non-mandatory) level of registration 3 years after initial registration: - ***Licensed Professional Engineers.*** Interested applicants to submit Professional Report and, if prescribed, evidence of CPD, in compliance with the experience requirements that may be prescribed as

part of the Standard. A licence is issued if applicant's assessment of professional competence is satisfactory.

- (ix) alternative route to Professional Engineer's Licence will be available as an option for 6 months, for persons with 10 years experience including 7 in a position where applicant exercised authority for engineering design, etc, and held responsibility for a major project or component of a project, in which he had significant contribution for 2 of the 7 years.
- (x) The draft includes a provision, in line with the practices of overseas engineering bodies grouped within the Sydney Accord (including UK Engineering Council), for operating and maintaining a new register for **Engineering Technologist/Licensed Engineering Technologist** for registering persons who hold qualifications of the nature of Advanced or Higher Technician Diplomas in engineering, including degrees in engineering or engineering technology which do not satisfy the current or proposed requisites for registration as Professional Engineers. The distinction between the Engineering Technologist and Licensed Engineering Technologist will rest on the level and quantum of responsibility and experience proposed for each level.
- (xi) Under the new proposals the registration year (for engineers) will remain 01 January to 31 December of the year. Renewal (Roll) fees will become payable **in advance**, that is on or before 31 December of the previous year, in lieu of current arrangement where payment can be made anytime between 1 January and 30 June (without surcharge) and after 30 June (with a surcharge of 50%). The draft proposes renewal before the start of the year. The 50% surcharge will apply on payment made in January, and 100% for payment after 31 January. With this arrangement the published Roll of Engineers will indicate all persons authorised to practice during the year, instead of the current arrangement where the Roll shows persons who were authorised to practice during the elapsed year.
For the proposed new category of registrants (the engineering technologists) the registration year will be 1st July to 30th June of following year. Surcharges similar to those applicable for engineers becoming applicable if payment (for renewal) is made anytime after the year has started.
- (xii) The draft carries a definition for "practice of professional engineering" to replace the present definition of "practice of engineering". A definition is also proposed for "practice of engineering technology". It clarifies "what is not professional engineering practice", and defines Engineering Works and Systems.
- (xiii) practice of professional engineering by persons not registered under the eventual Act will remain prohibited for persons not registered as Registered Engineers or Licensed Professional Engineers.

Practice of engineering technology will not generally be prohibited except if the engineering works and systems are part of a public utility or privately owned public utility, when supervision by a person registered under the Act is proposed.

- (xiv) protection for titles is maintained and extended to additional ones proposed in the draft, viz. Licensed Professional Engineer, Engineering Technologist, Registered Engineering Technologist or Licensed Engineering Technologist.
- (xv) a fairly large number of words and phrases necessary for the administration of the Council are included, together with definitions relating to the work and conduct of persons registered under the eventual act; **-gross misconduct, professional negligence, professional incompetence, professional misconduct**, towards identification of professional conduct incompatible with the practice and profession of engineering for the purposes of follow up measures against any offender concerned.
- (xvi) the draft includes provisions for the Council to sign Mutual recognition Agreements (on engineering qualifications) with competent authority overseas.
- (xvii) Persons who under the present CRPE Act can designate themselves Registered Professional Engineers would be permitted to continue using the title for a period of 4 years since the effective date, after which they may only use the title Registered Engineer, unless they obtain a License. They should normally be eligible for, and apply for a Professional Engineers Licence after 3 years post registration experience, if they satisfy the scope and nature of experience for the Licence.
- (xviii) Different Effective Dates are provided for coming into effect of some of the provisions.

An accrued role for IEM will ensue in the new environment, given its continued representation on the Council of the proposed replacement body, and as a representative on the Standard Advisory Board, alongside representatives of the Academia and the Industry. A proposal under which every licensed professional engineer should be a member of an engineering association will perhaps impose a review of IEM's own structure, if many engineers decide to choose IEM, instead of other learned engineering institutions and societies.

Information compiled by the Institution's President (Mr. J. Soobarah) who is IEM's representative on the CRPE Council.

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For the Editorial Committee