

GOVERNMENT OF ZAMBIA

ACT

No. 11 of 1980

Date of Assent: 24th September, 1980

An Act to amend the Engineering Institution of Zambia Act

[29th September, 1980

ENACTED by the Parliament of Zambia.

Enactment

1. This Act may be cited as the Engineering Institution of Zambia (Amendment) Act, 1980, and shall be read as one with the Engineering Institution of Zambia Act, hereinafter referred to as the principal Act.

Short title

Cap. 826

2. Section *two* of the principal Act is amended—

Amendment
of section 2

(a) by the insertion in the appropriate place of the following new definition:

“ allied discipline ” means a discipline prescribed as such by the Council;

(b) by the deletion of the definition of “ former institution ”.

3. Section *four* of the principal Act is amended in paragraph (e) by the deletion of “ repress malpractice ” and the substitution therefor of “ encourage good practice ”.

Amendment
of section 4

4. Section *five* of the principal Act is repealed.

Repeal of
section 5

5. Section *six* of the principal Act is repealed.

Repeal of
section 6

6. Section *eight* of the principal Act is repealed and the following section substituted therefor:

Repeal and
replacement
of section 8

8. (1) There shall be five classes of personal membership of the Institution, namely, Honorary Fellow, Fellow, Classes of membership

Member, Associate and Student; and one class of corporate membership, namely, Corporate Member.

(2) Personal membership of the Institution shall be by election by the Council in such manner as may be prescribed, and such election shall be in the absolute discretion of the Council.

(3) Every election made under the provisions of subsection (2) shall specify the class of membership of the Institution to which the person whom the Institution desires to honour or applicant has been elected; such class shall be determined in accordance with the provisions of section *ten, eleven, twelve, fourteen or fifteen*.

(4) A person making application under the provisions of section *eleven, twelve, fourteen or fifteen* shall produce such evidence of facts on which he relies as the Council may require.

Repeal of
section 9
Amendment
of section 11

7. Section *nine* of the principal Act is repealed.

8. Section *eleven* of the principal Act is amended by the deletion of paragraph *(b)* and the substitution therefor of the following:

(b) at, or not more than one year before, the time of making his application for admission as a Fellow, he is or has been—

- (i) engaged for not less than five years in a position of superior responsibility in the administration, design, execution or operation of such important work as in the opinion of the Council is comprised within the practice of professional engineering or an allied discipline; or
- (ii) in practice as a consultant on his own account for not less than five years and has acquired eminence in his profession; or
- (iii) lecturing or teaching at such university, institute or school in such responsible position and for such length of time as is acceptable to the Council; or
- (iv) engaged in research of an approved nature for not less than five years; or

possesses such combination of the foregoing as is acceptable to the Council:

Provided that no applicant with less than five years' relevant experience shall be admitted as a Fellow.

Amendment
of section 12

9. Section *twelve* of the principal Act is amended—

- (a)* in paragraph *(a)* by the deletion of "twenty-eight years" and the substitution therefor of "twenty-five years";

(b) by the deletion of paragraph (d) and the substitution therefor of the following paragraph:

(d) he has, after such training, gained relevant experience of at least two years, one of which was in such responsible position as in the opinion of the Council constituted professional work.

10. Section *thirteen* of the principal Act is repealed.

Repeal of
section 13

11. Section *fourteen* of the principal Act is repealed and the following section substituted therefor:

Repeal and
replacement
of section 14

14. (1) A person may on application to the Council be admitted as an Associate if—

(a) he is not less than twenty-five years of age and—

(i) has attended an approved university, technical college or school and holds a diploma or other qualification acceptable to the Council for this class of membership; or

(ii) has been educated in a technical discipline for such period and passed such examinations as may be approved by the Council; and

(b) at, or not more than one year before, the time of making his application for admission as an Associate, he is or has been—

(i) engaged in work of an administrative or technical nature; or

(ii) employed as a lecturer or teacher; or

(iii) engaged in research of an approved nature; and

(c) he has undergone training satisfactory to the Council for a period of at least two years; and thereafter

(d) he has had, for an aggregate period of two years, further experience of such work as, in the opinion of the Council, is appropriate to his particular discipline.

(2) Notwithstanding the provisions of paragraphs (a), (c), and (d) of subsection (1), in the case of a university graduate with a degree approved by the Council for the purposes of sub-paragraph (i) of the said paragraph (a), an applicant may be admitted as an Associate if he is at least twenty-two years old and has had at least two years of such practical experience as is acceptable to the Council.

Repeal and
replacement
of section 15

12. Section *fifteen* of the principal Act is repealed and the following section substituted therefor:

Student

15. A person may on application to the Council be admitted as a Student if, being not less than seventeen years of age, he is a *bona fide* student at an approved university, institute or school and is studying engineering or an allied discipline, or if he is undergoing a period of training in industry after graduation.

Insertion of
new sections
15A and 15B

13. The principal Act is amended by the insertion immediately after section *fifteen* of the following new sections:

Corporate
membership

15A. A statutory corporation, a company, an association or other body, or a division, department or section thereof, which is directly engaged in engineering activity or is professionally interested in engineering or an allied discipline in Zambia, may, on application to the Council, be admitted as a Corporate Member.

Discretion-
ary powers

15B. Notwithstanding the provisions of sections *eleven, twelve, fourteen, fifteen* and *fifteen A*, the Council may, in any individual case, waive the requirements laid down for any class of membership.

Amendment
of section 16

14. Section *sixteen* of the principal Act is amended by the deletion of "Associate members" and the substitution therefor of "Associates".

Amendment
of section 17

15. Section *seventeen* of the principal Act is amended—

(a) by the deletion of paragraph (d);

(b) by the deletion in paragraph (e) of the semi-colon at the end of the paragraph, and the substitution therefor of "or by the initials "A.E.I.Z."";

(c) by relettering paragraphs (e) and (f) as (d) and (e) respectively.

Amendment
of section 18

16. Section *eighteen* of the principal Act is amended by the deletion of "Associate Member,".

Insertion of
new section
18A

17. The principal Act is amended by the insertion immediately after section *eighteen* of the following new section:

Professional
practice

18A. In all professional and business relations, members of the Institution shall be governed by such code of conduct for engineers as may be prescribed by the Council with the approval of the Minister.

18. The principal Act is amended by the repeal of Part IV and the substitution therefor of the following:

Repeal and replacement of Part IV

PART IV

BRANCHES AND SECTIONS

21. (1) Branches of the Institution shall be composed of members of the Institution in particular geographical areas. Branches of the Institution

(2) Only the Council may authorise the formation or closure of branches of the Institution.

(3) Subject to the provisions of sections *twenty-four* and *twenty-five* and to the general directions of the Council, branches of the Institution shall be responsible for conducting their own affairs.

(4) Each branch of the Institution shall annually elect a branch committee, subject to the approval by the Council of each elected member.

(5) Only a Fellow or a Member may be the chairman of a branch committee.

(6) The management and control of each branch of the Institution shall vest in its branch committee.

(7) Each branch committee shall deal with all matters affecting its branch, including the receipt and expenditure of moneys other than membership subscriptions.

(8) Each branch committee shall, from time to time and whenever called upon, keep the Honorary Secretary of the Institution advised on branch matters, and shall provide lists of members and a statement of accounts at least once in every financial year.

22. (1) There shall be as many sections of the Institution as the Council may approve, and each section shall be composed of members whose major interests lie in that particular section. Sections of the Institution

(2) Only the Council may authorise the formation or closure of sections of the Institution.

(3) Subject to the general directions of the Council, sections of the Institution shall be responsible for conducting their own affairs.

(4) Each section of the Institution shall annually elect a section committee, subject to the approval by the Council of each elected member.

(5) Only a Fellow or a Member may be the chairman of a section committee.

(6) The management and control of each section of the Institution shall vest in its section committee.

(7) Each section committee shall, from time to time and whenever called upon, keep the Honorary Secretary of the Institution advised on section matters, and shall provide lists of members, at least once every year.

Repeal and
replacement
of section 23

19. Section *twenty-three* of the principal Act is repealed and the following section substituted therefor:

Constitution
of Council

23. (1) The management and control of the Institution shall vest in the Council which shall consist of—

(a) a President, who shall be a Fellow; the Immediate Past President, a Vice-President, an Honorary Secretary and an Honorary Treasurer, who shall be Fellows or Members; and six ordinary members of the Council, comprising at least one Fellow, one Member, one Associate and one Student; and

(b) the chairman of each branch committee and each section committee; and one committee member nominated by each branch and each section of the Institution:

Provided that any such branch or section may appoint an alternate to stand in for its chairman or such nominated member whenever such chairman or nominated member is unable to attend any meeting of the Council; and

(c) up to two members of the Council nominated as such by the Government, who shall each be a Fellow or a Member.

(2) Elections of members of the Council shall take place annually.

Insertion of
new section
25A

20. The principal Act is amended by the insertion immediately after section *twenty-five* of the following new section:

Immunity
of members
of Council

25A. No member of the Council shall be personally liable for any action taken by him in good faith, in his capacity as a member of, and duly authorised by, the Council.

Repeal and
replacement
of section 28

21. Section *twenty-eight* of the principal Act is repealed and the following section substituted therefor:

Council to
maintain
register of
members

28. The Council shall maintain a register of members of the Institution, recording therein the name, respective class and other relevant particulars of each member.

22. Section *twenty-nine* of the principal Act is amended—

Amendment
of section 29

(a) by the deletion of paragraph (m) and the substitution therefor of the following new paragraphs:

(m) code of conduct to which all members of the Institution shall subscribe;

(n) the fixing of fees for professional services; and

(o) any other matter as may be deemed by the Council to be necessary for the proper conduct and regulation of the affairs of the Institution.

(b) by the deletion of the proviso thereto.
