

Zambia

Engineering Institution of Zambia Act, 1992 Chapter 432

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Zambia

Engineering Institution of Zambia Act, 1992

Chapter 432

Commenced on 27 July 1992

[This is the version of this document at 31 December 1996.]

[Repealed by [Engineering Institution of Zambia Act, 2010 \(Act 17 of 2010\)](#) on 1 January 9999]

[Act No. 27 of 1992; 13 of 1994]

An Act to provide for the continued existence of the Engineering Institution of Zambia; to provide for the functions of the Engineering Institution of Zambia; to constitute the Council of the Institution; to provide for the qualification for membership and registration of the Engineers; to provide for the Disciplinary Committee; to repeal the Engineering Institution of Zambia Act; and to provide for matters connected with or incidental to the foregoing.

Part I – Preliminary

1. Short title

This Act may be cited as the Engineering Institution of Zambia Act.

2. Interpretation

In this Act, unless the context otherwise requires—

"**allied discipline**" means a discipline prescribed as such by the Council;

"**approved**" means approved by the Council;

"**Board**" means the Engineers' Registration Board constituted under section twenty-seven;

"**company members**" means membership accorded to a body corporate or a division thereof under section fourteen;

"**Council**" means the Council of the Institution;

"**financial year**" means the period of twelve months ending on 31st March in any year;

"**Disciplinary Committee**" means the Disciplinary Committee of the Institution appointed under section thirty-seven;

"**engineer**" means any person recognised and registered as such under this Act and includes a technical consultant and technical adviser, and engineering shall be construed accordingly;

"**special resolution**" means a resolution passed by not less than a two-thirds majority of the total membership of the Council duly convened with the due notice of the intention to propose such a resolution;

"**Institution**" means the Engineering Institution of Zambia established by section three;

"**Honorary Secretary**" means Honorary Secretary of the Engineering Institution of Zambia;

"**practising certificate**" means a certificate issued under section thirty-one authorising a person to practise as an engineer.

Part II – Engineering Institution of Zambia

3. Establishment of Engineering Institution of Zambia

There is hereby established the Engineering Institution of Zambia which shall be a body corporate having perpetual succession and a common seal and shall, under that name be capable of suing and being sued in its own name and subject to the provisions of this Act, of performing such acts, as a body corporate may by law perform.

4. Function of Institution

The functions of the Institution are—

- (a) to promote the general advancement of the science and advancement of engineering and allied disciplines;
- (b) to maintain and improve the standards of conduct and learning of engineering and allied professions in Zambia;
- (c) to facilitate the acquisition of knowledge by members of the Institution by the establishment of technical libraries, and the provision of monetary grants, books, apparatus and any other facilities necessary to achieve this end;
- (d) to hold meetings of the Institution for the reading and discussion of papers for professional interest, to make awards to authors of papers of special merit and to arrange for other activities of interest or benefit to members;
- (e) to raise the character and status of the profession of engineering and allied disciplines, to promote honourable and good practice and increase the confidence of the community in those persons practising in the engineering profession and allied discipline;
- (f) to acquire, hold, take on lease, develop, lease, hire or dispose of properties of all kinds, whether movable or immovable, and to derive capital or income therefrom, for all or any of the foregoing objects;
- (g) to raise or borrow money for all or any of the foregoing objects in such a manner and upon such security as may from time to time be determined by the Council;
- (h) to invest and deal with moneys of the Institution not immediately required in such manner as may from time to time be determined by the Council;

Provided that this paragraph shall not be construed so as to permit the distribution of any profit of the Institution; and

- (i) to do all such other things as are incidental or conducive to the attainment of any of the foregoing objects.

5. Limitation of personal liability

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

6. Custody and use of seal

The common seal of the Institution shall be kept in such custody and used in such manner as may be prescribed.

Part III – Membership

7. Classes of membership

- (1) There shall be six classes of membership of the Institution namely, Honorary Fellow, Fellow, Member, Associate, Student and Company Member.
- (2) Membership of the Institution shall be by election by the Council in such manner as may be prescribed.
- (3) Every election made under section (2) shall specify the class of membership of the Institution to which the applicant has been elected and the classes shall be determined in accordance with sections nine, ten, eleven, twelve, thirteen and fourteen.
- (4) A person making any application under sections ten, eleven, twelve, thirteen or fourteen shall produce such evidence of the facts on which he relies as the Council may require.

8. Member of Institution before commencement of the Act to be member of the institution and corresponding class

Notwithstanding section seven, any person who immediately prior to the commencement of this Act was an Honorary Fellow, Fellow, Member, Associate, Student or Corporate Member of the Institution shall be deemed as from the commencement of this Act to be an Honorary Fellow, Fellow, Member, Associate, Student or Company Member of the Institution respectively under this Act.

9. Honorary fellow

- (1) Any person whom the Institution desires to honour for—
 - (a) distinguished work in engineering or allied discipline;
 - (b) exceptional and important services relating to engineering or allied discipline;
 - (c) exceptional and important services rendered to the Institution; or
 - (d) association to the Institution which is beneficial to it;may be elected an Honorary Fellow of the Institution.
- (2) Notification of the intention to propose a person as an Honorary Fellow shall be made at a meeting of a Council.
- (3) The proposal of such Honorary Fellow shall be made at a subsequent meeting of a Council of which notice should have been given to all members together with an intimation of the proposal.
- (4) The election of an Honorary Fellow shall be by the unanimous vote of the members of the Council present at the subsequent meeting held under subsection (3).

10. Fellow

A person may on application to the Council be admitted as a Fellow if he—

- (a) is a Member of the Institution or has fulfilled the conditions for such membership; or
- (b) has attended an appropriate university, college or school and holds a degree or other qualification acceptable to the Council for this class of membership;

- (c) at, or not more than one year before the time of making his application of 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;
 - (ii) in practice as a consultant on his own account for not less than five years and has acquired eminence in his profession;
 - (iii) lecturing or teaching at such university, institute or school in such responsible position and for such length of time of not less than five years; or
 - (iv) engaged in research of an approved nature for not less than five years.

11. Member

A person may, on application to the Council be admitted as a Member if he—

- (a)
 - (i) has attended an approved university, college or school and holds a degree or other qualifications acceptable to the Council for this class of membership; or
 - (ii) has been educated in the profession for such period and passed such examinations as may from time to time be determined by the Council; and
 - (iii) has proved his educational attainment by the submission to the Council of a thesis, report or technical essay of a standard acceptable to the Council coupled with an oral discussion on the subject matter with members of the Council to their satisfaction; and
- (b) at, or not more than one year before, the time of making the application for admission as a Member, he is or has been—
 - (i) engaged in the administration, design, execution or operation of professional work; or
 - (ii) employed as a lecturer or teacher; or
 - (iii) engaged in research of an approved nature; and
- (c) he either—
 - (i) has undergone training acceptable to the Council for a period of at least two years under an approved professional person; or
 - (ii) satisfies the Council that he has other suitable professional training; and
- (d) he has been after such training, gained relevant experience of at least two years, one of which was in a responsible position considered by the Council to be professional work.

12. Associate

- (1) A person may, on application to the Council, be admitted as an Associate if he—
 - (a)
 - (i) has attended an approved university, technical college or school or holds a degree, diploma or other qualifications acceptable to the Council for this class of membership; or
 - (ii) has been educated in the profession for such period and has passed such examinations as may from time to time be determined by the Council; and
 - (b) at, or not more than one year before, the time of making an application for admission as an Associate he is or has been—
 - (i) engaged in work of an administrative or technical nature within the profession; or

- (ii) employed as a lecturer or teacher in an approved institution; or
 - (iii) engaged in research of an approved nature; and
 - (c) has undergone training acceptable to the Council for a period of at least two years; and
 - (d) has had, 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 subsection (1) a university graduate with a degree approved by the Council for the purposes of sub-paragraph (i) of paragraph (a) of section eleven, may apply to be admitted as an Associate if he is at least twenty-one years old and has had at least two years of such practical experience as is acceptable to the Council.

13. Student

A person may on application to the Council be admitted as a Student, if he is a *bona fide* student at an approved university, institute or school and he is studying engineering or an allied discipline, or undergoing a period of training in industry connected with engineering or allied discipline after graduation.

14. Company membership

A statutory corporation, a company, an association or other body, division, department or section which is directly engaged in engineering activity or is professionally interested in engineering or an allied discipline in Zambia, and which has two or more members of staff who are Members or Fellows, may on application to the Council be admitted as a Company Member.

15. Right to vote

A Fellow, Member or Associate shall have a vote on any matter arising within the Institution.

16. Designation of members

A member shall be entitled to describe and designate himself as follows:

- (a) "Honorary Fellow" as "Honorary Fellow of the Engineering Institution of Zambia" or by the abbreviation and initials "Hon. FEIZ";
- (b) "Fellow" as "Fellow of the Engineering Institution of Zambia" or by the initials "FEIZ";
- (c) "Member" as "Member of the Engineering Institution of Zambia" or by the initials "MEIZ";
- (d) "Associate" as "Associate of the Engineering Institution of Zambia" or by the initials "AEIZ";
- (e) "Student" as "Student of Engineering Institution of Zambia".

17. Penalty for improper use of title or description

A person using the title or description Honorary Fellow, Fellow, Member, Associate or Student of the Engineering Institution of Zambia or the authorised letters designating these titles, when not so entitled shall be liable on conviction to a fine not exceeding four thousand penalty units or to imprisonment for a period not exceeding twelve months or to both.

[As amended by Act No. 13 of 1994]

18. Expulsion of members

- (1) A member of the Institution may be expelled or suspended from the Institution by a special resolution of the Council on the recommendation of the Disciplinary Committee.

- (2) No person who has been expelled from membership of the Institution shall be re-admitted without the authority of a special resolution.

19. Professional practice

In all professional relations, members of the Institution shall be governed by the code of conduct for engineers which shall be prescribed by the Council with the approval of the Minister.

Part IV – Sections and branches

20. Sections of Institution

- (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 the particular disciplines with which the sections are concerned.
- (2) Subject to the general directions of the Council, a section may regulate its own procedure.
- (3) The management and control of each section shall be vested in a committee elected annually by that section and the Chairman of the Committee shall be a Fellow or Member.
- (4) A committee of a section shall be responsible for all matters affecting the section including the receipt and expenditure of moneys relating to its activities other than membership subscriptions.
- (5) A section of the Institution may be dissolved with the prior approval of the Council.

21. Branches of Institution

- (1) There shall be as many branches of the Institution as the Council may approve according to the number of members in particular geographical areas.
- (2) Subject to the general directions of a Council a branch may regulate its own procedure.
- (3) The management and control of each branch shall be vested in a committee elected annually by that branch and Chairman of a Committee shall be a Fellow or Member.
- (4) A Committee of a branch shall be responsible for all matters affecting the branch including the receipt and expenditure of moneys relating to its activities other than membership subscriptions.
- (5) A branch may be dissolved with the prior approval of the Council.

Part V – Council

22. Constitution of Council

- (1) There shall be a Council of the Institution which shall be responsible for the management and control of the affairs of the Institution.
- (2) The Council shall consist of—
 - (a) a President who shall be a Fellow and who previously served as a member of the Council;
 - (b) a Vice-President who shall be a Fellow;
 - (c) the immediate past President;
 - (d) an Honorary Secretary and an Honorary Treasurer who shall be Fellows or Members;
 - (e) one Fellow, one Member, one Associate, one student member and four other members; and

- (f) the Chairman of each branch committee and each section committee; and one committee member nominated by each branch and each section of the Institution.
- (3) Members of the Council shall be elected annually at the annual general meeting of the Institution.

23. Functions of Council

Except as otherwise provided in this Act or in any regulations made thereunder, the functions of the Councils shall be—

- (a) to maintain a register of the names of all persons who are members of the institution and the class of membership applicable to such persons; and
- (b) to perform all the functions of the Institution.

24. Committees of Council

- (1) The Council may for the purpose of performing its functions under this Act establish committees or other bodies consisting of members of the Institution and may, except as otherwise provided in this Act or in any regulations made thereunder, delegate to any such committee or body any of its functions as it considers necessary.
- (2) Subject to any specific or general direction of the Council a committee or body established under this section may regulate its own procedure.

25. Proceedings of Council

Subject to the other provisions of this Act the Council may regulate its own procedure.

26. Immunity of members of Council

No action or other proceedings shall lie or be instituted against any member of the Council, any Committee or other body of the Council for, or in respect of, any Act or thing done or omitted to be done in good faith in the exercise or purported exercise of his duties under this Act.

Part VI – Engineers' Registration Board

27. Engineers' Registration Board

- (1) There shall be an Engineers' Registration Board of the Institution.
- (2) The Board shall consist of—
 - (a) the Dean of the School of Engineering of the University of Zambia or his representative; and
 - (b) nine registered engineers, at least one of whom shall be a registered engineering consultant, elected at an annual general meeting:

Provided that for the first members of the Board, the term "registered engineer" shall refer to "Fellow or Member".

- (3) The Board shall at its first meeting each year elect a Chairman and Vice-Chairman from amongst its members who shall be eligible for election at the expiration of one year:

Provided that no member shall hold office as Chairman for more than two years.

- (4) The members of the Board other than the Chairman or the Vice-Chairman shall hold office for three years and shall, on the expiration of that period, be eligible for re-appointment:

Provided that a member shall not serve on the Board for more than six consecutive years.

28. Proceedings of Engineers' Registration Board

- (1) Subject to the other provision of this section the Board may regulate its own procedure.
- (2) The Board shall for the transaction of its business meet at least once every year at such places and at such times as the Board may determine.
- (3) At every meeting of the Board five members shall constitute a quorum.
- (4) There shall preside at every meeting of the Board the Chairman or in his absence the Vice-Chairman or in their absence such member as the members present may elect for the purpose of that meeting.
- (5) A decision of the Board shall be by a majority of the members present and voting at a meeting and, in the event of an equality of votes, the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.

29. Registration of practising engineers

- (1) Subject to section thirty-three the Board shall under the general supervision of the Council prepare and maintain a register of engineers categorised on an individual or company basis.
- (2) The register referred to in subsection (1) shall contain information relating to the registered members as may be prescribed.
- (3) A person shall be eligible to be registered as a practising engineer if—
 - (a) he is a Fellow or Member of the Institution;
 - (b) he is resident or has an established office or appointment in Zambia as an engineer; and
 - (c) he pays a prescribed application fee.
- (4) Any person applying for registration as an engineer shall submit documents as required by the Board to support his registration.
- (5) A registered engineer shall be entitled to use the title "Registered Engineer" the abbreviation "Eng" before his name or "R. Eng" after his name.

30. Disqualifications for registration

No person shall qualify to register as an engineer if—

- (a) he has been convicted of an offence involving dishonesty;
- (b) he has been adjudged or otherwise declared to be of unsound mind under any law in force in Zambia;
- (c) he is an undischarged bankrupt;
- (d) in the case of a company it is not a Company Member of the Institution.

31. Practising certificate

- (1) Every engineer or Company Member registered under section twenty-nine shall on the payment of a prescribed fee be issued by the Board with a practising certificate which shall state the category of registration and fields of engineering in which the holder may practice.
- (2) Every practising certificate issued under subsection (1) shall take effect on the day it is issued and shall continue in force until the 31st December next following:

Provided that every practising certificate issued between the 1st January and the 1st February shall have effect for all purposes from the 1st January in that year.

32. Offences relating to practising certificate

- (1) Subject to subsection (2) of section thirty-one no person shall without a practising certificate—
 - (a) establish a practise as an engineer or be a partner in any such practice;
 - (b) accept any appointment which includes the words "engineer" or "engineering" in its title or functions;
 - (c) teach, practice or offer his services as or hold himself out to be a qualified engineer, engineering consultant or adviser;
 - (d) adopt, use or exhibit the titles "engineer", "registered engineer", "project engineer", "consulting engineer" or any other terms of like description; or
 - (e) do anything likely to lead persons to infer that he is a registered engineer.
- (2) Any person who acts in contravention of subsection (1) shall be liable upon conviction to a fine not exceeding four thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.
- (3) Where an offence under subsection (2) is committed by a body corporate, every director and manager of the body corporate shall be deemed to have committed the offence unless the manager or director proves that the offence was committed without his knowledge or consent.
- (4) Where a firm does any act which if done by an individual would be an offence under subsection (2) every partner in that firm shall be deemed to have committed the offence unless he proves that the offence was committed without his knowledge or consent.
- (5) A practising certificate shall be renewed annually upon the payment of fees prescribed in the Schedule and shall be displayed at the place of practice.
- (6) Has had its effect.

[As amended by Act [No. 13 of 1994](#)]

33. Exemption

Except for heads of department at an Institution approved by the Council, lecturers in engineering subjects, trainee engineers or pupil engineers undergoing training programmes approved by the Council who satisfy the academic qualification for Member and who are under the supervision of a registered engineer shall not be required to comply with the provisions of this Part:

Provided that the exemption under this section shall be in writing and shall contain such conditions as shall be deemed necessary by the Council and provided further that such exemption shall only apply to holders of appointments which include "engineer" or "engineering" in their titles or functions.

34. Cancellation of practising certificate

- (1) The practising certificate issued under section thirty-one may be cancelled by the Board if—
 - (a) it is proved to the satisfaction of the Board that the registration was obtained through fraud, misrepresentation or concealment of any material fact; or
 - (b) a person ceases to be a member of the Institution.
- (2) The Board shall before cancellation of a practising certificate under subsection (1) give a registered engineer thirty days' notice of the intention to cancel and require the registered engineer opportunity to show cause why his practising certificate should not be cancelled.
- (3) The cancellation of a practising certificate under subsection (1) shall be published in the *Gazette*.

35. Appeals to Disciplinary Committee

A person aggrieved by a decision made by or on behalf of the Board may appeal to the Disciplinary Committee within ninety days of such decision.

36. Offences relating to registration

Any person who—

- (a) makes or causes to be made an unauthorised entry, alteration or erasure in a register, practising certificate, or in any copy thereof; or
- (b) procures or attempts to procure himself or any other person a practising certificate of any matter by means of fraud, misrepresentation or concealment of any material facts;

shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding four thousand penalty units or to imprisonment for a term not exceeding twelve months, or to both.

[As amended by Act [No. 13 of 1994](#)]

Part VII – Disciplinary Committee

37. Disciplinary Committee

- (1) There shall be a Disciplinary Committee of the Institution elected at an annual general meeting of the Institution.
- (2) The Disciplinary Committee shall consist of the following members:
 - (a) a Chairman;
 - (b) a Vice-Chairman;
 - (c) legal practitioner; and
 - (d) not less than three and not more than five other members.
- (3) The members referred to in paragraphs (a), (b) and (d) shall be registered engineers.
- (4) Members of Disciplinary Committee shall hold office for two years and may be re-elected upon the expiration of the term of office.
- (5) There shall preside at every meeting of the Disciplinary Committee the Chairman, or in his absence the Vice-Chairman or in the absence of the Chairman and the Vice-Chairman such member as the members present may elect for the purpose of that meeting.

38. Functions of Disciplinary Committee

The functions of the Disciplinary Committee shall be to hear and determine—

- (a) any complaint or allegation against a member of the Institution;
- (b) any complaint or allegation against a registered engineer; and
- (c) any complaint or allegation against the Board.

39. Proceedings of Disciplinary Committee

- (1) Except as approved in this section the Disciplinary Committee may regulate its own procedure.
- (2) Four members of the Disciplinary Committee shall form a quorum.

- (3) A decision of the Disciplinary Committee shall be by a majority of votes of members present and voting; and in the event of an equality of votes the person presiding at the meeting shall have a casting vote in addition to his deliberative vote.
- (4) All proceedings of the Disciplinary Committee shall be held *in camera*.
- (5) The Disciplinary Committee shall cause to be kept a record of all its proceedings.
- (6) A party to the proceedings before the Disciplinary Committee shall as of right be present throughout the hearing:

Provided that any party to a hearing before a Committee may be represented by a lawyer, or with the leave of the Committee of any person authorised by him in that behalf.
- (7) The party to the proceeding or his advocates if any shall be invited to cross-examine any person giving evidence before the Committee.
- (8) The Disciplinary Committee shall, at the close of hearing each case make a ruling which shall be communicated to the parties and to the Council.

40. Powers of Disciplinary Committee

- (1) The Disciplinary Committee may, for purposes of any inquiry hear and receive any evidence and may administer oaths.
- (2) Any person summoned to appear before the Disciplinary Committee who, without sufficient cause —
 - (a) refuses or fails to attend at the time and place specified in the summon, or having attended leaves without the permission of a Committee; or
 - (b) having attended refuses to be sworn or to affirm; or
 - (c) refuses without lawful excuse to the best of his knowledge to answer any question lawfully put to him; or
 - (d) refuses to produce any book, record, document or thing which he has been required by summons to produce other than that which he could not be compelled to produce in the trial of action;

shall be guilty of an offence and shall be liable upon conviction to a fine not exceeding four hundred penalty units or to imprisonment not exceeding three months, or to both:

Provided that no such person shall be compelled to answer any question or produce any book, record, document or thing which he could not be compelled to answer or produce on the trial of an action in the High Court.

[As amended by Act [No. 13 of 1994](#)]

41. Professional misconduct

A registered engineer shall be guilty of professional misconduct if, in the course of his practice as an engineer, he—

- (a) allows a person, other than a registered engineer or trainee engineer in his employment to practice in the name of a registered engineer;
- (b) unlawfully discloses or uses to his advantage any information which was acquired in the course of his professional engagement with his client;
- (c) certifies or submits in his name or in the names of his firm a report, document, drawings, statements and related records which have not been made by him, his partner or an engineer employed by his firm;

- (d) permits his name or the name of his firm to be used in connection with technical specifications, designs or financial calculations contingent upon future transactions in the manner which may lead reasonable people to infer that he vouches for the accuracy of such information;
- (e) charges for professional work, fees other than the scales approved by the Council;
- (f) in a report in which his client has interest, fails to disclose or knowingly conceals from such client mis-statements or facts known to himself and the disclosure of which is necessary in order that the report does not mislead; or gives an opinion in a professional capacity without obtaining sufficient information thereof.

42. Penalties to be imposed by Disciplinary Committee

- (1) Where the Disciplinary Committee, after due inquiry finds an engineer guilty of professional misconduct as a member of the Institution, it may impose one or more of the following penalties—
 - (a) order the cancellation of his practising certificate or modify the fields of speciality in which he may practise;
 - (b) recommended to the Council, the expulsion or suspension of any member;
 - (c) censure him;
 - (d) impose a fine not exceeding eight hundred penalty units to be paid to the Institution;
 - (e) order him to pay to the Institution or to any other party to the hearing any costs of, or, incidental to the proceedings;
 - (f) impose any reasonable conditions for the postponement or suspension for a period not exceeding two years of any of the foregoing punishments.
- (2) In any hearing before the Disciplinary Committee, any decision which is shown to have been made by any court in Zambia shall be conclusive evidence of the facts so found.
- (3) The Disciplinary Committee shall as soon as practicable after the completion of each hearing submit to the Institution a report of the proceedings together with a copy of the record kept in accordance with subsection (5) of section thirty-nine.

[As amended by Act [No. 13 of 1994](#)]

43. Appeals to Council

- (1) An engineer who is aggrieved by any decision of the Disciplinary Committee may within thirty days of the notification to him of a decision, appeal to the Council.
- (2) The cancellation of any membership for registration ordered by the Disciplinary Committee under paragraph (a) of subsection (1) shall not take effect until after the expiration of the time allowed for lodging an appeal against such order.
- (3) The Council may, on appeal against the findings and orders of the Disciplinary Committee—
 - (a) confirm, vary or set aside any findings made, penalty imposed or direction given by the Committee; or
 - (b) refer the matter back to the Committee for further consideration.

Part VIII – Miscellaneous

44. Professional fees

A practising engineer shall for his professional services rendered, charge fees as the Council may, with the approval of the Minister, by statutory instrument prescribe.

45. Prohibition of publication or disclosure of information to an unauthorised person

- (1) No person shall without the consent in writing given by or on behalf of the Council, publish or disclose to any person otherwise than in the course of his duties the contents of any document, communication or information whatsoever which relates to, and which has come to his knowledge in the course of his duties under this Act.
- (2) Any person who knowingly contravenes the provisions of subsection (1) shall be guilty of an offence and shall be liable upon conviction, to a fine not exceeding eight hundred penalty units or imprisonment for a term not exceeding three months or to both.
- (3) If any person having information which to his knowledge has been published or disclosed in contravention of subsection (1) unlawfully publishes or communicates any such information to any other person, he shall be guilty of an offence and shall be liable, upon conviction, to a fine not exceeding eight hundred penalty units or to imprisonment for a term not exceeding three months or to both.

[As amended by Act [No. 13 of 1994](#)]

46. Offences and penalties

Any person who contravenes any of the provisions of this Act shall be guilty of an offence and where no specific penalty is provided shall be liable upon conviction to a fine not exceeding six hundred penalty units or to a term of imprisonment not exceeding three months or to both.

[As amended by Act [No. 13 of 1994](#)]

47. Regulations of Council

- (1) Subject to the approval of the Minister, the Council may by statutory instrument make regulations for the Institution prescribing all or any of the following:
 - (a) the manner of application for membership to the Institution and transfer of any member from one class to another;
 - (b) entrance fees and annual subscriptions;
 - (c) the manner of election, removal and replacement of the President, Vice-President, the officers and other members of the Council, its committees and of representatives of the Institution or any other body;
 - (d) the regulation of powers exercisable by the Council, its committees and bodies of the Institution;
 - (e) provision for voting by proxy, post and otherwise;
 - (f) the manner of keeping accounts of the Institution and the rendering of reports and accounts;
 - (g) resignation of members of the Institution;
 - (h) the form and manner of summons requiring the attendance of a witness before the production of any book, record, document or thing;

- (i) the procedure to be followed and rules of conduct to be observed in proceedings before the Disciplinary Committee;
- (j) the manner of application for registration as an engineer and fees payable for such registration;
- (k) the grounds for expulsion or suspension of members from the Institution and procedure relating thereto;
- (l) the preservation of copyrights of papers, reports of proceedings and discussions of the Institution;
- (m) the code of conduct to which all members of the Institution shall subscribe;
- (n) the fixing of fees for professional services and any other fees which are required to be subscribed; and
- (o) any other matters as may be deemed by the Council to be necessary for the proper conduct and regulation of the affairs of the Institution.

48. Repeal of Act No. 12 of 1972

- (1) Subject to subsection (2) the Engineering Institution of Zambia Act, 1972, is hereby repealed.
- (2) Notwithstanding the repeal of the Engineering Institution of Zambia Act, 1972—
 - (a) any regulation made under that Act;
 - (b) any contract entered into or all assets acquired and liabilities incurred by the Institution; immediately before the commencement of this Act shall continue to have effect or be valid as the case may be and shall be deemed to have been made, entered into, acquired or incurred as the case under this Act.