

Pakistan Engineering Council Act, 1975.

PAKISTAN ENGINEERING COUNCIL ACT, 1975

(An Act to make provision for the regulation of the engineering profession)

[Gazette of Pakistan, Extraordinary, 14th January 1976]

The following Act of Parliament received the assent of the President on the 10th January 1976, and is hereby published for general information :-

Whereas it is expedient to make provision for regulation of then engineering profession and for that purpose to constitute an Engineering. Council. It is hereby enacted as follows:-

1. Short title, extent and commencement.-Q) This Act maybe called the Pakistan Engineering Council Act, 1975.

(2) It extends to the whole of Pakistan.

(3) It shall come into force at once.

2. Definitions.-In this Act, unless there is anything repugnant in the subject or the context,-

(a) "bye-laws" means bye-laws made under this Act

(b) "Chairman" means Chairman of the Council ;

(c) "consulting engineer" means an engineer or body of engineers registered as such ;

(d) "Council" means the Pakistan Engineering Council constituted under section 3 ;

(e) "engineering institution" means an institution within or without Pakistan which grants degrees in engineering and is recognised as such, by the Council ;

(f) "engineering public organisation" means a Department of the Federal Government or a Provincial Government, a public Corporation, autonomous or semi-autonomous body, cantonment board, municipality, improvement trust or other local authority ;

(g) "Executive Committee" means the Executive Committee of the Council ;

(h) "member" means a member of the Council and includes the Chairman and Vice-Chairman ;

(i) "prescribed" means prescribed by bye-laws ;

(j) "professional engineer" means a person who holds a recognised engineering qualification and is registered as a professional engineer ;

(k) "professional engineering work" means the giving of professional advice and opinions, the making of measurements and layouts, the preparation of reports, computations, designs, drawings, plans and specifications and the construction, inspection and supervision of engineering works, in respect of—

(i) railways, aerodromes, bridges, tunnels and metalled roads ;

(ii) dams, canals, harbours, light houses ;

(iii) works of an electrical, mechanical, hydraulic, communication aeronautical power engineering, geological or mining character ;

(iv) waterworks, sewers, filtration, purification and incinerator works;

(v) residential and non-residential buildings, including foundations, framework and electrical and mechanical systems thereof ;

(vi) structures accessory to engineering works and intended to house them ; and

3. Constitution and incorporation of Engineering Council.-**(1)** There shall ,be constituted in accordance with the provisions of this Act an Engineering Council to be known as the Pakistan Engineering Council.

(2) The Council constituted under subsection (1) shall be a body corporate having perpetual

succession and a common seal, with power to acquire and hold property, both movable and immovable, and to contract, and shall by the name by which it is known sue and be sued.

(3) The Council shall be composed of all persons whose names may hereafter be entered in the Register, so long as they continue to have their names borne on the Register.

(4) Notwithstanding anything contained in subsection (3), the Council shall, upon its first constitution, be composed of-

(a) a Chairman, being an engineer with not less than twenty years' standing, to be nominated by the Federal Government ;

(b) ten members, being engineers, of whom two each shall be nominated by the Federal Government and a Provincial Government ; and

(c) one member, being an engineer, to be nominated by each University.

(5) The headquarters of the Council shall be at Islamabad or at such other place as the Federal Government may appoint.

4. Chairman and Vice-Chairman.-(1) There shall be a Chairman and a Vice-Chairman of the Council to be elected by the Members from amongst themselves in the prescribed manner.

(2) Notwithstanding anything contained in subsection (1), for a period of one year from the commencement of this Act, the Chairman shall be the person nominated by the Federal Government under clause (a) of subsection (4) of section 3.

(3) The Chairman and Vice-Chairman shall, subject to subsection (2), hold office for a term of two years. .

(4) No person shall be qualified to be elected as, or to be, Chairman or Vice-Chairman for more than two consecutive terms.

5. Annual general meeting of the Council.-(1) An annual general meeting of the Council shall be held at the headquarters of the Council at such time as may be appointed by the Executive Committee.

(2) The following business may be transacted at the annual general meeting, namely :-

(a) presentation of annual report ;

(b) presentation of audited accounts ;

(c) presentation of annual budget ;

(d) appointment of auditors ; and

(e) such other business as may be placed before the meeting by the Executive Committee or as the meeting may decide.

6. Extraordinary general meeting of the Council.-(1) An extraordinary general meeting of the Council shall be called by the Chairman at the head quarters of the Council—

(a) within fourteen days of the receipt by him of a requisition signed by not less than one hundred members and stating the business proposed to be ,transacted at the meeting ; or

(b) at any time if the holding of such meeting for the consideration of any urgent matter is in his opinion necessary.

(2) At a meeting called in pursuance of clause (a) of subsection (1), no business. other than the business stated in the requisition referred to in that clause shall be transacted.

7. General provisions relating to meetings of Council.-(1) An annual or extraordinary general meeting of the Council shall be held and conducted in accordance with the bye-laws.

(2) To constitute a quorum at an annual or extraordinary general meeting of the Council, the presence of not less than one hundred members shall be necessary:

Provided that, in respect of the Council as constituted under subsection (4) of section 3, this subsection shall have effect as if, for the words "one hundred" therein the word "six" were substituted.

(3) All decisions of the Council at an annual or extraordinary general meeting shall be taken by majority of the members, present and voting.

8. Functions of the Council.-The following shall be the functions of the Council, namely:-

- (a) maintenance of a Register of persons qualified to practise as professional engineers and consulting engineers ;
- (b) recognition of engineering qualifications for the purpose of registration of professional engineers and consulting engineers ;
- (c) removal of names from the Register and restoration to the Register -of names which have been removed ;
- (d) laying down of standards of conduct for the members.
- (e) safeguarding the interests of the members ;
- (f) promotion of reforms in the engineering profession ;
- (g) management of the funds and properties of the Council ;
- (h) promotion of engineering education and review of courses of studies in consultation with the Universities ;
- (i) levy and collection of fees from applicants for registration or temporary licences and members ;
- (j) exercise of such disciplinary-powers over the members and servants of the Council as may be prescribed
- (k) formation of such committees as may be prescribed ; and
- (1) performance of ail other functions connected with, or ancillary or incidental to, the aforesaid functions.

9. Executive Committee.-(I) There shall be an Executive Committee of the Council for the management of the affairs of the Council and for performing the functions assigned to the Council by or under this Act.

(2) The Executive Committee shall be composed of the following persons, namely :-

- (a) the Chairman and Vice-Chairman of the Council who shall also be the Chairman and Vice-Chairman respectively of the Executive Committee ;
 - (b) the Registrar ;
 - (c) five members, being professional engineers, of whom one each shall be nominated by the Federal Government and a Provincial Government ;
 - (d) One member, being a professional engineer, to be nominated by each University ;
 - (e) one member, being a professional engineer, to be nominated by the institute of Engineers, Pakistan ; and
 - (f) one member, being a professional engineer of not less than ten years' standing, for every two hundred professional engineers, or a part thereof, whose names are borne on the Register on the thirtieth June of the year in which election to the Executive committee is held, to be elected by the professional engineers in the prescribed manner.
- (3) Notwithstanding anything contained in subsection (2), for a period of one year from the commencement of this Act, the Executive Committee shall be composed of the persons nominated by the Federal Government under subsection (4) of section 3.
- (4) The members of the Executive Committee, other than the Registrar, shall, subject to

subsection (3), hold office for a term of two years.

(5) No person shall be qualified to be elected as, or to be, a member of the Executive Committee for more than two consecutive terms.

(6) The election of members of the Executive Committee under clause (f) of subsection (2) shall be held so as to conclude not less than fifteen days before the term of the outgoing members is due to expire.

10. Recognition of engineering qualifications granted by institutions in Pakistan.—(1) The engineering qualifications granted by engineering institutions in Pakistan which are included in the First Schedule shall be the recognised engineering qualifications for the purposes of this Act.

(9) Any engineering institution in Pakistan which grants an engineering qualification not included in the First Schedule may apply to the Council to have such qualification recognised, and the Council may, by notification in the official Gazette, amend the First Schedule so as to include such qualification therein.

11. Recognition of foreign engineering qualifications.—(1) The engineering qualifications granted by engineering institutions outside Pakistan which are included in the Second Schedule shall be recognised engineering qualifications for the purposes of this Act.

(2) Any engineering qualification granted by an engineering institution outside Pakistan not included in the Second Schedule may be recognised by the Council, and the Council may, by notification in the official Gazette, amend the Second Schedule so as to include such qualification therein.

12. Grant of temporary licences.—(1) The Executive Committee may grant to any person domiciled outside Pakistan who does not hold any recognised engineering qualification but who holds a diploma in engineering, a degree in applied sciences or an equivalent diploma from an institution recognised by the Council, or who is a corporate member of an engineering body, society, institute or association recognised by the Council, a temporary licence for a specific project to work as an associate of a professional engineer who shall sign and seal the plans and specifications for the project`

(2) The Executive Committee may, if it feels that such action is warranted by special circumstances, grant to a person referred to in subsection (1) a temporary licence to work as the engineer in charge of a specific project for so long as he is assisted by a professional engineer.

(3) The Executive Committee may, for works to be carried out at the discretion of an engineering public organisation, grant a temporary licence to any person on the recommendation of such organisation.

(4) Any person to whom a temporary licence has been granted shall, during the period for which the licence is valid, be subject to the provisions of this Act and the bye-laws.

13. Power to require information as to courses of study and examination.—Every engineering institution in Pakistan which grants a recognised engineering qualification shall furnish such information as the Council may, from time to time, require as to the courses of study and examination to be undergone in order to obtain such qualification.

14. Inspection of examinations.—(1) The Council shall appoint such number of inspectors as it may deem requisite to attend at any or all of the examinations held by the engineering

institutions in Pakistan for the purpose of granting engineering qualifications which are recognised engineering qualifications or in respect of which recognition has been sought.

(2) Inspector appointed under subsection (1) shall not interfere with the conduct of any examination but they shall report to the Council on the sufficiency of the examination which they attend and on the courses of study and facilities for teaching provided by the institution in question at different stages in respect of such examination, and on any other matter in regard to which the Council may require them to report.

15. Withdrawal of recognition.-(1) When upon report by an inspector, it appears to the Council that the courses of study and examination to be gone through in any engineering institution in Pakistan in order to obtain a recognised engineering qualification or the standards of proficiency required from candidates in any examination held for the purpose of granting such qualification are not such as to secure to persons holding such qualification the knowledge and skill requisite for the efficient practice of engineering, the Council shall forward the report to the engineering institution concerned with an intimation of the period within which it may submit its explanation to the Council.

(2) On receipt of the explanation or, where no explanation is submitted within the specified period, on the expiry of that period, the Council, after making such further inquiry, if any, as it may think fit, may, by notification in the official Gazette, direct that an entry shall be made in the First Schedule against the engineering qualification to which the explanation relates declaring that it shall be a recognised engineering qualification only when granted before a specified date.