

Engineers (Registration)

Cap. 368B.

**ENGINEERS (REGISTRATION) REGULATIONS,
1976**

S.I. 1977/22.

Made by the Engineers Registration Board with the approval of the Minister under section 16 of the Engineers (Registration) Act. Cap. 368B.

PART I*Preliminary*

1. These Regulations may be cited as the Engineers (Registration) Regulations, 1976.

2. For the purposes of these regulations—

“Committee” means the Disciplinary Committee established by regulation 9;

“Association” means the Barbados Association of Professional Engineers.

PART II*The Registration Board*

3. The Board shall meet at least once every three months and at such other times as are necessary or expedient for the transaction of its business, and meetings of the Board shall be held at such places and times as the Board determines.

4. (1) The Chairman of the Board shall summon a special meeting thereof to be held not later than fourteen days after he receives a written request for the purpose signed by three members of the Board.

(2) Where the Chairman of the Board summons a special meeting, he shall give to members of the Board not less than seven days notice in writing of such meeting.

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5. The Secretary of the Board shall keep minutes of all meetings of the Board and furnish each member of the Board with copies thereof not later than twenty-eight days after the date on which the meeting was held.

PART III

Registration

Schedule. 6. The certificate to be issued by the Registrar under section 8 of the Act shall be in the form set out in the Schedule.

PART IV

Seals and affixing of signatures

7. A registered engineer shall keep a seal of such a design as the Board approves, and such seal shall bear—

- (a) the name of the engineer; and
- (b) the words “Registered Professional Engineer” and “Barbados”.

8. (1) An engineer who prepares or approves a final drawing, specification, plan, report or other similar document shall, before he issues such document, affix thereto his signature and the seal referred to in regulation 7.

(2) An engineer who fails to comply with this regulation is subject to disciplinary proceedings.

PART V

Disciplinary Committee

9. (1) There is hereby established a Committee to be known as the Disciplinary Committee consisting of—

- (a) three members of the Board; and
- (b) four engineers nominated by the Association.

(2) At least three members of the Committee shall be engineers having ten or more years experience in engineering.

(3) A member of the Committee shall hold office for a period not exceeding two years, but is eligible for re-appointment.

10. The Board shall appoint a person, not being a member of the Board, to perform the functions of secretary to the Committee.

11. (1) The Committee shall elect from among those members having ten or more years experience in engineering—

- (a) a person, approved by the Board, to perform the functions of Chairman of the Committee; and
- (b) a person, approved by the Board, to perform the functions of Deputy Chairman.

(2) The Chairman, or in his absence the Deputy Chairman, shall preside at all meetings of the Committee, and in the case of the absence of both, the members present and constituting a quorum shall elect from among their number a person having ten or more years experience in engineering to preside as chairman at that meeting.

12. (1) A member of the Committee may resign from the Committee by letter addressed to the Secretary to the Board.

(2) The Board may, by instrument in writing, revoke the appointment of a member of the Committee.

13. Where a vacancy occurs in the membership of the Committee because of the death, resignation or revocation of the appointment of a member, an engineer having ten or more years experience in engineering shall be appointed by the Board to hold office for the unexpired portion of the term of office of the previous member.

14. The Secretary to the Board shall cause a notice setting forth the name of every person appointed to the Committee to be published in the *Official Gazette*.

15. The Committee shall meet—

- (a) at such times as are necessary or expedient for the transaction of its business; and

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(b) at such places as the Committee determines.

16. Four members of the Committee, at least two of whom shall be engineers having ten or more years experience in engineering, shall form a quorum.

17. The Committee may seek advice from such persons as it thinks fit.

18. Subject to the Act and these regulations, the Committee may regulate its own proceedings.

19. The validity of any proceedings of the Committee shall not be affected by any vacancy in the membership thereof or any defect in the appointment of a member.

PART VI

Disciplinary Proceedings

20. (1) Where a complaint alleging professional misconduct is made to the Board against a registered engineer, the Board may—

- (a) determine that no inquiry shall be held; or
- (b) institute disciplinary proceedings before the Committee against the engineer.

(2) Where the Board determines that no inquiry shall be held, the Secretary to the Board shall so inform all parties in such manner as the Board directs.

(3) Where the Board institutes disciplinary proceedings against a registered engineer, the Secretary to the Board shall serve on that engineer and on every complainant a notice of inquiry (in these regulations referred to as a notice) which shall contain in the form of a charge the matters into which, and set forth the time and place at which, the inquiry is to be held.

(4) Except with the consent of the engineer, an inquiry shall not be fixed for a date earlier than twenty-eight days after the date of the notice.

(5) The notice shall be served personally or by prepaid

registered post on the engineer at the address shown on the register or at his last known address if that address differs from that on the register.

21. (1) At the hearing of a complaint before the Committee every party is entitled to be represented by an attorney-at-law or agent and may adduce evidence and call witnesses.

(2) The person charged is entitled to receive free copies of, or to be allowed access to, any documentary evidence, and upon request therefor, shall be given a copy of the evidence after the inquiry is closed.

22. Where a person served with a notice pursuant to regulation 20 (3) fails without reasonable excuse to appear at the date fixed for the hearing of the complaint, the Committee may, if satisfied that the notice has been duly served, proceed with the inquiry in his absence.

23. (1) The Committee may at any time adjourn a hearing.

(2) Where the Committee adjourns a hearing under paragraph (1), it may—

(a) fix the time and place at which the hearing is to be resumed; or

(b) adjourn the hearing *sine die*.

(3) A hearing adjourned *sine die* shall not be resumed unless the Committee is satisfied that the parties have had adequate notice of the time and place set for its resumption.

24. Where witnesses are examined by the Committee, the person charged shall be given an opportunity of cross-examining the witnesses, and no documentary evidence shall be used against him unless he has previously been supplied with a copy thereof or given access thereto.

25. The Committee may, in any proceedings, call additional witnesses.

26. Where the Committee is of the opinion that the evidence adduced against a person is insufficient, it may dismiss the charge without calling for a defence.

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27. Where a document or other property has been received in evidence at a hearing and after the conclusion of that hearing the Board is of the opinion that such property ought to be returned to its owner, the Board shall direct that the property be so returned.

28. (1) The Committee shall, within fourteen days of the conclusion of the hearing of a complaint, submit to the Board in writing a report of the proceedings.

(2) A report submitted under paragraph (1) shall contain the recommendations of the Committee with respect to the disposal of the complaint.

29. (1) Where the Board is satisfied that a person is guilty of professional misconduct, it may—

- (a) reprimand him;
- (b) suspend his registration for a period not exceeding twelve months;
- (c) cause his name to be removed from the register; or
- (d) make such other order for disposing of the matter as is just.

(2) Where the registration of an engineer is suspended or his name is removed from the register under paragraph (1), the Registrar shall, as soon as practicable thereafter, cause a notice of such suspension or removal to be published in the *Official Gazette*.

30. The Board shall—

- (a) cause a written record of its decision with respect to a complaint made against a registered engineer to be transmitted to him within fourteen days of such decision; and
- (b) cause a record of all proceedings before it to be kept.

31. An appeal from any decision of the Board lies to a Judge in chambers whose decision shall be final.

SCHEDULE

Reg. 6.

BARBADOS

CERTIFICATE TO PRACTISE ENGINEERING

Engineers (Registration) Act, Cap. 368B

I HEREBY CERTIFY THAT.....
is duly registered under the Engineers (Registration) Act, Cap. 368B for
the year 19 .

GIVEN UNDER MY HAND at the Registration Office, The Law Courts,
Coleridge Street, Bridgetown, this day of ,
one thousand nine hundred and .

Registrar.

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