



P-15.7
4/23/09

SOCIETY POLICY

ETHICS

ASME requires ethical practice by each of its members and has adopted the following Code of Ethics of Engineers as referenced in the ASME Constitution, Article C2.1.1.

CODE OF ETHICS OF ENGINEERS

The Fundamental Principles

Engineers uphold and advance the integrity, honor and dignity of the engineering profession by:

- I. using their knowledge and skill for the enhancement of human welfare;
- II. being honest and impartial, and serving with fidelity their clients (including their employers) and the public; and
- III. striving to increase the competence and prestige of the engineering profession.

The Fundamental Canons

1. Engineers shall hold paramount the safety, health and welfare of the public in the performance of their professional duties.
2. Engineers shall perform services only in the areas of their competence; they shall build their professional reputation on the merit of their services and shall not compete unfairly with others.
3. Engineers shall continue their professional development throughout their careers and shall provide opportunities for the professional and ethical development of those engineers under their supervision.
4. Engineers shall act in professional matters for each employer or client as faithful agents or trustees, and shall avoid conflicts of interest or the appearance of conflicts of interest.
5. Engineers shall respect the proprietary information and intellectual property rights of others, including charitable organizations and professional societies in the engineering field.
6. Engineers shall associate only with reputable persons or organizations.

7. Engineers shall issue public statements only in an objective and truthful manner and shall avoid any conduct which brings discredit upon the profession.
8. Engineers shall consider environmental impact and sustainable development in the performance of their professional duties.
9. Engineers shall not seek ethical sanction against another engineer unless there is good reason to do so under the relevant codes, policies and procedures governing that engineer's ethical conduct.
10. Engineers who are members of the Society shall endeavor to abide by the Constitution, By-Laws and Policies of the Society, and they shall disclose knowledge of any matter involving another member's alleged violation of this Code of Ethics or the Society's Conflicts of Interest Policy in a prompt, complete and truthful manner to the chair of the Committee on Ethical Standards and Review.

The Committee on Ethical Standards and Review maintains an archive of interpretations to the ASME Code of Ethics (P-15.7). These interpretations shall serve as guidance to the user of the ASME Code of Ethics and are available on the Committee's website or upon request.

Responsibility: Centers Board of Directors/Center for Professional Career and Professional Advancement/Committee on Ethical Standards and Review

Reassigned from Centers Board of Directors/Center for Professional Development, Practice and Ethics/Committee on Ethical Standards and Review 4/23/09

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SOCIETY POLICY

CONFLICTS OF INTEREST

I. PREAMBLE

Each individual acting for or in the name of ASME is in a position of trust. Particularly since ASME holds as paramount the safety, health, and welfare of the general public, each such individual has fundamental responsibility to exercise impartial professional judgment to enhance the practice of mechanical engineering in the public interest. This Society Policy is intended to further assure the objectivity and public confidence in the integrity of all Society deliberations and statements, by establishing guidelines and procedures concerning conflicts of interest. It is acknowledged and understood that competent and knowledgeable individuals of recognized abilities, qualifications and interest who participate in professional activities may have potential conflicts of interest.

This Society Policy establishes guidelines and procedures to enable such individuals to act ethically and to uphold the integrity of the Society's policies, rules, codes and standards.

II. POLICY

- A. The potential for a conflict of interest exists whenever a person owes a loyalty to multiple interests or organizations. Having different interests or loyalties does not constitute a conflict of interest when the action desired by each interest is the same. This situation may be described as a community of interest.
- B. A conflict of interest occurs only when loyalty to one interest would impel a course of action different from that impelled by another interest. For example, while acting for or on behalf of the Society, a volunteer may consider a matter which directly affects the specific rather than the collective interests of the individual's employer or a competitor of the employer.

In such instances, there could be a conflict of interest between exercise of the volunteer's independent professional judgment on behalf of ASME and the public and the individual's loyalties and responsibilities to his or her employer or another entity.

- C. In many ASME standards-writing committees and other committees, the procedures for appointment provide for a balanced or diversified representation among the various categories of interest within the scope of that committee's concern. This "balance of interest" minimizes the instances of appearance of conflict of interest by preventing situations in which a single interest group could control the action on an issue. Accordingly, where general categories of interest were considered in appointing a balanced committee or other group, an individual's identification with the particular interest shall not be grounds for raising an issue of the appearance of a conflict of interest. This is particularly so because the removal of one or more individuals representing a particular

category of interest on conflict of interest grounds could upset the planned balance of economical and technical interests.

- D. It is nevertheless the duty of volunteers acting for or on behalf of the Society to be aware of the possibility of a conflict of interest between their responsibilities to ASME and the public on the one hand and to their employer or another entity on the other. All volunteers have a fundamental responsibility to refrain from participating in Society decision-making when a competing interest precludes or inhibits the exercise of the volunteer's independent professional judgment on behalf of ASME, or when the nature of the competing interest is such that the volunteer's continued participation would unreasonably jeopardize the integrity of the decision-making process.

III. RESPONSIBILITIES

A. Individual Responsibilities

In instances where it is clear to individual volunteers that their judgment with respect to a matter pending before ASME is controlled by their loyalty to a competing interest, they should disqualify themselves and refrain from participating in the deliberations and decision-making regarding the conflict-affected matter.

This does not preclude their attendance and participation at any meeting of a committee or other body on the same basis as any non-member of the committee or other body.

In instances where individual volunteers believe that there may be the appearance of a conflict of interest, as in II.C above, although they believe that their independent judgment will not be affected by a competing interest, the volunteers should nevertheless avail themselves of at least one of the following consultative courses of action:

1. If an individual is serving on a sector, board, division, committee, section, subcommittee or other decision-making body, the individual should make certain that all concerned with the projected deliberations or decision-making clearly understand the facts and circumstances involved in this possible conflict situation. Then following due consideration of the circumstances involved, unless a three-fourths majority concur by secret ballot that the continued participation will not unreasonably jeopardize the integrity of the decision-making process, the individual shall refrain from participation in deliberations not open to non-members and decision-making regarding the conflict-affected matter. Such disqualification considerations may be either referred or appealed (in the first instance, to the appointing committee or supervisory body, if any, and then (if unresolved) to the conflict of interest oversight body designated by the Board of Governors pursuant to Section IV., below) by

the chair of the committee, subcommittee or other body, the individual volunteer or any other participant in the potential conflict of interest consideration;

2. If the individual is acting for or on behalf of ASME other than in a committee or group participation capacity, or if an individual serving on a committee or group wishes to bypass the step described in Section III.A.1, the individual should bring the potential conflict of interest matter directly to the attention, in the first instance, of the appointing committee or supervisory body, if any, and then (if unresolved) to the attention of the conflict of interest oversight body designated by the Board of Governors pursuant to Section IV., below.

B. Challenges by Other Members

Any member of a sector, board, division, committee, section, subcommittee or other decision-making body who believes that the continued participation of any other member of that body may unreasonably jeopardize the integrity of the decision-making process may call for the consultative courses of action set forth in Sections III.A.1 and III.A.2 above.

IV. IMPLEMENTATION

Individuals participating as volunteers in ASME activities have the primary responsibility for assuring their adherence to this Society Policy. Nonetheless, given the sensitive nature of these considerations and the interest of the Society in preserving the integrity of its reputation and processes, ASME retains responsibility for oversight in this area. Accordingly, the Board of Governors hereby assigns oversight responsibility for this Society Policy to the ASME Committee on Ethical Standards and Review. The Committee on Ethical Standards and Review shall have authority to review questions of conflicts of interest and to render opinions thereon. The Committee on Ethical Standards and Review may authorize the Chair of the Committee on Ethical Standards and Review to issue a letter of warning or admonishment to persons who violate this policy or request that the Chair to refer the matter to the Executive Director for processing as an ethics complaint under policy P-15.4. A decision of the Committee on Ethical Standards and Review shall be binding and final if a letter of warning or admonishment is the course of action.

V. ASME STAFF

The provisions of this Society Policy are applicable to the ASME staff, as well as to the members of sectors, boards, divisions committees, sections, subcommittees, other decision-making bodies and individuals acting for or on behalf of ASME, as set forth above.

VI. USE OF ASME TITLES

The use of Society titles for members holding elected and non-elected office shall follow the guidelines stated in paragraph III.D.4 of Society Policy P-14.6, Name, Seal, Emblem, Initials, Titles, Identification and Certificates. Violations of these guidelines shall be considered under violations of the Code of Ethics. (See Society Policy P-15.7, Ethics.)

VII. USE OF ASME STATIONERY

Society Policy P-14.6 Society Name, Seal, Emblem, Initials, Titles, Identification and Certificates) prescribes the use of ASME stationery in Paragraph III.B.4.

VIII. NOTICE

Each time an individual is elected or appointed to a position, or appointed to represent ASME in any capacity, including all members of ASME standards writing committees, the individual shall at the time of election or appointment be sent a copy of this Society Policy and Society Policy P-15.7, Ethics and P-14.6, Society Name, Seal, Emblem, etc., and should be advised to adhere to the provisions of these policies as a condition of acting for or representing the Society.

IX. ACCEPTANCE

Before taking office, unless there is in ASME's files a prior signed acceptance of Society Policy P-15.8, each member of a sector, board, division, committee, district, section subcommittee, or other decision-making body, as designated by each sector, and each individual elected or appointed to act for or on behalf of ASME shall state in writing adherence to the conditions of this Society Policy. If this signed Statement is not on file, the member may not take office.

Additionally, an Annual Disclosure regarding Conflicts of Interest shall be submitted by voting members of the Board of Governors, the Executive Director, Treasurer, Assistant Treasurer, Secretary, Assistant Secretary, and key employees (as defined by the Internal Revenue Service).

Note that when either Policy P-14.6 or P-15.8 receives substantive revision as determined by the Board of Governors, all persons required to have a Conflict of Interest Statement on file shall receive a copy of the revised Policy and shall be requested to sign a new Conflict of Interest Statement.

X. OVERSIGHT

At least twice a year, the Executive Director of ASME shall submit a report to the Committee on Ethical Standards and Review certifying that the requirements of Section VIII, Notice, and Section IX, Acceptance, have been met, and shall include names of those not in compliance.

Should there be any occurrence where a member does not re-sign a Conflict of Interest Statement and forward it to the Society within 90 days, the Executive Director shall inform the pertinent board, committee, sector or other body requiring the execution of a Conflict of Interest Statement that the member is in violation of Section IX of Policy P-15.8 and may not continue in office or further represent ASME.

When action is taken by a member to comply with this Policy, that individual will be reinstated to their position and allowed to represent ASME in their previous position.

Responsibility: Centers Board of Directors/Center for Career and Professional Advancement/Committee on Ethical Standards and Review

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Saudi Council of Engineers

Code of ethics

Preface

The engineering profession and the services provided by engineers depends significantly on the progress of civilization and the protection and harnessing of natural resources to serve the community and increase the standard of living. Thus, it becomes necessary for engineers to provide their professional services according to ethical standards and rules observing honesty, truthfulness and perfection.

Since the Saudi Council of Engineers is concerned with and aims to promote the profession of engineering and all that would develop and raise the level of the profession and its practitioners under its law promulgated by the Royal Decree No. 36 on 26/09/1423H, and since its vision is to "sophisticate the profession of engineering and enable engineers and institutions of engineering to reach optimal solutions, to improve performance level, and to encourage creativity and innovation to achieve a prestigious international position," the Council has opined to present these rules to engineers and technicians in various positions to serve as professional rules determining proper professional dealing among themselves and with others to serve society.

Since justice, integrity, honesty, truthfulness, keeping one's word, never exposing secrets, mutual advice, mastery of work, and getting away from hurting others are in their entirety the morals and values advocated by Islam that urges to stick to them and to abide by applying them in everyday life, the Saudi Council of Engineers has taken into account these foundations, principles and values when preparing the rules and ethics governing the practice of the profession. Thus, all engineers should abide by these rules in all their professional practices in accordance with the Engineer Agreement signed in this regard.

May Allah grant us all success to all that is good

Rules and ethics of the practice of the engineering profession

General rules:

Rule One: Every engineer should build her/his professional reputation based on efficiency and proficiency of her/his services, and away from unfair competition with others.

Rule Two: Every engineer should seek to develop her/his personal abilities and efficiency, and should also provide professional development opportunities for engineers and technicians working under his supervision.

Rule Three: Every engineer should be committed to promoting the fundamental values and principles of the ethics of the engineering profession and should plant them within society. Regarding her/his conduct, every engineer should be s in ways that support and enhance the prestige and dignity of the profession and the secretariat of the locally and globally.

Rule Four: Regarding professional issues, every engineer shall act as a careful agent to the employer, and shall avoid any conflict of interests.

Rule Five: When submitting her/his ideas, views and decisions, every engineer should be keen to be objective and honest and confined to her/his field of expertise and professional experience.

Rule Six: When providing professional services, every engineer seeks to apply the highest standards of safety and environmental protection in order to achieve the public interest of individuals and society.

Rule One:

Every engineer should build her/his professional reputation based on efficiency and proficiency of her/his services, and away from unfair competition with others.

1-1 It is obligatory on every engineer not to directly or indirectly pay or offer commissions, gifts or rewards for getting a job with the aim of influence its accreditation. In addition, it is obligatory on every engineer not to make concessions irrelevant to the profession that may be used to influence the other competitors.

1-2 It is obligatory on every engineer not to compete with any other engineer in contradiction with the regulatory rules in order to replace the latter in a particular job, whether after knowing that specific steps have been taken towards her/his appointment or after s/he has already been appointed.

1-3 It is obligatory on every engineer not to criticize the reputation or performance of other engineers inappropriately, whether through criticizing and mutilation directly or indirectly.

1-4 It is obligatory on every engineer neither to overestimate the degree of her/his responsibilities in previous work, to be dishonest in the presentation of her/his professional and academic qualifications and past achievements, whether regarding her/him or her/his workers, nor to be dishonest in the presentation of the facts concerning employers, colleagues or partners.

1-5 Every engineer shall review professional service contracts on the basis of competence, professional qualifications and experience, and volume and scope of work, taking into account

the equity of appropriate compensations to other professionals and keeping on enhancing trust between all contracting parties.

1-6 Every engineer shall take into account the public interest in estimating the engineering services' cost.

1-7 Every engineer shall not undertake or agree to perform any engineering service for free in a way that may affect the professional level of the service provided.

1-8 No engineer shall unobjectively declare the engineering services as a means of propaganda. In addition, no engineer shall allow the use of her/his name in commercials by manufacturers, contractors and suppliers, unless the engineer has a real role in the advertisement.

Rule Two:

Every engineer shall continue the professional development by developing her/his personal efficiency and abilities, and shall provide professional development opportunities for engineers and technicians who work under his supervision.

2-1 An engineer shall work on developing his abilities in order to raise his professional level by every appropriate means, such as attending professional events, submitting specialized studies and researches, participating in meetings and activities of international professional bodies, and encouraging and urging his staff of engineers and technicians to do the same.

2-2 Every engineer shall give proper credit for engineering works to those to whom credit is due, and shall recognize the proprietary rights of others. Every engineer shall name the person(s) responsible for designs, inventions or accomplishments wherever possible.

2-3 Every engineer shall be fair in assigning works and tasks to other engineers, in proportion to the level of their expertise and training.

2-4 Every engineer shall provide all information regarding working conditions to engineers nominated for employment, and inform them of all matters relating to the proposed position. After hiring, he shall inform them of all changes that may happen and the commitment to the principle of estimating lucrative compensations, salaries and allowances for workers in the engineering field.

Rule Three:

Every engineer shall commit to promote the fundamental values and principles of the ethics of the engineering profession, and establish them in the society. In his behavior, he shall adhere to the techniques that support and promote the prestige, dignity and integrity of the profession locally and globally.

3-1 Every engineer shall commit to apply rules and ethics of the profession in all her/his professional practices, and participate in educational, training and professional activities in institutes, universities and business and professional institutions, in order to promote and establish professional concepts and raise the engineering awareness in society.

3-2 Every engineer shall assume his professional responsibility based on the rules respected by members of the community, and not contribute to any products that may be easy to use for unethical or banned purposes or result in immediate or long-term risks.

3-3 Every engineer shall refer to the Saudi Council of Engineers in case of disputes related to the ethics of the practice of the profession. In all cases, the priorities shall be determined according to the following order:

Government regulations and judicial decisions shall have the priority over professional regulations and laws.

Professional regulations and laws shall have the priority over contracts and individual interests.

3-4 Every engineer shall not participate in or allow the use of his name or the names of his partners on business by a person or an entity which he believes that it involved in a business or a professional practice based on fraud and cheating.

3-5 Every engineer shall not use the relationship, solidarity or participation with others as a means of covering up behaviors that are inappropriate to the profession.

Rule Four:

Regarding professional issues, Every engineer shall act as a careful agent to the employer, and shall avoid any conflict of interests.

4-1 Every engineer shall dedicate their technical knowledge and experience to the benefit of their employers/clients. Every engineer shall assume the responsibilities for their professional practices, and admit mistakes as it occurred, they shall avoid twisting or warping facts to justify wrong decisions.

4.2 Every engineer shall maintain the confidentiality of the information received by the same in the framework of the duties entrusted thereto and shall not disclose such information only after obtaining an approval to do so; with exception of the cases permitted by the regulations in force and appear to be in line with the applicable principles and code of ethics. Moreover, every engineer shall not use such information as a means to obtain personal gain only after obtaining the approval of the Employer. In any case it shall not be permissible to use such information if such use conflicts with the interests of the Employer or the society.

4-3 Every engineer shall deal with all parties with the utmost integrity and fairness whenever administrating any contracts or recruiting any personnel. Every engineer shall enter into an agreement before working for those parties to the extent that allows the same to make improvements, designs, innovations and other facilities that require keeping the rights thereof in writing or innovation; without resorting to deception as a means to induce others to work therewith.

4-4 Every engineer shall not perform any professional service for the account of any party outside of regular work hours only after informing the Employer of the same. Furthermore, every Engineer shall not use any equipment, materials, laboratories or office facilities pertaining to the Employer for personal purposes without obtaining the approval of the Employer on the same.

4-5 Every engineer shall not inspect the work of another engineer without informing the same or after the expiration of the contract relevant to such work; unless it is required by virtue of the nature of the job thereof.

4-6 Every engineer, working in the field of sales and manufacturing, is entitled to make comparisons between the products thereof and the products of other suppliers; taking into

account not to offer or provide any engineering consultancy, designs or advice except as specifically related to the equipment, materials or systems sold thereby or displayed for sale.

4-7 Every engineer shall avoid any conflict with the Employer's interests and shall notify the Employer immediately after being aware of the existence of any relations, business interests or circumstances that may affect the decisions thereof or the quality of the services provided thereby. Moreover, every Engineer shall avoid performing any work appears to be in conflict with Employer's interests.

4-8 Every engineer shall not accept any remuneration paid by a party for the services provided thereby in the same project or in exchange for any services relating to the same work unless it is expressly agreed in advance between all concerned parties. Moreover, every engineer shall not request nor accept any rewards, whether in cash or in kind; including any free engineering designs provided by the suppliers of materials; further to any equipment, devices or systems used in the description or identification of the products of those suppliers in the work carried out by this engineer. Furthermore, every engineer shall not, directly or indirectly, request nor accept any gifts given by any party dealing with the Employer or relevant to the work entrusted to the same.

Rule Five:

When submitting the ideas, views and decisions thereof, every engineer should ensure that such ideas, views and decisions are objective, authentic and fall within the area of specialization and professional experience of the same.

5-1 Every engineer shall be objective, honest and independent in making any engineering decisions that exclusively fall within the field of the scientific and practical qualification; to the extent that such decisions are only made in accordance with scientific and professional considerations. Every engineer shall benefit from all available specialized expertise and ask the assistance of his colleagues in accomplishing any work falling outside the field of the engineer's specialization.

5.2 When the engineer appears before courts or official commissions as an expert or witness to provide a technical testimony, the engineer shall show the engineering standpoint of the same based on the experience, expertise and knowledge of facts bearing in mind the utmost integrity, honesty and honor of the profession.

5.3 Every engineer shall not issue any reports, statements or comments about engineering issues if such reports, statements or comments are issued for the purposes of serving the interests of any party or parties unless a prior explicit statement identifying those parties acting on their own behalf is issued.

5.4 Every engineer shall be modest and moderate, while presenting his works and efficiency. Furthermore, the engineer shall avoid committing any act tending to promote his own interest at the expense of the profession's honesty, status and dignity.

5.5 In case of any conflict arising between the values and principles, and the professional services, engineers shall set their priorities as follows:

- Giving priority to human values over the nature's considerations.
- Giving priority to issues related to human rights over production and exploitation of technology.

- Giving priority to the society's general welfare over private interests.
- Giving priority to safety and security over functionality and material gains of technical solutions.

Rule Six:

When providing professional services, every engineer seeks to apply the highest standards of safety and environmental protection in order to achieve the public interest of individuals and society.

6.1 Every engineer shall comply with the approved standards of public safety and environmental protection, while preparing designs and schemes or upon approval and endorsement. The engineer shall also verify of such compliance, while making decisions and judgments, besides all relevant engineering practices. If the engineer has to provide engineering solutions that appear to cause threatening to public safety, health of environment or interest of society, the employer shall, in such case, be informed of all possible consequences.

6.2 Every engineer shall, as much as possible, provide brochures, including examining standards systems and quality control procedures, to the extent that allows the public to understand the degree of safety and security or the life span of designs, products and systems that he was responsible for.

6.3 Every engineer shall exert all efforts for the purpose of providing constructive services to the nation, in line with the applicable standards and values, promoting the society's interest and welfare, and complying with providing safety measures in all provided professional services.

6.4 When observing circumstances or conditions posing a threat to public safety, health of environment or interest of the society, the engineer shall notify the concerned entity of the available information, provide the required assistance and undertake the proper check to ensure safety and reliability of products or systems.



Code of Ethics for Engineers

Preamble

Engineering is an important and learned profession. As members of this profession, engineers are expected to exhibit the highest standards of honesty and integrity. Engineering has a direct and vital impact on the quality of life for all people. Accordingly, the services provided by engineers require honesty, impartiality, fairness, and equity, and must be dedicated to the protection of the public health, safety, and welfare. Engineers must perform under a standard of professional behavior that requires adherence to the highest principles of ethical conduct.

I. Fundamental Canons

Engineers, in the fulfillment of their professional duties, shall:

1. Hold paramount the safety, health, and welfare of the public.
2. Perform services only in areas of their competence.
3. Issue public statements only in an objective and truthful manner.
4. Act for each employer or client as faithful agents or trustees.
5. Avoid deceptive acts.
6. Conduct themselves honorably, responsibly, ethically, and lawfully so as to enhance the honor, reputation, and usefulness of the profession.

II. Rules of Practice

1. Engineers shall hold paramount the safety, health, and welfare of the public.
 - a. If engineers' judgment is overruled under circumstances that endanger life or property, they shall notify their employer or client and such other authority as may be appropriate.
 - b. Engineers shall approve only those engineering documents that are in conformity with applicable standards.
 - c. Engineers shall not reveal facts, data, or information without the prior consent of the client or employer except as authorized or required by law or this Code.
 - d. Engineers shall not permit the use of their name or associate in business ventures with any person or firm that they believe is engaged in fraudulent or dishonest enterprise.
 - e. Engineers shall not aid or abet the unlawful practice of engineering by a person or firm.
 - f. Engineers having knowledge of any alleged violation of this Code shall report thereon to appropriate professional bodies and, when relevant, also to public authorities, and cooperate with the proper authorities in furnishing such information or assistance as may be required.
2. Engineers shall perform services only in the areas of their competence.
 - a. Engineers shall undertake assignments only when qualified by education or experience in the specific technical fields involved.
 - b. Engineers shall not affix their signatures to any plans or documents dealing with subject matter in which they lack competence, nor to any plan or document not prepared under their direction and control.
 - c. Engineers may accept assignments and assume responsibility for coordination of an entire project and sign and seal the engineering documents for the entire project, provided that each technical segment is signed and sealed only by the qualified engineers who prepared the segment.
3. Engineers shall issue public statements only in an objective and truthful manner.
 - a. Engineers shall be objective and truthful in professional reports, statements, or testimony. They shall include all relevant and pertinent information in such reports, statements, or testimony, which should bear the date indicating when it was current.
 - b. Engineers may express publicly technical opinions that are founded upon knowledge of the facts and competence in the subject matter.
 - c. Engineers shall issue no statements, criticisms, or arguments on technical matters that are inspired or paid for by interested parties, unless they have prefaced their comments by explicitly identifying the interested parties on whose behalf they are speaking, and by revealing the existence of any interest the engineers may have in the matters.

4. Engineers shall act for each employer or client as faithful agents or trustees.
 - a. Engineers shall disclose all known or potential conflicts of interest that could influence or appear to influence their judgment or the quality of their services.
 - b. Engineers shall not accept compensation, financial or otherwise, from more than one party for services on the same project, or for services pertaining to the same project, unless the circumstances are fully disclosed and agreed to by all interested parties.
 - c. Engineers shall not solicit or accept financial or other valuable consideration, directly or indirectly, from outside agents in connection with the work for which they are responsible.
 - d. Engineers in public service as members, advisors, or employees of a governmental or quasi-governmental body or department shall not participate in decisions with respect to services solicited or provided by them or their organizations in private or public engineering practice.
 - e. Engineers shall not solicit or accept a contract from a governmental body on which a principal or officer of their organization serves as a member.
5. Engineers shall avoid deceptive acts.
 - a. Engineers shall not falsify their qualifications or permit misrepresentation of their or their associates' qualifications. They shall not misrepresent or exaggerate their responsibility in or for the subject matter of prior assignments. Brochures or other presentations incident to the solicitation of employment shall not misrepresent pertinent facts concerning employers, employees, associates, joint venturers, or past accomplishments.
 - b. Engineers shall not offer, give, solicit, or receive, either directly or indirectly, any contribution to influence the award of a contract by public authority, or which may be reasonably construed by the public as having the effect or intent of influencing the awarding of a contract. They shall not offer any gift or other valuable consideration in order to secure work. They shall not pay a commission, percentage, or brokerage fee in order to secure work, except to a bona fide employee or bona fide established commercial or marketing agencies retained by them.

III. Professional Obligations

1. Engineers shall be guided in all their relations by the highest standards of honesty and integrity.
 - a. Engineers shall acknowledge their errors and shall not distort or alter the facts.
 - b. Engineers shall advise their clients or employers when they believe a project will not be successful.
 - c. Engineers shall not accept outside employment to the detriment of their regular work or interest. Before accepting any outside engineering employment, they will notify their employers.
 - d. Engineers shall not attempt to attract an engineer from another employer by false or misleading pretenses.
 - e. Engineers shall not promote their own interest at the expense of the dignity and integrity of the profession.
2. Engineers shall at all times strive to serve the public interest.
 - a. Engineers are encouraged to participate in civic affairs; career guidance for youths; and work for the advancement of the safety, health, and well-being of their community.
 - b. Engineers shall not complete, sign, or seal plans and/or specifications that are not in conformity with applicable engineering standards. If the client or employer insists on such unprofessional conduct, they shall notify the proper authorities and withdraw from further service on the project.
 - c. Engineers are encouraged to extend public knowledge and appreciation of engineering and its achievements.
 - d. Engineers are encouraged to adhere to the principles of sustainable development¹ in order to protect the environment for future generations.

3. Engineers shall avoid all conduct or practice that deceives the public.
 - a. Engineers shall avoid the use of statements containing a material misrepresentation of fact or omitting a material fact.
 - b. Consistent with the foregoing, engineers may advertise for recruitment of personnel.
 - c. Consistent with the foregoing, engineers may prepare articles for the lay or technical press, but such articles shall not imply credit to the author for work performed by others.
4. Engineers shall not disclose, without consent, confidential information concerning the business affairs or technical processes of any present or former client or employer, or public body on which they serve.
 - a. Engineers shall not, without the consent of all interested parties, promote or arrange for new employment or practice in connection with a specific project for which the engineer has gained particular and specialized knowledge.
 - b. Engineers shall not, without the consent of all interested parties, participate in or represent an adversary interest in connection with a specific project or proceeding in which the engineer has gained particular specialized knowledge on behalf of a former client or employer.
5. Engineers shall not be influenced in their professional duties by conflicting interests.
 - a. Engineers shall not accept financial or other considerations, including free engineering designs, from material or equipment suppliers for specifying their product.
 - b. Engineers shall not accept commissions or allowances, directly or indirectly, from contractors or other parties dealing with clients or employers of the engineer in connection with work for which the engineer is responsible.
6. Engineers shall not attempt to obtain employment or advancement or professional engagements by untruthfully criticizing other engineers, or by other improper or questionable methods.
 - a. Engineers shall not request, propose, or accept a commission on a contingent basis under circumstances in which their judgment may be compromised.
 - b. Engineers in salaried positions shall accept part-time engineering work only to the extent consistent with policies of the employer and in accordance with ethical considerations.
 - c. Engineers shall not, without consent, use equipment, supplies, laboratory, or office facilities of an employer to carry on outside private practice.
7. Engineers shall not attempt to injure, maliciously or falsely, directly or indirectly, the professional reputation, prospects, practice, or employment of other engineers. Engineers who believe others are guilty of unethical or illegal practice shall present such information to the proper authority for action.
 - a. Engineers in private practice shall not review the work of another engineer for the same client, except with the knowledge of such engineer, or unless the connection of such engineer with the work has been terminated.
 - b. Engineers in governmental, industrial, or educational employ are entitled to review and evaluate the work of other engineers when so required by their employment duties.
 - c. Engineers in sales or industrial employ are entitled to make engineering comparisons of represented products with products of other suppliers.
8. Engineers shall accept personal responsibility for their professional activities, provided, however, that engineers may seek indemnification for services arising out of their practice for other than gross negligence, where the engineer's interests cannot otherwise be protected.
 - a. Engineers shall conform with state registration laws in the practice of engineering.
 - b. Engineers shall not use association with a nonengineer, a corporation, or partnership as a "cloak" for unethical acts.
9. Engineers shall give credit for engineering work to those to whom credit is due, and will recognize the proprietary interests of others.
 - a. Engineers shall, whenever possible, name the person or persons who may be individually responsible for designs, inventions, writings, or other accomplishments.
 - b. Engineers using designs supplied by a client recognize that the designs remain the property of the client and may not be duplicated by the engineer for others without express permission.
 - c. Engineers, before undertaking work for others in connection with which the engineer may make improvements, plans, designs, inventions, or other records that may justify copyrights or patents, should enter into a positive agreement regarding ownership.
 - d. Engineers' designs, data, records, and notes referring exclusively to an employer's work are the employer's property. The employer should indemnify the engineer for use of the information for any purpose other than the original purpose.
 - e. Engineers shall continue their professional development throughout their careers and should keep current in their specialty fields by engaging in professional practice, participating in continuing education courses, reading in the technical literature, and attending professional meetings and seminars.

Footnote 1 "Sustainable development" is the challenge of meeting human needs for natural resources, industrial products, energy, food, transportation, shelter, and effective waste management while conserving and protecting environmental quality and the natural resource base essential for future development.

As Revised July 2007

"By order of the United States District Court for the District of Columbia, former Section 11(c) of the NSPE Code of Ethics prohibiting competitive bidding, and all policy statements, opinions, rulings or other guidelines interpreting its scope, have been rescinded as unlawfully interfering with the legal right of engineers, protected under the antitrust laws, to provide price information to prospective clients; accordingly, nothing contained in the NSPE Code of Ethics, policy statements, opinions, rulings or other guidelines prohibits the submission of price quotations or competitive bids for engineering services at any time or in any amount."

Statement by NSPE Executive Committee

In order to correct misunderstandings which have been indicated in some instances since the issuance of the Supreme Court decision and the entry of the Final Judgment, it is noted that in its decision of April 25, 1978, the Supreme Court of the United States declared: "The Sherman Act does not require competitive bidding."

It is further noted that as made clear in the Supreme Court decision:

1. Engineers and firms may individually refuse to bid for engineering services.
2. Clients are not required to seek bids for engineering services.
3. Federal, state, and local laws governing procedures to procure engineering services are not affected, and remain in full force and effect.
4. State societies and local chapters are free to actively and aggressively seek legislation for professional selection and negotiation procedures by public agencies.
5. State registration board rules of professional conduct, including rules prohibiting competitive bidding for engineering services, are not affected and remain in full force and effect. State registration boards with authority to adopt rules of professional conduct may adopt rules governing procedures to obtain engineering services.
6. As noted by the Supreme Court, "nothing in the judgment prevents NSPE and its members from attempting to influence governmental action . . ."

Note: In regard to the question of application of the Code to corporations vis-a-vis real persons, business form or type should not negate nor influence conformance of individuals to the Code. The Code deals with professional services, which services must be performed by real persons. Real persons in turn establish and implement policies within business structures. The Code is clearly written to apply to the Engineer, and it is incumbent on members of NSPE to endeavor to live up to its provisions. This applies to all pertinent sections of the Code.



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