

# **INTERREGIONAL DEONTOLOGICAL CODE(1)**

## **INTRODUCTION**

Technology, which is more and more developed and powerful brings great advantages in the daily life, in the development of our society and of the environment, but unfortunately it brings risks of great damages too.

Therefore, whereas its complexity makes it rather difficult to be understood and the information power increases,, the lack of information can lead the public opinion to exaggerated and unreasonable fears as well as to groundless psychosis.

Consequently, the engineer must take an essential and two-fold role in the society: the first is the subservience of the technology to the good of the human community, with the diffusion of information about its real possibilities and its limits. The second is the evaluation of the advantages and risks involved.

The engineer must have a rigorous behavior owing to the characteristics of his profession; it is always more and more imperative that he must clarify and explicit principles that can be the basis for such a behavior. **(F)**

The engineer is aware of his fundamental responsibility concerning the progress of Science and Technology, which are the essential factors for the development of the modern society.

Moreover, he inspires his professional behavior to ethical fundamental criteria that he applies coherently in the practice.**(G)**

The profession of engineer is directly connected with the safety of persons, things and it is its necessary protection. The consequence is a compulsory responsibility towards third persons that must be considered in a deontological code. The rules of professional deontology herewith enclosed state the obligations that must be respected by the members. He must be responsible to the public institutions entitled by the law to regulate their professional activities. safeguarding the ethics and the professional dignity, as well as the respect due to the rights of individuals.

As any ethical code, it is based on universal principles such as competence, responsibility, truth, honesty, loyalty, equity and sincerity, that must always be considered even if they are not included in precise regulations.

The last aim of this code is the correct development of the profession of engineer, by giving a wide and positive answer in all fields of activity, as the society demands. **©**

## **1, GENERAL PRINCIPLES**

The profession of engineer must be carried out in the respect of the laws of the Country, of the principles of Constitution and the European Community rules.

The profession of engineer is an activity of public interest.

The engineer is a responsible citizen that ensures the link among the sciences, the technology and the human community and he is involved in civil actions aiming at the common good.

The engineer must spread his knowledge and transmits his experience at the service of the society. **(F)**

Anyone who operate as an engineer, even if he is a citizen of another country, is bound to respect and make third persons respect this deontological code aiming at the safeguard of the dignity of the profession.

## **2 INTEGRITY AND LOYALTY**

During his professional activity the engineer will have to behave with honesty and diligence; in practice he will have to respect the law system, that is the positive right, the law and the general principles of the right.

He will not use for his own profit, of his associated or third persons, any resources and preferential information he will get in possession , being this particularly serious for the people whose activity is linked to the public administration or to private or public proceedings of tender. .

He will not accept more commitments or works than he is in a position to carry out in due time for capacity, knowledge and availability of technical means or of time, and in any case he will respect the rules of competence. ©

The engineer carries out the commitments with care and diligence . He will not carry out his professional duties in conditions of incompatibility with his own legal state, or when his own or his customer's interests are in contrast with his professional duties.

The engineer undertakes only the professional commitments he has carried out in first person and or directly ; moreover he does not undertake the professional commitments in an equal way with persons that cannot undertake them for the rules in force.

The engineer signs only the professional commitments in a collective way or in group only when the limits of professional competence and responsibility of the single members of the college or of the group are obeyed and specified.

The engineer cannot avail himself of means incompatible with his own dignity to get professional commitments such as the extolling of his own qualities in denigration of the others' or supplying advantages or assurances out of the professional relation. **(I)**

He will not accept commitments or fees from third persons that can alter his objectivity and independence. His participation to the profits must always be registered in his accountancy.

He will not delay his services if it is not necessary and he will not use any document as a means of pressure in presence of interests that are not directly connected with the work agreed since the principle according to which the granting of the authorization cannot be bound to the payment of the due fees must be obeyed.

The engineer will take care of the authenticity of his works, opinions, judgments and provisions, both as to the quality and to the quantity , and in any case he will give priority to the principles and to the rules of his profession. ©

### **3. AUTONOMY**

In all his intervention the engineer will have to act according to the principles of autonomy and impartiality. He will not accept external pressures, interferences, nor information from third persons that are not checked personally since they might run down or jeopardize the objectivity of his professional activity or the due respect of the rules of his profession. ©

### **4. RESPONSIBILITY**

The engineer is personally responsible for his own work with respect to both the customer and the collectivity. **(I)**

The engineer must be aware of the importance that his actions and decisions can have in any moment and be responsible for them in a way coherent with the ethics and technology. ©

Should he act personally or in collaboration with associated people, he is considered jointly responsible for the consequences of his own professional performance and for the strict observance of the specific obligations coming from his own competence and experience. He is responsible for his activity in respect to the professional associations, the public institutions, the entrepreneurs, customers , and the users of technology. He applies the laws of the country where he acts as far as the laws are not in contrast with the universal moral laws; he knows the rules concerning his profession and he acts accordingly. Moreover, he collaborates with advice and critics to the improvement of the laws and policies according to his competences. The engineer acknowledges as his own duty :

- to take over the technical responsibility, guaranteeing the quality, the reliability, the safety and preparing the documentation of the products and processes,
- to be responsible for the fact that the users of technical products are carefully informed about the rules of use and the dangers caused by a wrong use of the same.

The engineer has a strategic responsibility in the definition of the performance given by products and processes : he studies alternative solutions, opens new fields of research, and at the same time he evaluates the possibility of errors or deliberate wrong uses.

The specific responsibility of the engineer is based on rules of common moral responsibility , as it occurs for any profession. It forbids the development of products for a use that is stated as immoral ( for examples persecuted people in an international context ) as well as to admit risk factors that are unexpected and uncontrollable . **(G)**

During the development of his professions the engineer is bound to the insurance cover for the civil responsibility, sufficient and consistent with the risks taken over in respect to third persons. **(C)**

## **5. FORMATION**

The engineer must improve and update his capability to meet the needs of the individual Customers and of the community to obtain the best result related to the costs and the conditions of realization. **(I)**

The engineer must keep, develop and update his professional skills through a continuous training.

He undertakes to carry out a continuous technical and ethical formation in technical schools, in universities, in enterprises and in associations. **(G)**

## **6. DUTIES TOWARDS THE SOCIETY AND THE ENVIRONMENT**

The engineer is bound to have a correct participation to the life of the community to which he belongs and he must undertake that the engineers do not bear any pressure that can be detrimental to their dignity. **(I)**

While developing his activity, the engineer must give absolute priority to safety, health and well being of the society and of his customers in particular; moreover, he will always direct his work to reach the best results. At the same time, he must contribute with his work to respect the environment and to a bearable exploitation of the natural resources.

In the evolution of technology he mainly acts in a way to keep conditions of bearable development in the present and in the future situations.

While practising his activity and in the limits of his duties the engineer is bound to avoid to cause environment alterations such as to affect negatively the ecological balance and the preservation of the cultural, artistic, historical goods as well as the ones of the landscape. Moreover, he must aim at the maximum exploitation of the natural resources and at the minimum waste of the energy sources. **(I)**

The engineer must keep into account not only the whole of legitimate interests he is responsible for in his analysis and decisions but also as the consequences of any type on persons and goods.

He must foresee risks and chances; he tries to get learning from them and to eliminate their negative effects.

The engineer is a source of innovation and motor of progress.

The engineer aims at the best result exploiting all the means available, integrating the human, economical, financial, social and environmental dimensions. **(F)**

The engineer is aware of the influence of technology on the society, on the economy and on the environment; moreover, he undertakes the task of pointing out criteria of technical formation that enable its exploitation even considering the future generations: functionality, economy, well being, safety, health, quality of environment, development of the person and quality of social relations. **(G)**

## **7. RELATIONS WITH COLLEAGUES**

The engineer respects loyally the culture and the values of the enterprise he collaborates with, as well as the partners and customers' ones He will not act against his professional conscience and he will keep into account the incompatibilities that might occur.

The engineer respects the opinions of his professional partners. He is open and available for any confrontation that may arise.**(F)**

The technical discussions must be led and concluded on cultural and practical basis and argumentations. The engineer must acquire and keep the capacity of participating to these discussions in a constructive way. **(G)**

The engineer must stamp his own professional relations with the colleagues at the maximum loyalty and correctness, with the aim of maintaining a common culture and professional identity even in the different sectors of the profession .

This loyalty and correctness must be extended and required also in respect to other colleagues performing the intellectual professions and in particular the ones having relations with the profession of engineer. **(I)**

The engineer will have to cooperate loyally, with his experience, knowledge and with the discretion involved in the exchange of information with other professionals, to reach the maximum efficiency in the common work.**(C)**

The engineer who is called to accept a task already given to another colleague, can accept it only after the Customer has communicated to the previously appointed colleagues the final exemption; moreover he must inform in writing the professional/s he has replaced. The engineer must refrain from using means that are incompatible with his own dignity to get professional commitments, such as the extolling of his qualities at denigration of the other ones or supplying advantages or assurances external to the professional relation. **(I)**

In case of an early suspension in the execution of any professional work or service, the engineer is bound to communicate any piece of information or circumstance he has got to know during his work that are, or might be, detrimental to the customer ,to the society, to a third persons not involved or to the professional that has taken over the work.

He will avoid to give judgments of value, or damaging opinions that are not based on concrete basis, on professionals or customers; moreover he will be bound to refer to the competent institutions the torts he might get to know. ©

## **8. RELATIONS WITH THE CUSTOMER**

The relation with the Customer must be based on trust and must be stamped at the utmost loyalty, clarity and correctness. **(I)**

The engineer must always have a helpful attitude towards the Customer, defending his interests as they were his own.

While practising his activity, he will act at the highest levels of technical capacity, independence and integrity, optimizing the results obtained according to what has been agreed.

After accepting a commitment, he cannot claim lack of time or means, and he will attend to it with dedication using the means necessary to meet the agreements, always except for his right to give up the commitment.

He will not alter either the content or the professionalism of his services to favour the Customer.**(C)**

The engineer must clearly define in advance with the Customer in advance the contents and the terms of the professional duties he has accepted in the respect of this Code.

In the relations with the Customer, either private or public, the services must be paid according to the rules in force.

The engineer cannot accept from third persons any fees, direct or indirect, apart from the ones due to him by the Customer without communicating to him the type, reason and amount and without receiving a written authorization for the payment.

Moreover, should the engineer have any personal interests on materials or building procedures proposed for the works ordered to him, he must inform the Customer about the type or the presence of those relations that might cause a suspect of professional partiality or a violation of ethical rules.

The engineer will ask for right fees, according to the work to be carried out, without availing himself of advantageous situations and always in relation to the quality agreed and, in any case, respecting the content of the note of appointment, if there is one.

In particular, in respect to the Customer he :

- will not give up maintaining his own best opinion at the Customer's benefit;
- will define clearly the content, the purport, the costs and conditions of his work:

- will inform the customer about the deviations or external factors that might affect the target of the work agreed;

- will inform the Customer in advance about any eventuality that can cause a variation of his fees as well as of the estimate or note of appointment.

He will point out clearly any contribution of third persons for the completion of the work. ©

## **9. RELATIONS WITH THE COLLABORATORS:**

The engineer will behave with loyalty and equity in respect to his collaborators, without any discrimination. He will encourage them to develop their skills and to grow in their professions.(F)

## **10. RELATIONS WITH THE SUPPLIERS**

The engineer will use the necessary discretion with the suppliers , keeping fair relations that can contribute to improve the quality of the work and services.

He will not take advantage of these relations to alter contents or services that the customer has ordered to him expressly.(c)

## **11. RELATIONS WITH THE ENTERPRISE**

The engineer must behave loyally in the enterprise he works for, defending its legitimate interests and collaborating for their realization.

He will look after the discretion about the professional information he gets to know, both directly and indirectly, and will contribute to the improvement and to the application of the law about safety, environment hygiene and work ©

## **12. ABOUT THE PROFESSIONAL SECRET**

The engineer has the duty and the right to keep the professional secret about all the data and information of confidential nature that will be transmitted to him or he will have got thanks to his profession.(C.

## **13 About publicity**

The engineer must not give deceptive publicity of his skills and knowledge or experience. Moreover, should he use the communication media he will have to respect the disciplinary rules. ©

Being understood that the comparative or denigrating publicity is forbidden, he is allowed anyhow to advertise about his qualifications, his professional specializations , the characteristics of the service offered and the criteria to determine the fees of the services and the costs. The distorted

use of the advertising instrument and the violation of limits and principles herein pointed out must be considered illicit.

#### **14. RELATIONS WITH THE PUBLIC ADMINISTRATION**

The engineer will contribute with his knowledge and experience to all that can improve or correct the technical rules in force.

He must have a fair and loyal behavior in his relations with the public Administration proceeding with efficacy and diligence in his management and with honesty in his planning.

He will denounce to the Administration all those situations or facts that can affect the respect of the law and professional ethics in the limits of his competence.

He is aware of the legal value of the basis and of the ethical rules of the engineering. Therefore, the several changes that occur in the field of the right of environment, technology and science need an integration with the ethics of the engineering and science; the engineers' contribution, supported by his capacity of professional judgment will be essential. The right of work foresees rules of professional behavior that surpasses the private agreements. **(G)**

The fiscal evasion in the professional field is considered as a disciplinary infringement, provided that it has been assessed. **(I)**

#### **15. ABOUT THE INTELLECTUAL AND INDUSTRIAL PROPRIETY**

Considering that innovation is fundamental for the profession, any industrial engineer is obliged to respect and get the others to respect carefully the rights of industrial property. **(C)**

#### **16 CONFLICT**

In conflict of values the engineer acts so that the human justice precedes the rules of nature, the human rights, the profit, the public wellbeing, the private interest, a satisfactory safety, the **(?)** functionality and the inexpensiveness. Therefore he is aware that in the scale of values the criteria and the indicators must be assumed as dogmas but they are valued and adapted only through an open dialogue.

In the case of conflicts of professional moral between entrepreneurs and customers the engineer must look for institutional supports putting legal questions. In particular cases the engineer can apply to the authorities or can refuse to continue the collaboration. To prevent such conflicts the engineer fosters the setting up of suitable institutions **(G)**.

#### **17. INCOMPATIBILITY**

The following incompatibilities are stated (without any prejudice of those stated by the law):



- the cases in which the family, institutional, property relations or relations of any other interest can affect the engineer's rectitude and independence;
- when a work in a public enterprise can interfere with another work in a private enterprise, either on his or a third party's behalf then there will be incompatibility if it is possible to intervene or to influence in a certain way by taking advantage of the public appointment.

The professional activity carried out through Multidisciplinary Companies will have the limits foreseen by the law concerning the Professional companies, since the engineer is obliged to supervise in any case for the general interest and for the engineering's in particular. ©

Incompatibility conditions are chiefly recognized in the following cases:

- appointment as a judge in a competitive examination to which another professional takes part as a competitor (or viceversa) having relationship links or a professional permanent collaboration with the first, or anyhow having relations that can endanger the objectivity of the judgment;
- having interests in the enterprises that are competitors in respect to the one that presents a project to be approved, or having interests in the enterprise presenting the project to be approved;
- abuse, direct or through a third party, of the powers related to his appointment to get advantages for himself or for others;
- practice of the free profession in contrast with specific rules that forbid it and without authorization of the competent authorities (in the case of subordinate engineers, administrators, etc.)
- collaboration, under any form, to the planning, building, installation, modifications, repair and servicing of plants, machinery, devices, equipment, buildings and structures for which the engineer receives the task for the homologation, testing or periodical surveys aiming at the safety.
- It being understood all that provided by the state or regional measures on this subject, the engineer that writes or has written a regulating plan, a plan of manufacturing or other urban instruments of public initiative and the long term program of realization, must refrain from accepting from private Customers professional tasks of projecting concerning the area of the urban instrument or the part of private customers, starting from the moment of appointment up to the approval.
- This rule must be applied also to those professionals that have a permanent relation of collaboration with the author of the plan.

There is also incompatibility in contrast with the engineer's duties such as:

- In the participation to competitive examination whose conditions have been considered detrimental to the engineer's rights and dignity, provided that a formal warning has been issued and that the same has been communicated by writing to the candidates in due time;
- In the submission to the customer's requests that can contravene laws and rules in force.

## **18. THE PROFESSIONAL COMPANIES**

The professional services, even if interdisciplinary, can be supplied to the users in an associative or company form in the ways and in terms in force.

The professional services must be given under the direction and responsibility of one or more associates /members whose names must be communicated to the customer in advance. **(I)**

The deontological regime of the engineering professional companies will be the one coming out of the deontological obligations of each members. The causes of incompatibility or disability concerning a member will be extended to the company and to all other members, according to the terms stated by law. ©.

**F=FRANCE**

**G = GERMANY**

**I= ITALY**

**C=CATALUNA**

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