PASS THE LEGISLATIVE INSTRUMENT (LI) TO ENHANCE EFFECTIVE IMPLEMENTATION OF ENGINEERING COUNCIL ACT

Background

The Ghana Institution of Engineers, with support from the BUSAC Fund, successfully advocated the enactment of the Engineering Council Act 2011 (Act 819). The Engineering Council Act was promulgated to regulate engineering practice in Ghana. The Council has a governing board made up of nine members, as specified in the Act. The sole objective of the Council stated in the Act, is to secure the highest professional standard in the practice of Engineering. In achieving this ambitious objective, the Council will determine and prescribe requirements for initial and continuing registration. Since the passage of the Act, the law has not been fully implemented due to the absence of a Legislative Instrument (LI) to back the implementation of the Act. The existence of a legislative instrument will provide an additional legal basis for paying an annual licensing fee from engineering practitioners and the work of the Council shall become more effective.

Challenges

- Poor workmanship leading to weak construction of building
- Lack of maintenance culture
- Collapse of building and loss of lives
- Abuse of plans and the activity of quacks
- Non adherence to due process in building construction
- Wrong interpretation of building plan due to lack of expertise
- Poor and inadequate supervision

Quick Read!

It is without a doubt that the Engineering Industry has made great strides in the past. However, the industry still faces a plethora of challenges affecting the reputation, professionalism, integrity and the quality and endurance of work produced. Likened to a wheel, the challenges are interconnected and the end result is often the collapse of buildings, leading to the loss of lives and property.
Impact of the Challenges on the Business Community

- The influx of unqualified people parading to be engineers providing sub-standard and mediocre services.
- Extremely difficult to monitor, evaluate and take corrective actions on the performance of engineering practitioners, engineering firms and engineering educational units in the country.
- The downward trend of public confidence in the work of engineers.
- Absence of a legal framework for the Engineers Council to sanction engineers who don't adhere to ethics and standards.
- Recruitment of Engineers from other countries by some engineering firms due to the shortage of certified engineers in the country.

Why the call for the Legislative Instrument (L.I)

Among other benefits, the L.I will empower the Engineers Council to:

- Fully implement of the Act to make the Engineering Industry in Ghana more robust.
- Consolidate the establishment and powers of the Engineering Council; a body whose sole aim is to secure the highest professional standard in the practice of Engineering.
- Provide an additional legal basis for levying engineering practitioners and the work of the Council shall become more effective.
- Determine the limits to areas of engineering practice and operation.
- Maintain and publish annual registers for engineering practitioners in the country.
- Collaborate with the Minister of Water Resources, Works and Housing to address issues on engineering matters to solve the collapse of buildings and flooding issues.

Recommendation

- Expedite the drafting and passage of a Legislative Instrument to give legal backing to the Council’s authority to levy engineers and other engineering practitioners, and to be able to institutionalise and enforce regulations in the practice of engineering.
- Create a platform for a quarterly or yearly forum for all engineers to meet, deliberate and share ideas and knowledge and abreast themselves with current global engineering trends.
- Establish a central planning authority to oversee the planning, financing and maintenance of all engineering works done in the country. These include roads, buildings, drainage among others.
- Intensify education, sensitization and engagement of Engineers and the general public on the Act to make all aware of its provision.
- Collaborate with the Ministry of Employment and labour relations and other recruitment agencies to stress on the need for certified engineers when awarding contracts or recruiting for private and government projects.

Current State of the Legislative Instrument

- The Ministry of Works and Housing is currently finalizing the work on the legislative Instrument to be presented to Cabinet for approval.

Action to Government of Ghana

- We propose that Attorney General’s Department expedite the drafting of the legislative Instrument to be laid before Parliament for deliberation and passage.

This Advocacy is funded by

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