

Why no mandatory licensing for engineers on public facilities?

This week I had planned to share some simpler projects with far-reaching social benefits. However, an advertisement in the Sunday Guardian by the Urban Development Corporation of Trinidad and Tobago Limited (UDECOTT) caused my change. It stated that remedial works were already done at the National Academy for Performing Arts (NAPA) in Port of Spain, and that the Design Engineering Branch of the Construction Division of the Ministry of Works and Transport had given the necessary statutory approval of the facility on August 26, 2016 as safe for use and occupancy. It is recalled that the Sunday Guardian of August 21, 2016 reported that the National Academy for Performing Arts (NAPA) in Port of Spain was not likely to reopen anytime soon, as there were structural deficiencies in almost the entire building.

Did the Ministry engineers have any role in approving the facility when it was opened for the 20th Commonwealth Heads of Government Meeting (CHOGM) in November 2009? If not, did the building receive the mandatory local authority completion certificate? Were the engineers who built NAPA POS licensed to practise in T&T? What professional engineering and other standards and specifications were applied?

Why are decisions being made exposing members of the public to safety issues? We have already had collapsed bridges and buildings, and properties destroyed through flooding and landslide disasters, etc., with no consequences, and little recourse for victims and other members of the public.

What is the code of ethics governing professional conduct, negligence and incompetence, and what are the sanctions for incompetence and professional misconduct in Trinidad and Tobago?

In Canada the designation Professional Engineer can only be used by registered engineers and is protected in law and strictly enforced in all provinces. A practising engineer is legally required to be registered. The Ontario Professional Engineers Act was amended in 1937 to make registration mandatory for anyone practising professional engineering.

The Bahamas Professional Engineers Act, 2004 states in Section 22, Subsection (1) *“No person shall undertake the practice of professional engineering unless he has a valid certificate of registration or a certificate of temporary registration... (3) The provisions of subsection (1) shall not apply to the practice of professional engineering by a person who so practices under the supervision, direction and control of an individual who holds a certificate of registration, or certificate of temporary registration...”*

The Jamaica Professional Engineers Registration Act, 1987 states in Section 15, Subsection (1) *Subject to section 16, with effect from such date as the Minister may, by order, specify, no person unless he is a registered engineer shall, in Jamaica - (a) carry on the practice of engineering; (b) take or use, in relation to himself, the designation "engineer" either alone or in conjunction with any other words or initials in such manner as to imply that he is qualified to carry on the practice of engineering in Jamaica...”*

The Engineering Profession Act, No. 34 of 1985, emphasizes that in order to claim to be a registered engineer, one must be registered with the Board of Engineering of Trinidad and Tobago (Section 3 of the Act). However, there is no legal requirement that one must be a registered engineer to practise engineering in Trinidad and Tobago.

This has resulted in the widespread presence of nationals and foreigners misrepresenting themselves as qualified engineers and boldly conducting business fraudulently in both the public and private sectors. This is critical especially with respect to the issue of public safety and quality of product delivery in the goal of Government to establish standards in industry, such as the Building Code and Drainage Code, as these cannot be effectively implemented without mandatory engineering registration.

It is also not good enough that foreign locally-based practising engineers are registered with their country of origin; their credentials must be validated here.

Public bodies locally only permit registered engineers to sign and stamp engineering plans and drawings for their approval. However, this is not the common practice by private clients, except if the client has to eventually submit these documents for public approval. This means that there could be a high likelihood of unknown standards and quality assurance on many projects requiring engineering services in Trinidad and Tobago. Further, according to the Act, the registered engineer should only sign or stamp engineering plans or drawings within his own discipline or specialty; however, BOETT's current stamp does not clearly identify the discipline of the registered engineer (except by a number – how many client's would check this). This means that the likelihood of the unethical practice of registered engineers signing and stamping outside their remit could also be high.

What a profound message would be sent from a caring Administration that the well-being and safety of society is being secured through regulations for mandatory licensing of engineers.

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