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THE ENGINEERS REGISTRATION ACT

(CAP. 63)

**THE ENGINEERING WORKS, SERVICES AND PROJECTS MONITORING REGULATIONS,
2015**

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THE ENGINEERS REGISTRATION ACT
(CAP. 63)

REGULATIONS

(Made under section 33(f))

THE ENGINEERING WORKS, SERVICES AND PROJECTS MONITORING
REGULATIONS, 2015

PART I
PRELIMINARY PROVISIONS

- Citation 1. These Regulations may be cited as the Engineering Works, Services and Projects Monitoring Regulations 2015.
- Interpretation 2. In these Regulations unless the context otherwise requires:
“Act” means the Engineers Registration Act;
- Cap.63 “Auditor” means a person or agent or representative duly appointed by the Board, to conduct Audits in accordance with the provisions of these Regulations;
“Board” shall mean, the Engineers Registration Board;
“contract or the contract” means the contract for the works under discussion;
“contractor” means a natural person or legal person who executes engineering works under contract with implementing agency;
“Counterpart Engineer/Client Representative” means an engineer with a role of representing interests of a client in a construction project;
“Clerk of Works” means an engineer with a role of representing the interests of the client in regard to ensuring the quality of both material and workmanship in a construction project;
“Debt Collector” means a person or body of persons appointed by the Board to collect unpaid fees and penalties;
“Engineer” means the person who is registered as Professional Engineer or Consulting Engineer and acts or implements Engineering Works on behalf of the Employer as stipulated in the Contract;
“Employer” means the Implementing Agency or its division or staff under whose name the Contract is signed;

- “Inspector” means a person or agent or representative duly appointed by the Board to conduct audits in accordance with the provisions of these Regulations;
- “Inspector of Works” means an engineer or Technician with a role of ensuring that all construction aspects are carried out in accordance with plans, specifications and to the required standards.
- “Inspections Audit” means the act of examining and verifying that the Engineering Works have been executed in accordance with acceptable standards and specifications as stipulated in the Regulations;
- “inspection/audit Team” means a team consisting of Inspectors/Auditors.
- “monitoring” means general inspection conducted to the engineering works, services and projects in accordance with the provisions of these Regulations;
- “Project Engineer” means an engineer with the role of liaison between the Project Manager and the technical disciplines involved in a project;
- “Project Manager” means an engineer who possesses professional skills in the field of project management with the responsibility of the planning, execution, and closing of any project, relating to any engineering works;
- “Resident Engineer” means a professional/consulting engineer appointed by the client to be in charge of supervision of construction project, and reports the job's progress, actions of the workers, and the efficiency at which the job is being completed;
- “site agent” means an engineer who assists the project manager on administration of the project;
- “site engineer” means an engineer with a role of performing technical, organizational and supervisory role in the construction project;

Application

3.-(1) These Regulations shall apply to the Monitoring procedures, Technical Inspections and Audits conducted by the Engineers Registration Board to Engineers, engineering consulting firms and engineering activities carried out in Mainland Tanzania.

(2) The monitoring process, inspections and Audits shall be conducted by Board Staff and Representatives engaged by the Board.

PART II
SCOPE AND OBJECTIVES

Scope
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4.- (1) These Regulations shall deal with engineering activities and practicing Engineers located in mainland Tanzania and shall be governed by the Engineers Registration Act.

(2) The scope will show the basic concepts and standard procedures of the monitoring, inspections and Audits conducted by the Board.

(3) The detailed parts of actual inspections and Audits may vary depending on the actual conditions of engineering works to be monitored, Inspected or Audited.

(4) These Regulations will base on Monitoring, inspecting and auditing of Engineers, engineering activities and stakeholders in the engineering sub-sector in the following areas:

- (a) building construction sites;
- (b) road construction projects;
- (c) industries/factories;
- (d) mining industry;
- (e) office premises; and
- (f) other engineering works conducted in the Local Government Authorities.

(5) These Regulations will provide guidance on modalities in serving default notices and penalties to defaulters in the execution of the engineering activities, stipulated on the first schedule to these Regulations.

Objectives

5.The Board shall ensure that the main objectives of these Regulations are adhered through:

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- (a) providing guidance on procedures to be followed by the various Agents and Teams while carrying out Monitoring of engineering activities and conduct of Engineers and engineering consulting firms in mainland Tanzania;
 - (b) monitoring the professional conduct and ethics for Engineers;
 - (c) monitoring engineering activities, as stipulated under section 4 of the Act;
 - (d) checking registration status of Engineers and engineering consulting firms;

- (e) assessing Continuing Professional Development for Engineers;
- (f) assessing on capacity development for Engineers in the engineering practice; and
- (g) monitoring Organizational Structure, flowchart and Staff Complement in engineering activities as provided under second schedule of these Regulations.

PART III
GENERAL PROCEDURE ON MONITORING, INSPECTING AND
AUDITING ENGINEERING WORKS OR SERVICES

Inspection and
Audit

6. -(1) The Board or any other Officer appointed by the Board shall at any time enter into a site or premises, for the purpose of monitoring, inspecting and auditing the engineering works or services without prior notification. Such an officer of the Board prior to inspection shall identify himself to the Senior Personnel responsible for the works, found on site or premises by informing the purpose of the visit and thereafter, proceed with inspection as per these Regulations.

(2) The Board or any other officer appointed by the Board shall monitor and inspect sites where constructions, installation, erection, alteration, renovation, maintenance, processing, or manufacturing works are in progress for the purposes of verifying that:

- (a) engineering activities are undertaken by the Engineers who have registered in the appropriate categories and engineering consulting firms; and
- (b) the standards and professional ethics and relevant occupational health and safety aspects are observed.

(3) Any person who obstructs or denies entry by the Board or its Agent to an engineering site or premises, runs away from or obstructs any staff of the Board or its Agent from performing his duty in any way, commits an offence;

(4) Any person who without sufficient cause, refuses to answer questions posed to him fully and satisfactorily to the best of his knowledge and belief or resists to produce any documents in his possession or under his control, commits an offence; and shall upon conviction be liable to a fine not less than five hundred thousand Tanzanian Shillings.

(5) In the absence of a responsible officer or representative at the engineering premises, observations made by the Board or its agent

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shall be recorded. The responsible officer or representative shall within 48 hours, report to the Registrar for countersigning the observations;

(6) Any engineering premises where the Inspection has not been conducted due to reasons of closure, obstruction or any other reasons, a special notice as provided in the schedule shall be posted at the entrance of the engineering premises; The owner or his representative shall be obliged to contact the Board within seven days addressing the requirements of the notice and;

(7) During Monitoring of engineering activities, the Inspection Team shall be entitled to get any information regarding the works, which may include access to production standards, working drawings, taking photographs, videos, checking various permits, registration status of Engineers and any other information deemed necessary.

Signing of visitors
book

7. The Inspection Team shall register their names and sign in the visitors' book at engineering premises and in case of absence of a visitors' book, any relevant prescribed Forms as provided in these Regulations shall be considered as a record of the visit.

Site Inspection
tools

8.- (1) During Site Inspection, the Team shall use the following tools:

- (a) relevant Checklist for inspection;
- (b) show Cause Notice Book;
- (c) notification of Offence Book;
- (d) special Notice Book;
- (e) Intention to issue stop order;
- (f) stop order book;
- (g) penalty notice;
- (h) default score register;
- (i) Camera (for photographing what is observed by the Inspecting Team);
- (j) field Notebooks and Pencil/Pen;
- (k) appropriate Personal Protective Equipment;
- (l) measuring Tape;
- (m) hand held GPS; and
- (n) any other equipment that will assist on the process of inspection.

(2). The protective equipment shall be carried to the site regardless of the type of the works to be inspected.

(3). The Board shall procure personal protective equipments and handle them to the Inspection or Audit team for use on site.

PART IV
SITE INSPECTION FOR BUILDING CONSTRUCTION
PROJECTS

Inspection in building construction **9.**-(1) Site Inspection for building construction will be carried out by the Inspector, Auditor or Inspection Team for the purpose of ensuring that the Works are being executed, under the supervision of recognized professional Engineers, in accordance with the approved plans, specifications and building consent.

(2) The Inspection Team shall verify that the Project is registered by the Board, and the works are executed in accordance with the conditions stipulated in the Contract and standard construction procedures.

Methodology for site inspection **10.**-(1) the Inspection Team shall verify the engineering drawings, record of material testing results, Engineers and technicians involved in the site, registration status of Engineers, engineering consulting firms, the status of the project, signboard particulars, site management issues including minutes of the site meetings, safety and environmental matters. The Inspection Team may conduct any test, survey or carry out any necessary action as appropriate.

- (2) The Inspection Team shall inspect:
- (a) the erection and visibility of signboard; and
 - (b) Adequacy of the information.
- (3) project Particulars to be inspected will be:
- (a) project name;
 - (b) Project location (include street and plot Number.);
 - (c) contract Document;
 - (d) Client's name, address and telephone Number;
 - (e) planning Consent Number and issuer;
 - (f) Building Permit Number and issuer;
 - (g) Financier of the project (where applicable); and
 - (h) Cost of the project.

Project Team **11.** The project team shall be inspected by the Board for the following details:

- (a) main contractor;
 - (b) sub-Contractor (where applicable);
 - (c) specialist contractor (where applicable) and area of specialization;
 - (d) project manager (indicate professional qualifications);
 - (e) architect;
 - (f) resident engineer;
 - (g) structural engineer;
 - (h) mechanical engineer;
 - (i) electrical engineer;
 - (j) ICT engineer;
 - (k) quantity surveyor;
 - (l) site agent (*indicate Professional qualifications*);
 - (m) site engineer; and
 - (n) clerk of works.
- (2) The registration status of Project Staff of Engineers and Engineering Consulting Firms, shall be inspected by the Board basing on their:
- (a) name of firm;
 - (b) area of registration or specialization of the firm;
 - (c) names of engineers;
 - (d) registration category of the engineers; and
 - (e) Comments on the observations.

Site Management

12. The features which will be inspected regarding general site management are:

- (a) general site layout and arrangement which should include site office for both engineer and contractor.
- (b) Site instructions book which is supposed to contain consultant's comments and relevance of site instruction(s) and any follow-up by the consultant on the implementation of the site instructions issued.
- (c) Site meetings, regularity or frequency of site meetings, quorum in attendance and presence of the minutes at site.
- (d) general matters on safety, occupational health and environmental issues during planning, designing and construction stages:

Quality of Works

13.- (1) The Inspection Team shall check all structural, electrical, mechanical engineering working drawings and details which are relevant to the project. The drawings shall be checked

against designs, approvals and professional correctness in compliance with the Engineers Registration Act.

(2) The inspection or Auditing Team shall fully utilize its expertise to inspect the quality of the Works during Site inspection;

(3) Inspection or Auditing shall include, observations of the:

- (a) general appearance of the executed work in terms of workmanship;
- (b) completed structural member components surfaces textures;
- (c) evidence of carrying out construction materials testing for concrete, reinforcement tests, geotechnical investigations, and aggregates tests;
- (d) cleanness of the site;
- (e) site office cleanness;
- (f) site documents storage; and
- (g) safety and occupational health issues.

Administration of
defaults

14. -(1) Subject to Regulation 13, the Defaulters shall be issued with the following Notices;

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- (a) show cause notice;
- (b) notification of offence;
- (c) penalty notice;
- (d) special notice;
- (e) intention to issue stop order; and
- (f) Stop order.

(2) Procedures for Issuing Notices and imposing various penalties for defaulters shall be carried out in accordance with the provisions set out in the First Schedule to these Regulations.

PART V SITE INSPECTION, AUDIT IN ROAD CONSTRUCTION PROJECTS

Road constru-
tion audit

15. -(1) There shall be Road Construction Site Inspection which shall be carried out by the Board for the purpose of ensuring that the works are being executed, under the supervision of professionally recognized Engineers, and that Project is registered by the Board;

(2) The Inspection Team shall verify that the works have been executed in accordance with the conditions stipulated in the Contract and standard construction procedures.

Methodology for Site Inspection **16-** The Inspection Team shall be to verify the engineering drawings, record of material testing results, Engineers involved in the site with their registration status, registration of the project, registration status of engineering consulting firms, signboard particulars, site management issues including minutes of the site meetings, safety and occupational health and environmental matters.

Construction site Signboard **17.** The Inspection Team shall inspect the adequacy of the Signboard on the following details;
(a) if the signboard is provided as stipulated in the Third Schedule to these Regulations;
(b) if the adequacy of the signboard is as per specifications (positioning, size, writing, correctness, validity of the contents), and;
(c) if the ERB Sticker is pasted on the signboard.

Project Particulars **18.** The Project particulars to be inspected by the Inspection Team will be:
(a) project name;
(b) project location;
(c) client's name, address and telephone;
(d) financier of the project (where applicable);
(e) cost of the project (where applicable); and
(f) project progress reports.

Inspection of consulting firms **19.** The inspection of the Firm's status shall be based on verification of the following:
(a) name of firm;
(b) registration status of the firm;
(c) area of registration or specialization of the firm;
(d) organization chart;
(e) validity of the practicing certificate; and
(f) Comments on the observations.

Inspection of consultant's key staff **20.** The Inspection Team shall verify the legality of the Consultant's key staff for the following:
(a) staffing schedule as per contract vs. deployed staff;
(b) existence of key staff positions;
(c) registration status of key staff, validity of the practicing licence; and
(d) any comments on the observations.

Consultant's key
staff establishment

21. The Inspection or Auditing Team shall inspect and verify the establishment/deployment of Consultant's key staff at site; basing on the following grounds for the purpose of:

(a) Resident Engineer:

Key Minimum Qualifications shall be:

- (i) a Civil Engineer with a degree in civil engineering or equivalent qualification; and
- (ii) a Professional Engineer with cumulative relevant experience.

(b) Highway Engineer:

Key Minimum Qualifications shall be:

- (i) a Civil Engineer with a degree in civil engineering or equivalent qualification; and
- (ii) a Professional Engineer with cumulative relevant experience

(c) Structural Engineer:

Key Minimum Qualification Minimum s shall be:

- (i) a Civil Engineer with a degree in civil engineering or equivalent qualification; and
- (ii) a Professional Engineer with cumulative relevant experience.

(d) Soils or Materials Engineer:

Key Minimum Qualifications shall be:

- (i) a Civil Engineer with a degree in civil engineering or equivalent qualification; and
- (ii) a Professional Engineer with cumulative relevant experience.

(e) Bridge or Drainage Engineer:

Key Minimum Qualifications shall be:

- (i) a Civil Engineer with a degree in civil engineering or equivalent qualification; and
- (ii) a Professional Engineer with a cumulative experience of at least eight (8) years on bridge design and construction supervision.

(f) Works Inspector

Key Minimum Qualifications shall be:

- (i) a holder of a degree in engineering or holder of Full Technician Certificate (FTC) or Equivalent with cumulative relevant experience.

(g) Materials Technician

Key Minimum Qualifications shall be:

- (i) a holder of a Full Technician Certificate (FTC) in Engineering from a recognized institution or equivalent qualification with cumulative relevant experience.

Inspection of contractor's key staff and equipment

22. Inspection Team shall verify the Contractor's key staff and Equipment on the following:

- (a) site organization chart of the contractor;
- (b) equipment Schedule vis-a -viz deployment on site;
- (c) staffing schedule as per contract vs deployed staff;
- (d) verification of key staff positions;
- (e) registration status of key staff validity of the practicing licence; and
- (f) Comments on the observations.

Inspection on Site Management

23. Inspection Team shall inspect the features of site management regarding to:

- (a) layout and arrangement of site office for both engineer and contractor;
- (b) site instructions book;
- (c) Checking on availability of consultant's comments and relevance of site instruction(s) and follow-up by the consultant on the implementation of the site instructions issued.
- (d) comments on regularity or frequency of site meetings, project staff attending site meetings, quorum in attendance and presence of the minutes at site;
- (e) matters related to safety, occupational health and environment.

Inspection on working drawings

24. The Inspection Team shall check all engineering working drawings and details which are relevant to the project, particularly the approvals and professional correctness.

Quality of works

25. Inspection or Auditing Team shall fully utilize its expertise to inspect the quality of works on the following:

- (a) general appearance of the executed work;
- (b) smoothness of the completed structural member surfaces;
- (c) evidence of carrying out construction materials testing (cube tests, reinforcement tests, geotechnical investigations, and aggregates tests);

- (d) cleanness of the site (if debris etc is remaining, diligence of works is doubted);
- (e) site office cleanness; and
- (f) Site documents storage.

Contractor's key
staff establishment

26. Inspection or Auditing Team shall inspect and verify the establishment of Contractor's key staff basing on the following qualifications:

(a) for Project Manager (PM)

Key Minimum Qualifications shall be:

- (i) an Engineer with a degree in engineering or equivalent qualification;
- (ii) a Professional Engineer with cumulative relevant experience and skills

(b) for Site Agent (SA)

(i) Assist the Project Manager on administering the project.

Key Minimum Qualifications shall be:

- (i) an Engineer with a degree in engineering or equivalent qualification;
- (ii) a Professional Engineer with cumulative relevant experience and skills.

(c) For a Senior Highway or Pavement Engineer

Key Minimum Qualifications shall be:

- (i) a Civil Engineer with a degree in civil engineering or equivalent qualification;
- (ii) a Professional Engineer with relevant cumulative experience and skills.

(d) For a Structural or Drainage Engineer – particular duties of this Engineer:-

Key Minimum Qualifications shall be:

- (i) a Civil Engineer with a degree in civil engineering or equivalent qualification;
- (ii) a Professional Engineer with relevant cumulative experience and skills.

(e) For a Soils or Materials Engineer

Key Minimum Qualifications shall be:

- (i) a Civil Engineer with a degree in civil engineering or equivalent qualification;
- (ii) a Professional Engineer with relevant cumulative relevant experience and skills.

(f) For Equipment Manager (Workshop Manager)

Key Qualifications shall be:

- (i) an Engineer with a degree in Mechanical Engineering or equivalent qualification;
 - (ii) a Professional Engineer with cumulative relevant experience and skills.
- (g) For Highway, Design or Measurement Engineer

Key Minimum Qualifications shall be:

- (i) a Civil Engineer with a degree in civil engineering or equivalent qualification;
- (ii) a Professional Engineer with cumulative relevant experience and skills.

PART VI

INSPECTION, AUDITING OR MONITORING IN INDUSTRIES,
FACTORIES, MINES OFFICES AND ENGINEERING
OFFICE PREMISES

inspection of
engineering
activities

27. The Board or any appointed Inspection Team shall during its inspection, Auditing or Monitoring in industries; factories, mines and engineering offices consider all matters related to engineering activities, professional development for Engineers and capacity development, as well as registration status for engineering personnel

Verification of
company
particulars

28. The Board or any appointed Inspection Team shall inspect the company for its;

- (a) name of the company or organization;
- (b) organization structure;
- (c) name of the chief executive officer (profession, contacts);
- (d) category of company or organization (e.g. ministry, private company, parastatal, subsidiary company, etc);
- (e) postal address and location;
- (f) telephone numbers., fax numbers, website and e-mail addresses; and
- (g) Nature of business (in matters concerning manufacturing, transport, construction, mining, consultancy, agribusiness, marine, information technology, processing, telecommunications, aviation, communications).

Information on
engineering
personnel

29. The details which shall be availed to the Inspection Team are:

- (a) list of engineers and technicians working with the firm;

- (b) status of registration of engineers and technicians;
- (c) measures being taken to recruit or develop local Engineers to take up expatriate positions promoting or developing current staff, fix tenure for expatriate staff, recruit from open market, sponsor undergraduate engineering students, or contract out some of the engineering activities; and
- (d) Additional engineering manpower required.

Professional
Development and
Capacity building
for engineers

- 30.** The Inspection Team shall inspect the:
- (a) availability of training facilities for graduate Engineers;
 - (b) availability of excess capacity and conditions for training of Engineers from other organizations; can undergo training in the firm (e.g. free, fees chargeable to meet training costs, trainees paid allowances for contributing to production);
 - (c) fostering Professional Development (CPD) Programmes for engineers (indicate if available in house, Engineers regularly sponsored to attend CPD courses, assist Engineers in distance learning, etc); and
 - (d) Presence of information centre for technology and.

Existence of
quality standards,
Research and
Development
activities

- 31.** The inspection team shall verify in the Industries, Factories and Mines on the following:
- (a) existence of Research & Development activities in the firm;
 - (b) type of Research & Development activities undertaken by the firm; and,
 - (c) collaboration of the firm with other institutions in Research & Development activities
 - (d) production method and equipment used;
 - (e) presence or absence of quality standards (certifying authority and product certification standard number(s));
 - (f) presence or absence of quality plan;
 - (g) presence or absence of quality manual; and
 - (h) Operation procedures and quality of products.

safety

- 32.** The Inspection Team shall conduct an inspection on matters relating to safety, occupational health and environment, particularly on the following:
- (a) presence of Safety Policy or Guidelines;

- (b) safety and environmental management plan;
- (c) training programme on safety;
- (d) existence and adequacy of occupational health management system; and
- (e) Presence of trained safety officer; environmental officer and occupational health practitioner.

Maintenance of
Management
information

33. The Team shall make inspection on maintenance and management issues on the following:

- (a) maintenance plan;
- (b) maintenance programme;
- (c) maintenance manual;
- (d) evidence of equipped workshop; and
- (e) engineering or maintenance personnel,

Provided that an Annual Compliance certificate shall be issued by the Board to the inspected factory, industry, mine, and engineering office premises which complied with the provisions under these Regulations.

PART VIII
ASSESSMENT OF ENGINEERS, ENGINEERING CONSULTING
FIRMS AND ENGINEERING ACTIVITIES IN LOCAL
GOVERNMENT AUTHORITIES

Inspection for
Engineering
Activities in Local
Government
Authorities

34. The Team shall make inspection on the Firms and Engineering Activities in the Local Government Authorities ensuring itself by:

- (a) carrying out evaluation of engineering activities performed by Local Government Authorities;
- (b) carrying out a survey of Engineers working in the Local Government Authorities covering their academic and professional qualifications, their professional experiences and competence to handle engineering projects in their respective councils;
- (c) determining the adequacy, of the Engineers working in the Local Government Authorities vis-à-vis the volume and type of engineering activities being undertaken in the councils;
- (d) verifying the engagement and provision of engineering consultancy services in Local Government Authority engineering activities;

- (e) verifying that only engineers with the requisite professional qualifications and competences are employed by the Local Government Authorities;
- (f) identifying bottlenecks that affect effective implementation of engineering projects in the councils; and
- (g) Advising the relevant local Government on measures to be taken to improve implementation of engineering projects in the councils.

Verification of
Engineers in Local
Government
Authorities

35. The Board or any other officer appointed by the Board shall make Inspection or Auditing in Local Governments for verification of Engineers employed by the Local Government Authority, registration status of the Engineers, compliance to occupational health, safety and environmental issues, availability of Protective Personal Equipment, availability and ownership of plant and equipment.

Particulars of
Local Government
Authorities

36.-(1) The Board shall inspect the Particulars of the Local Government Authority Engineer on the following:

- (a) name of the Local Government Authority;
- (b) location (region and district);
- (c) current postal address, telephone, fax, website and E-mail;
- (d) name and Title of the Chief Executive Officer; and
- (e) Organization structure of the engineering department.

(2) The Board shall assess the employment record of the engineering staff and:

- (a) list of Engineers currently working with the Local Government Authority (indicate name, designation and respective registration status by ERB for each engineering personnel);
- (b) list of Technicians and artisans supporting the Engineers working in the Local Government Authority (indicate name, discipline, training institution and registration status by ERB);
- (c) reasons for failure to have the Engineers and technicians registered (as required by law);
- (d) efforts being made by the employer to have the Engineers registered;

- (e) measures being taken to fill existing vacancies (e.g. promote/develop current staff, sponsor undergraduate Engineers, recruit from open market, employ an expatriate etc);
- (f) reasons for failure to fill the engineering vacancies (e.g. lack of qualified personnel in the labour market, no budgetary provisions, none applies when posts are advertised, cumbersome recruitment process, recruitment frozen, engineer(s) underutilized hence not needed, etc); and
- (g) actual requirement of Engineers (indicate engineering field and number of Engineers required).

Particulars of
engineer

37. The Board shall assess the particulars of Local Government Authority Engineer on his:

- (a) name;
- (b) position;
- (c) age;
- (d) postal address/mobile no./e-mail address; and
- (e) Physical address (office location).
- (f) engineering Education,

Provided that, the details on the Local Government Authority Engineer's education shall include the following:

- (i) name of the Institution;
- (ii) course of Study;
- (iii) period; and
- (iv) award(s).

However, it should be noted that, copies of certificates shall be availed to the assessment team.

- (g) Registration status

The Engineer shall avail to the assessment team the following information:

- (i) Registration Certificate;
- (ii) Practicing Licence (for Professional and Consulting Engineers); and
- (iii) if not registered, the engineer to explain on the efforts being taken to get registered.

- (h) Membership to Professional Institution(s) shall state the following:

- (i) Name of the Institution;
- (ii) Class of Membership; and

(iii) Year of Election/Admission.

(i) Engineering Experience; and

The engineer shall submit brief Curriculum Vitae since graduation to the assessment team by giving details on period, position held, duties carried out and achievements.

(j) Continuing Professional Development;

The engineer shall submit to the assessment team evidence of attending CPD Programmes during the last three (3) years.

Activities to be
assessed

38. The Board shall assess following details on the engineering activities which are carried out by the Local Government Authority;

(i) engineering activities undertaken by the Council including civil works, building works, consultancy services, project write ups, mechanical works, environmental engineering works, electrical works, and ICT works;

(ii) volume of engineering activities handled by the Council against number of engineering personnel employed;

(iii) funds channelled to the Council for engineering projects or programmes annually;

(iv) source of funds (indicate whether from own source, donor agencies, central government, etc); and

(v) description of the quality of engineering work in the Council.

Information on
various Plant and
Equipment in the
Council

39. The Inspection Team shall be availed information on type of plant or equipment/tools owned by the council and those hired.

List of engineering
consultants

40. The Council shall indicate to the Inspection Team the type(s) of project(s) with respective engineering consulting firm employed for the provision of engineering consultancy services and names of key staff involved in the project.

PART IX
EVALUATION AND REPORTING

Evaluation **41.** The result of monitoring, inspections and Audit shall be evaluated within two weeks after completing the visit, the Inspection, Monitoring or Auditing Team shall prepare the drafts of two kinds of Monitoring, Inspection or Audit Reports and submit them to the Registrar.

Draft Report
Cap. 309 **42.** -(1) The Original Report shall be maintained for five years in the Archive of the Board, in accordance with the Records and Archives Management Act. Only Original Copy to be accompanied by all the data obtained during the Monitoring, Inspection or Audit;

(2) Subject to sub-regulation (1) The Inspections Audit Report Format shall be prepared by the Board from time to time;

(3) The information observed from Site Inspection shall be recorded on a Checklist and attached to the original of the Inspection or Audit Report both in soft and hard copies;

(4) Upon approval of the report, the Board shall issue a Compliance Certificate to the audited industry, project, firm or the local government;

(5) Failure to maintain an annual compliance certificate shall constitute an offence;

(6) The inspected or audited engineering establishment shall pay for the inspection cost as prescribed by the Board from time to time.

Penalties **43.** Any person or body of persons who contravenes these Regulations, commits an offence and on conviction shall be liable to the penalty as provided under First Schedule of these Regulations.

Amendment of the
Second Schedule **44.** The Second Schedule to the Engineers Registration Regulation is hereby revoked.

G.N. No.

35 of 2010

FIRST SCHEDULE

(Made under Regulation 43)

ADMINISTRATION OF DEFAULTS

S/N	Offence	Reference	Action	Penalty		
				First Offence	Second Offence	Third Offence
1	Failure to employ professional engineer(s) in a professional engineering work or services for each unregistered engineer (for each count)	Reg. 4(5)	1. Show Cause Notice; 2. Notification of Offence and Penalty Notice	2,000,000/= Stop employing	4,000,000/=	Board of Inquiry
2	(a) Practicing as a Professional Engineer without Registration	Reg. 9(2)	1. Show Cause Notice. 2. Notification of Offence and Penalty Notice	1,000,000/= Stop practicing	1,000,000/=	Board of Inquiry
	(b) Practicing as a Consulting Engineer without Registration			2,000,000/= Stop practicing	4,000,000/=	Board of Inquiry
	(c) Practicing outside one's areas of professional competence			2,000,000/= Stop practicing	4,000,000/=	Board of Inquiry
3	(a) Failure to use the services of Professional Engineers. in case of a construction project; failure to use a Consulting Firm	Reg. 10	1. Show Cause Notice; 2. Notification of Offence and Penalty Notice; 3. Special Notice. 4. Intention to issue Stop Order 5. Stop Order.	2,000,000/=	3,000,000/=	5,000,000
	(b) Using the services of unregistered Consulting Engineers for each unregistered engineer			2,000,000/= Stop employing	4,000,000/=	Board of Inquiry

The Engineering Works, Services and Projects Monitoring Regulation 2015

G.N. No. 237 (contd.)

S/N	Offence	Reference	Action	Penalty		
				First Offence	Second Offence	Third Offence
4	Offering engineering consulting services without Consulting Engineers					
	(a) Local Firm	Reg. 14	1. Show Cause Notice 2. Notification of Offence and Penalty Notice 3. Special Notice 4. Intention to issue Stop Order 5. Stop Order.	2,000,000/=	3,000,000/=	Deletion
(b) Foreign firm	1. Show Cause Notice 2. Notification of Offence and Penalty Notice 3. Special Notice 4. Intention to issue Stop Order 5. Stop Order		USD 5,000.0	USD 10,000.0	Deletion	
5	Employing the services of unregistered Engineering Consulting Firms					
	(1) Client/Employer	Reg. 20	1. Show Cause Notice 2. Notification of Offence and Penalty Notice 3. Special Notice 4. Intention to issue Stop Order 5. Stop Order.	3,000,000/=	5,000,000/=	Court action
	(2) Local Firms (practicing without registration)			2,000,000/=	3,000,000/=	Court action
	(3) Foreign Firm (practicing without registration)			USD 5,000 Plus payment of prescribed fee from date of practice in the country and apply for registration	USD 10,000.0	Court action
6	(a) Failure to maintain a site instruction book	Reg. 32	1. Show Cause Notice 2. Notification of Offence and Penalty Notice.	500,000/=	1,000,000/=	Board of Inquiry
	(b) Failure to paste ERB Project Registration Sticker on signboard	Reg. 17(c)		500,000/=	1,000,000/=	Board of Inquiry

The Engineering Works, Services and Projects Monitoring Regulation 2015

G.N. No. 237 (contd.)

S/N	Offence	Reference	Action	Penalty		
				First Offence	Second Offence	Third Offence
7	Failure by the consultant to issue approved and stamped drawings to the construction site	Reg. 12	1. Show Cause Notice or 2. Notification of Offence and Penalty Notice	500,000/=	1,000,000/=	2,000,000/= or court action
8	Non-positioning of signboard	Reg. 17	1. Show Cause Notice 2. Notification of Offence and Penalty Notice 3. Special Notice 4. Intention to issue Stop Order 5. Stop Order	500,000/=	1,000,000/=	2,000,000/=
9	Failure to abide to specifications and standards set for engineering products, materials and processes-					
	(a) Factory/Industry	Reg. 31	1. Show Cause Notice 2. Notification of Offence and Penalty Notice 3. Special Notice 4. Intention to issue Stop Order 5. Stop Order.	3,000,000/=	5,000,000/=	Stop order and court action
	(b) Firm/company		1. Show Cause Notice 2. Notification of Offence and Penalty Notice 3. Special Notice 4. Intention to issue Stop Order 5. Stop Order.	3,000,000/=	5,000,000/=	Stop order and court action
10	(a) Denying access to the Board's staff or its representatives from executing official duties-	Reg. 43	1. Show Cause Notice 2. Notification of Offence and Penalty Notice 3. Special Notice 4. Intention to issue Stop Order 5. Stop Order.	500,000/=	1,000,000/=	court action

The Engineering Works, Services and Projects Monitoring Regulation 2015

G.N. No. 237 (contd.)

S/N	Offence	Reference	Action	Penalty		
				First Offence	Second Offence	Third Offence
	(b) Disobedience of summons and refusal to give evidence-	Reg. 43	1. Show Cause Notice 2. Notification of Offence and Penalty Notice 3. Special Notice 4. Intention to issue Stop Order 5. Stop Order	500,000/=	1,000,000/=	Deletion
	(c) Failure to notify the Board of Change of Postal and Physical Address-	Reg. 43	1. Show Cause Notice 2. Notification of Offence and Penalty Notice.	100,000/=	200,000/=	Deletion
11	Practicing without a valid Practicing Certificate/Licence					
	(a) Professional engineer	Reg. 43	1. Show Cause Notice 2. Notification of Offence and Penalty Notice.	500,000/=	1,000,000/=	Deletion
	(b) Consulting engineer		1. Show Cause Notice 2. Notification of Offence and Penalty Notice.	700,000/=	1,500,000/=	Deletion
	(c) Independent Consulting Engineer		1. Show Cause Notice 2. Notification of Offence and Penalty Notice.	1,000,000/=	2,000,000/=	Deletion
	(d) Temporary Professional Engineer		1. Show Cause Notice 2. Notification of Offence and Penalty Notice.	USD 2,000	USD 4,000	Deletion
	(e) Temporary Consulting Engineer		1. Show Cause Notice 2. Notification of Offence and Penalty Notice.	USD 3,000	USD 6,000	Deletion
	(f) Local Engineering Consulting Firm		1. Show Cause Notice 2. Notification of Offence and Penalty Notice	1,000,000/=	2,000,000/=	Deletion

The Engineering Works, Services and Projects Monitoring Regulation 2015

G.N. No. 237 (contd.)

S/N	Offence	Reference	Action	Penalty		
				First Offence	Second Offence	Third Offence
	(g) Foreign Engineering Consulting Firm		3. Special Notice 4. Intention to issue Stop Order 5. Stop Order.	USD 4,000	USD 8000	Deletion
12	Using services of Engineers who do not possess valid practicing certificate-					
	(a) Local Firm	Reg. 43	1. Show Cause Notice 2. Notification of Offence and Penalty Notice 3. Special Notice 4. Intention to issue Stop Order 5. Stop Order.	5,000,000/=	10,000,000/=	Deletion
	(b) Foreign firm			USD 7,000	USD 10,000	Deletion
13	Cheating on contract value for consultancy services	Reg. 43	1. Show Cause Notice 2. Notification of Offence and Penalty Notice.	Actual value plus 50%		
14	Failure to comply with Penalty Notice					
	(a) Engineer	Reg. 43	1. Engage Debt Collector 2. Constitute Inquiry 3. Intention to Delete.	Suspension	Deletion	Court action if continues to practice
	(b) Engineering Consulting Firm		1. Engage Debt Collector 2. Constitute Inquiry 3. Intention to Delete.	Suspension	Deletion	Court action if continues to practice
	(c) Client/Developer		1. Engage Debt Collector 2. Stop the Project.	Court action		
15	Failure to comply with Stop Order Notice	Reg. 43	Inform Police and Local Authorities under jurisdiction.	-	-	-
16	Failure to submit Annual Returns	Reg. 43	1. 30 days Show Cause Notice 2. Not issuing Practicing Certificate	200,000/=	Suspension or Deletion	Court action if continues to practice
17	Exceeding maximum Default Scores	Reg. 43	1. Show Cause Notice or 2. Notification of Offence and Penalty Notice 3. Engage Debt Collector or 4. Institute Inquiry	Suspension	Deletion	Court action if continues to practice

The Engineering Works, Services and Projects Monitoring Regulation 2015

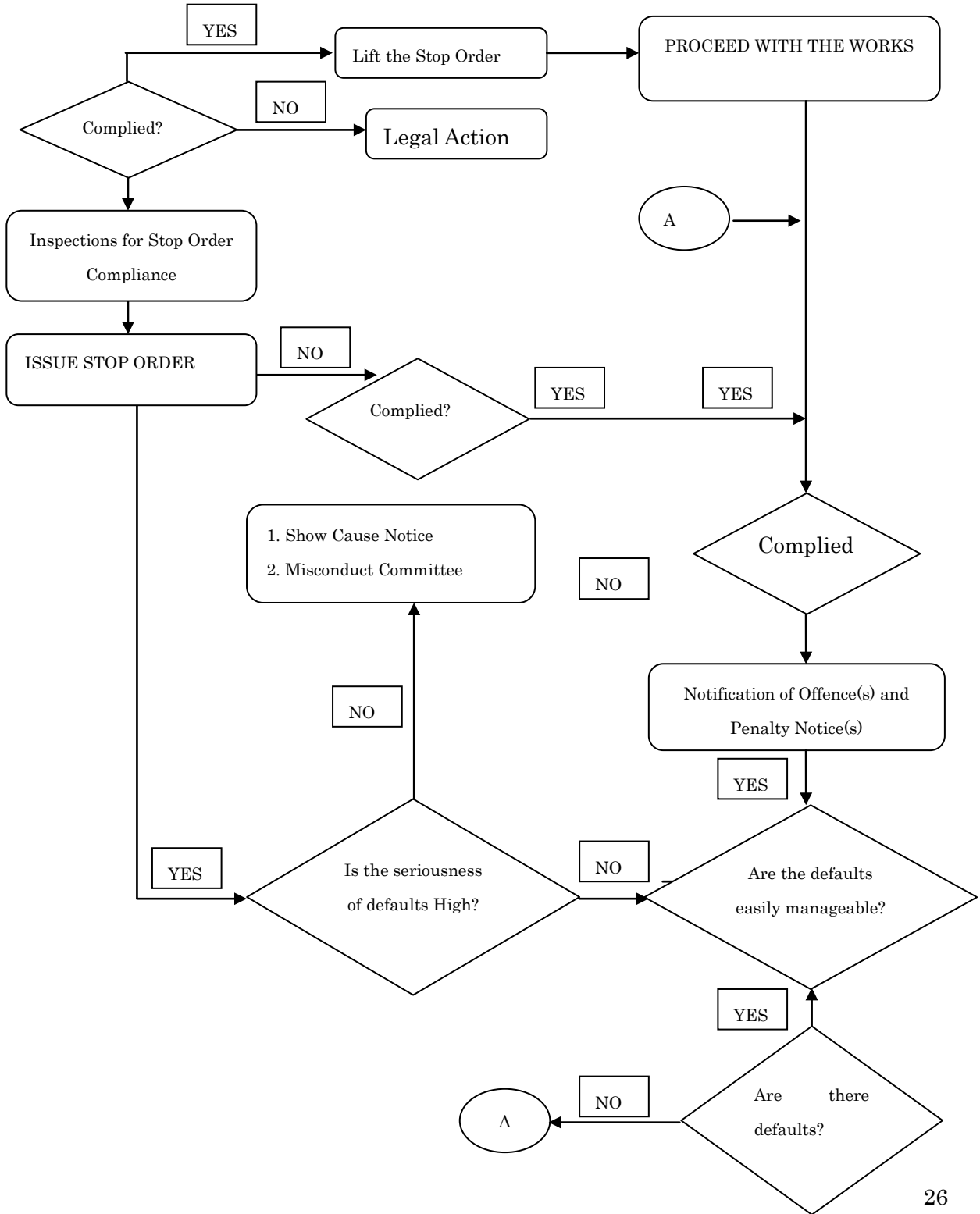
G.N. No. 237 (contd.)

S/N	Offence	Reference	Action	Penalty		
				First Offence	Second Offence	Third Offence
18	Failure to pay Annual Fee	Reg. 43	1. Show Cause Notice or 2. Notification of Offence and Penalty Notice	5% of annual fee per month	Suspension	Deletion
	(a) Engineer					
	(b) Engineering Consulting Firm					
19	Failure to adhere to Code of Conduct and Ethics	Reg. 43	1. Show Cause Notice or 2. Notification of Offence and Penalty Notice 3. Inquiry	Penalty Notice not exceeding 1,000,000/= or Suspension or Deletion		
20	Failure by an Engineer to acquire 90 PDUs for three consecutive years	Reg. 43	1. Notification 2. Non-renewal of Practicing Licence	Obtain 60 PDUs within one year	Suspension	Deletion
21	Failure by the industry, factory, or mine to maintain Annual Compliance certificate	Reg. 43	1. Show Cause Notice;or 2. Notification of offence&Penalty Notice; 3. Debt collection.	1,000,000/=	5,000,000/=	Court Action

SECOND SCHEDULE

(Made under Regulation 5)

THE MONITORING FLOWCHART



THIRD SCHEDULE

(Made under Regulation 17)

STANDARD SIGNBOARD FOR SUPERVISION OF ENGINEERING WORKS

	Project Name	PQRST UVWXYZ	
	Project Number	XXX/T/000/005	
Logo	Client	Name/Address/ Tel	Logo
Logo	Financier	Name/Address/ Tel	Logo
Logo	Project Manager	Name/Address/ Tel	Logo
ERB Sticker	Consulting Engineer	Name/Address/ Tel	Logo
ERB Sticker	Sub-Consultant(s)	Name/Address/ Tel	Company Logo
	Add more sub-consultants		
CRB Sticker	Main Contractor	Name/Address/ Tel	Company Logo
CRB Sticker	Sub Contractors	Name/Address/ Tel	Company Logo
	Put symbols on HIV/AIDS fighting Campaign and Slogan		

Dar es Salaam,
 10th March, 2014

JOHN POMBE MAGUFULI
 Minister for Works