



Engineering Council Regulations

Version 7 (November 2017)

Regulations

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Date of this revision:

Revision date	Summary of Changes
30 Nov 2017	Amended Regulation 5B: Election of Chairman and Chairman-Elect Amended Regulation 5C: Extension of Chairman's Term of Office Amended Regulation 6C: Engineering Council Committees and Panels

Approvals

This document has the following approvals.

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2. REGULATIONS OF THE ENGINEERING COUNCIL

Section 1 – Registration

Charter references	4a, 4d
Bye-Law references	2-10, 13
Last amended	

Regulation 1A: Registration Code of Practice

1. The Board has made and published standards of education, professional development, competence and commitment of individuals whom the Board may record in the Register.
2. These are set out in UK Standard for Professional Engineering Competence (UK-SPEC) (first published on 1 December 2003) and the associated Registration Code of Practice (first published on 1 March 2004 as the Regulations for Registration) , which the Board will review from time to time.
3. Licensed Members shall not register individuals with the Engineering Council, or accredit or approve programmes and qualifications for such registration, outside the terms of this Registration Code of Practice, without the authorisation of the Registration Standards Committee.
4. Licensed members shall have an appeals procedure available to unsuccessful applicants.

Regulation 1B: Maintenance of Registration

1. A Registrant (Engineering Technician, Incorporated Engineer, Chartered Engineer or Information and Communications Technology Technician) may maintain his/her registration if he/she ceases to be a member of the Licensed Member institution through which he/she is registered under the following circumstances
2. If:
 - a. The organisation of which he/she is or was a member, has ceased to be a Licensed Member or has ceased to exist; or
 - b. He/she is not, or he/she has ceased to be, a member of that organisation (other than through expulsion or while he/she is the subject of disciplinary proceedings);

Then his/her registration will continue to be valid, provided that within twelve months of the cessation either:

- c. The former Licensed Member concerned is, in the opinion of the Board, able to provide and assess relevant continuing professional development, supervise and enforce adequate disciplinary procedures and has become a Professional Affiliate who has a registration agreement with a Licensed Member; or

- d. He/she becomes, or already is, a member of another Licensed Member (or of a Professional Affiliate which has a registration agreement with a Licensed Member) and he/she arranges for their registration to be recorded through that body. The registering body must then assure itself that the individual meets the Registration Code of Practice requirements for that category of registration.
3. A Registrant who is expelled from membership of the Licensed Member institution through which he/she is registered shall cease to be a Registrant with effect from the conclusion of the disciplinary process (including any Appeal either to the Licensed Member or to the Engineering Council). Once a Registrant has been informed that he/she is the subject of disciplinary proceedings by the Licensed Member through which he/she is registered, he/she shall not seek to transfer his/her registration to another Licensed Member or Professional Affiliate before the disciplinary process is complete. If a Registrant is expelled from a Licensed Member or Professional Affiliate other than that through which he/she is registered, the Engineering Council will inform the Licensed Member through which he/she is registered so that it can decide what action to take.
4. Where a Registrant is suspended for any reason, the Licensed Member shall inform the Engineering Council. Any suspensions from the EngC Register for disciplinary reasons (Suspension Code SCI) may be referred to the PCGP if deemed appropriate by the Licensed Member.

Regulation 1C: Appeal by an individual against loss of registration

1. The Board will consider an appeal from an individual (“the Appellant”) whose name appears on the Register and who is found by an Institution which is a Licensed Member or Professional Affiliate, of which such individual is a member or is in registration through that Institution (“the Institution”), to have breached its code of conduct, if that body imposes a sanction which would result in the individual's removal from the Register. An Appeal to the Board may be made only if the disciplinary procedures of the Institution have been exhausted.
2. The Board delegates its power to appoint an Appeal Panel and manage the appeal process under this Regulation to its Privy Council and Governance Panel (PCGP).
3. The timescales below may exceptionally be extended by the Engineering Council's CEO with the agreement of the PCGP if there are specific grounds for so doing. Leave to appeal is not automatically granted. The Appellant must identify specific grounds for appeal, with particulars sufficient to cast reasonable doubt on the presumption that the Institution's proceedings were conducted properly and fairly and that the outcome is fair to the Appellant.

The grounds for Appeal shall be limited to matters of Process; these may include:

- a. The Institution has not followed its own procedures; or
- b. The procedures of the Institution are substantially defective by comparison with Disciplinary Procedure Guidance published by the Engineering Council.
4. The Appellant must lodge any request to appeal, in writing, with the CEO within 28 days of receiving notification from the Institution that its disciplinary procedures are exhausted; that the sanction imposed results in loss of registration; and that he/she has a right to seek leave to appeal to the Engineering Council.
5. The CEO shall promptly acknowledge the Appellant's request and send the Appellant or a nominated representative, copies of this Regulation and the relevant Bye-laws. A copy

of the request shall be sent to the Institution which shall have the opportunity to submit within 14 days a written comment or rebuttal, which shall be disclosed to the Appellant or his/her representative. The CEO shall then refer the matter to the PCGP for a decision on whether to grant leave to appeal. The PCGP may seek additional information from either party to assist it in reaching a decision. The decision may be taken out of committee and should if possible be made within 42 days of receipt of the Appellant's request. The CEO shall forthwith inform the Appellant and the Institution of the PCGP's decision, with reasons. If the application is dismissed the procedure is at an end and no further appeal is permitted.

6. The procedure for the conduct of an Appeal Panel is at Annex A to this Regulation.

Regulation 1D: Requirements Where Professionally Registered Engineers are in the Minority

1. Where professionally registered engineers are in the minority of individual membership of a Licensed Member or Professional Affiliate, then these bodies must demonstrate that they have mechanisms in place to ensure that suitable Registrants are in the majority for making decisions at all key stages of the registration process.
2. In addition, these bodies must demonstrate that Registrants are involved at all key stages of learned society activities, CPD, educational and training programmes and have opportunities to influence the policy and procedures of the institution.

Annex A to Regulation 1C

Procedure for Conduct of an Appeal Panel

Appeal Panel Preparation

1. If leave to appeal is granted the Board shall be informed and the PCGP shall appoint an Appeal Panel (“the AP”) comprising:
 - a. One Registrant, who may be a Board member;
 - b. One person independent of the engineering profession;
 - c. One legally qualified person, who may be a Registrant.
2. No AP member shall have participated in an earlier stage of the proceedings (including the Institution’s proceedings) or shall be a member of the Institution. The PCGP shall nominate one of the appointees to chair the AP. Staff support shall not include any person who is a member of the Institution.
3. The PCGP may call upon the Institution to produce such information, papers, records and documents (including internal and electronic communications) as it considers necessary for consideration of the case, and to permit any copying (at the Engineering Council’s expense); and the Institution must promptly, fully and frankly comply with any such requirement. The PCGP shall normally, promptly disclose all such material as the PCGP considers necessary, to the Appellant or his representative.
4. The CEO shall give both parties not less than 42 clear days’ notice of the date, time and place of the appeal hearing. At the same time the Appellant shall be given the option of an oral hearing and, if he/she so opts, whether to appear in person, to be accompanied or represented by a ‘next friend’ or legal representative, or to be represented by an appointed member of the PCGP. Acceptance of the option must be notified to the Engineering Council within 14 days together with any request for postponement. If the option is accepted the Engineering Council shall if requested make reasonable endeavours to reschedule the hearing to a date convenient to the Appellant, the Institution and the AP members, provided that the postponement shall not exceed 56 days and that all concerned are given not less than 21 clear days’ notice of the revised date, time and place.
5. Not less than 28 clear days before the date of the hearing the Appellant or his/her representative and the Institution shall submit to the Engineering Council a written outline statement of their case or defence, supported by documentary evidence and, if an oral hearing, details of their representative and any witnesses they wish to call. The Engineering Council shall immediately disclose each submission and details to the other party or its representative. No new material or witnesses may thereafter be introduced by either party without the consent of the other party, unless the AP chairman agrees to do so in the interests of fairness. If either party appoints a legally qualified representative the other party shall be permitted to appoint a legally qualified representative also.

Appeal Panel Hearing

6. The hearing shall be conducted with transparent fairness and shall be held in private. All AP members must be present throughout the hearing. The AP chairman may adjourn the hearing at any time, although the number and duration of adjournments should be kept to a minimum.

7. If the Appellant has not opted for an oral hearing the AP shall consider documentary evidence only and no other persons shall be present except for a staff member to make a record of the proceedings and provide administrative support.
8. If at the scheduled start of an oral hearing or resumption after an adjournment the Appellant (if representing him/herself) or his/her representative is not present the AP chairman shall order a short adjournment to allow enquiries to be made. If it appears that there is probably a genuine reason for non-appearance, eg. transport delays, illness, accident, the AP chairman should consider an appropriate further adjournment. If after a reasonable time no explanation is forthcoming or there is an indication that the Appellant is unable, or no longer intends, to appear or be represented, the hearing shall be resumed as if the Appellant had not opted for an oral hearing.
9. An oral hearing shall comprise:
 - a. A statement by the Appellant or his/her representative of the grounds for appeal and supporting evidence, including written evidence. The Appellant or his/her representative may call witnesses, who may be cross-examined by the Institution representative;
 - b. A rebuttal or statement by the Institution's representative and supporting evidence, including written evidence. The Institution may call witnesses, who may be cross-examined by the Appellant or his/her representative;
 - c. Brief closing statements, if desired, by the Appellant or his/her representative and the Institution's representative.
10. The AP shall not be bound by the judicial rules of evidence but may receive such oral, documentary and other evidence as appears to it to be relevant to the case, provided that the AP shall not receive evidence that would not be admissible in a court of law if it would be unjust to the Appellant so to do.
11. The burden of proof shall lie upon the Appellant. The AP shall apply the civil standard of proof, the balance of probabilities.
12. On completion of the statements and receipt of the evidence the AP chairman shall conclude the hearing and the AP members shall convene privately to decide whether the appeal is to be upheld or dismissed. A decision following an oral hearing shall if possible be announced and explained to the parties or their representatives orally on the same day. All decisions, with reasons, shall be confirmed in writing to the parties or their representatives within 7 days of the conclusion of the hearing.
13. If the appeal is upheld the Institution shall be invited to reconsider the case after revising its procedures if necessary to conform to the Engineering Council's Disciplinary Guidance. In these circumstances the Appellant shall, subject to payment of any fees due, remain in membership and/or registration through the Institution pending the re-hearing. Alternatively, the Appellant or his/her representative may within 14 days of being notified of the AP's decision opt irrevocably to retain the Appellant's registration under Regulation 1B as if he/she had ceased to be a member/Registrant through the Institution other than through expulsion, while he/she seeks to obtain membership and registration through another Licensed Member or Professional Affiliate. In these circumstances the Appellant or his/her representative must promptly inform the Engineering Council of any such application and the Engineering Council shall inform the Licensed Member or Professional Affiliate of the circumstances of the Appeal.

Publication of Outcome

14. If the Appeal is dismissed the Engineering Council reserves the right at its absolute discretion to publish the fact, but without reasons unless the Appellant or his/her representative requests that reasons be published also. The Institution should also inform any other professional bodies of which the Appellant is known to be a member.
15. If the Appeal is upheld, the Engineering Council shall on request of the Appellant or his/her representative publish the fact.

Follow-up action

16. The PCGP shall monitor the progress and outcome of any re-hearing of the case held by the Institution.
17. If the PCGP considers (whether before or after any re-hearing) that the Institution's procedures or their implementation should be reviewed in relation to the licence requirements, the matter shall be referred to the Engineering Council's Quality Assurance Committee (QAC).

Maintenance of Records

18. The Engineering Council shall maintain a record of the proceedings for not less than seven years.

Conflict of Interest

19. If any person who is asked to act in a decision-making role in the case has a conflict of interest in relation to any part of the allegations or a connection with the Appellant or the Institution which creates a real danger of bias, or which could cause others to think it could influence his/her decision, he/she shall declare an interest and decline to serve.

Expenses and Costs

20. The Appellant shall be required to pay to the Engineering Council a fee set by the PCGP but not exceeding £500. If the Appeal is upheld the fee will be refunded in full. If the fee is not paid by the start of the AP hearing the Appeal will be dismissed.
21. The Engineering Council may at its discretion pay an attendance fee to any AP member who is not a trustee of the Engineering Council and will pay reasonable out of pocket expenses of the AP members.
22. Irrespective of the outcome of the case, the Engineering Council shall not be liable to reimburse the Appellant's or the Institution's expenses or legal costs.

Natural Justice and the Human Rights Act

23. This procedure accords with the currently accepted principles of natural justice. It is also considered to be consistent with many of the principles of the "right to a fair trial" contained in Article 6 of the European Convention on Human Rights and given further effect in English law by the Human Rights Act 1998 (HRA). The Engineering Council's view is that HRA generally does not apply to this procedure because Engineering Council registration is voluntary and the Engineering Council is not a "public authority" or carrying out functions of a public nature as defined in HRA.

Section 2 – Licensing Of Members

Charter references	4e-4h
Bye-Law references	14-23
Last amended	

Regulation 2A: Eligibility for Licensed Member status

1. A Licensed Member must be able to demonstrate its legal entity status under UK law. This may include incorporation by: statute; Royal Charter; company registration limited by guarantee; or as a Charitable Incorporated Organisation. Registration as an unincorporated charity does not satisfy this requirement.

Regulation 2B: Regulations for the Conduct of Audits

2. The terms under which the Board may license an organisation as a Licensed Member are outlined in the Bye-laws. Such bodies shall then be required to satisfy the regulations for the conduct of audits (which may be referred to as Reviews) which shall be set out in the Engineering Council Licensing Manual. The Manual shall be approved, and regularly reviewed, at least annually, by the QAC.
3. The licensing reviews shall be against the elements of Continuous Performance Improvement which are specified in the Licensing Manual.

Regulation 2C: Appeal against Alterations to Existing Licences

1. The Board delegates to the QAC its powers appertaining to licensing, including but not limited to authorship and publication of the Licensing Manual.
2. For the purposes of this Regulation, 'a licence' means a licence to enter the names of qualified members of a Licensed Member into the Register by the Standard Route or the Individual Route. Additional licences may be granted to accredit academic and professional development programmes.
3. The scope of this Regulation includes:
 - a. Withdrawal or suspension of a licence in its entirety;
 - b. Withdrawal or suspension of a licence in respect of one or more section(s) of the Register;
 - c. Rejection of an application by a licensee in respect of an additional section of the Register;
 - d. Withdrawal or suspension of a licence to accredit academic and/or professional development programmes;
 - e. Rejection of an application by a licensee in respect of a licence to accredit academic and/or professional development programmes.
4. A resolution of the QAC under the Bye-laws and under clause 3a, 3b or 3d above shall require a two thirds (voting in favour) majority of its members present and voting. A

resolution under clause 3c above shall not take effect until the end of the 28 day notice period given by the licensee.

Grounds for Appeal

5. The Licensed Member shall demonstrate that:
 - a. The licensing processes were not correctly undertaken (Process); or
 - b. The conclusions were manifestly disproportionate to the shortcomings identified (Proportionality); or
 - c. The conclusions were unreasonable due, for example, to irrelevant matters being taken into account and/or relevant matters not being taken into account (Perversity).

Appeal against proposed resolution

6. Having been given due notice of the proposed resolution, the Licensed Member may lodge any Appeal (or representation) in writing with the Engineering Council CEO not less than 7 days before the date of the next QAC meeting. The Licensed Member's written statement shall be considered by QAC when considering the resolution and the CEO shall notify the Licensed Member of the outcome within 14 days of the QAC meeting.

Appeal against resolution passed by QAC

7. The Appeal procedure is at Annex A to this Regulation.

Related Appeals

8. Appeals may also be lodged against the Engineering Council decisions for the following reasons:
 - a. Refusal of an application for a licence from a new professional body;
 - b. Refusal to re-approve an existing Professional Affiliate;
 - c. Refusal to approve a new body as a Professional Affiliate.

These will be handled by a procedure similar to that outlined in Annex A.

Annex A to Regulation 2C

Procedure for Appeal against resolution passed by QAC

1. The timescales below will normally apply but may be extended at the discretion of the CEO if there are specific grounds for doing so.
2. The Licensed Member shall lodge any Appeal with the CEO within 28 days of notification of the passing of the resolution.
3. Having discussed the grounds for Appeal and the process with the appellant the CEO shall convene an Appeal Committee (“the Committee”) of three members of the Engineering Council Board, none of whom shall be or have been a member of the appellant body, or shall have had any prior dealings with the case. In the event that insufficient Board Members are willing or are qualified to serve, the CEO may ask the Privy Council Office to appoint one or more members to the Committee.
4. The CEO shall arrange a date and venue for an appeal hearing and inform the appellant of these details. This will normally be within 60 days of the original appeal notification.
5. At least 28 days prior to the hearing the Engineering Council will provide the appellant with a copy of the Review Panel’s report to QAC.
6. The appellant shall submit its grounds for appeal to the Committee at least 14 days prior to the hearing together with notification whether or not it is requesting an oral hearing and whether or not it is exercising its right of representation.
7. The hearing shall be held in private. At the hearing the appellant will be given the opportunity to present or add to the case. The Committee may question the appellant to ensure all the facts have been presented and the parties understand the issues and the process.
8. The Committee shall not adjudicate on the substance of the case, but shall only rule on the basis of Process, Proportionality or Perversity.
9. If the Appeal is upheld, the Committee shall inform the Board which will within 90 days undertake one or more of the following:
 - a. Take steps to review the procedures of the QAC;
 - b. Require that a new Review be undertaken;
 - c. Agree a licence with terms and conditions as it sees fit;
 - d. Agree a licence as originally applied for.
10. The Committee shall inform the appellant of its decision, with explanation, within 14 days. The CEO shall inform the appellant of the Board’s decision within 14 days.
11. The CEO shall maintain a record of the Appeal for not less than seven years.

Section 3 – Professional Affiliates

Charter references	4i
Bye-Law references	24-25
Last amended	

Regulation 3A: Approval of Professional Affiliates

1. The terms under which the Board may approve an organisation as a Professional Affiliate are outlined in the Bye-Laws. This Regulation clarifies some specific points.
2. A Professional Affiliate must be able to demonstrate:
 - a. That they are an established and stable UK organisation.
 - b. A vision and 3 year plan approved by its governing body;
 - c. Shared objectives with the Engineering Council to promote engineering;
 - d. Its status as a UK body incorporated by statute, by Royal Charter, as a company limited by guarantee or as a Charitable Incorporated Organisation. Being a registered charity alone is not sufficient;
 - e. Membership comprising groups of professionals;
 - f. Primacy of members (and Registrants if any) in the governance of the organisation;
 - g. Compliance with the Engineering Council Charter, Bye-laws and Regulations;
 - h. Having regard to the Engineering Council's Guidance documents.
3. Professional Affiliates shall pay the Engineering Council an annual fee, to be set from time to time by the Board.
4. If a Licensed Member wishes to transfer to Professional Affiliate status Regulation 1B will apply.

Regulation 3B: Registrations Agreements between Licensed Members and Professional Affiliates

1. A Professional Affiliate may offer a route to registration for its members via a formal agreement with a Licensed Member who shall ensure compliance with UK-SPEC and licensing requirements.
2. The formal agreement shall be signed by both parties and shall set out the controls which must be in place in order to ensure that Registrants are of the required standard. It should include at least the following:
 - a. The Licensed Member shall ensure compliance with the Engineering Council's requirements; assist with relevant training; monitor the process at least annually; and pay the appropriate registration fees to EngineeringUK;

- b. The Licensed Member shall establish with the Professional Affiliate, administrative and recording processes ensuring that suitably qualified and trained Registrants are involved in the assessment and interview of candidates;
 - c. The Professional Affiliate shall ensure that suitable CPD opportunities are available;
 - d. Any requirement which may require joint membership
3. The agreement must have the Engineering Council's endorsement and the QAC shall review the Professional Affiliate's processes at least after the first year and then at least every 5 years. The Professional Affiliate fee requirement will remain unchanged.

Section 4 – Associates of the Engineering Council

Charter references	
Bye-Law references	26
Last amended	

Regulation 4A: Approval of Engineering Council Associates

1. The Board may recognise the support that an individual provides to the Engineering Council through his/her expertise and personal network, by appointing individuals to be Associates of the Engineering Council.
2. Such appointments shall be honorary and shall not carry the right to vote at Annual meetings although Associates may attend such meetings. The appointment does not attract remuneration. There is no formal period of appointment, but the Board will keep such appointments under review.

Section 5 – The Board, Appointment, Powers and Duties

Charter references	7-8, 11-13
Bye-Law references	27-40, 45-48
Last amended	

Regulation 5A: Election of Board Members

1. Fifteen members shall be elected to the Board in accordance with the procedure set out in Annex A to this Regulation.
2. Terms of office shall be for 3 years renewable up to a maximum total of 6 years, after which there shall be at least a 2 year gap before a further term can be served. Terms shall begin and end at the Engineering Council AGM. Exceptionally and with the Board's consent terms may be extended by up to a year to ensure orderly succession. In this Regulation "a year" means the period from one Engineering Council AGM to the next.
3. All representatives of Licensed Members elected as Board members shall be Registrants.
4. Representatives of Licensed Members elected as Board members may be Licensed Members' staff but efforts will be made to ensure that peer members always form a majority of the Board.
5. The CEO, in consultation with the Chairman and the appropriate Licensed Members' chief executives, shall arrange an even succession such that five of the fifteen Licensed Members elected posts on the Board shall fall vacant each year.
6. The circumstances under which a Board member shall vacate office before the end of his/her term (including resignation if accepted by the Board), are detailed in the Bye-laws. However, this does not authorise a Licensed Member or group to remove a Board member it has elected.
7. The Board may fill a casual vacancy in accordance with the Bye-Laws and may require the Licensed Member or group to fill a casual vacancy for the unexpired portion of the 3-year term. The tenure of a casual vacancy of less than 18 months does not count towards the 6 year individual maximum (ie could be followed by two 3-year terms if re-elected), but tenure of a casual vacancy for more than 18 months could be followed by only one 3-year term.
8. Should a Board member elected by Group B or Group C become ineligible during a term (eg if the Licensed Member with which he/she or she is registered is no longer a member of that group) then he/she may serve to the end of the current year after which the position shall be filled as a casual vacancy until the end of the term.
9. EngineeringUK should establish similar rules to ensure rotation of their seven nominees to the Board, always discussing potential nominees with the CEO and bearing in mind the overall balance of the Board.
10. Should a Board member miss three consecutive meetings without the agreement of the Board then he/she shall be deemed to be no longer a member of the Board.

11. Substitutes for Board members are not permitted.

Regulation 5B: Election of Chairman

1. The Chairman of the Board shall have a 3 year term of office, renewable to a maximum of 6 years. The Chairman's term of office shall normally begin and shall end at the Engineering Council's AGM. A Board member may serve beyond the normal 6 year maximum in Regulation 5A above in order to complete their terms of office as Chairman Elect (*see below*) and/or Chairman of the Board.
2. Any Board member may put him/herself forward for the position of Chairman. Candidates may circulate a statement of not more than 150 words to other Board members in support of their application, but shall not otherwise canvass for support among Board members or their electing bodies.
3. If more than one application is received a ballot shall be conducted by the CEO on a secret, single transferable vote basis.
4. In the year prior to the expiry of the Chairman's term of office, notice shall be given of the election process, closing dates for applications and the voting timetable. The timing of the notice shall normally allow for the process to be completed by the Board meeting immediately prior to the AGM.
5. After the closing date for applications the CEO shall circulate names of candidates or the name of an unopposed candidate. If there is more than one candidate the CEO shall circulate supporting information and instructions for voting to all members of the Board. There shall be at least a further 4 weeks for the members to vote.
6. The result of a vote shall be announced at the Board meeting following the conclusion of the election process. The successful candidate (unless it is the existing Chairman being re-elected) shall be known as the Chairman Elect until he/she assumes the Chairmanship.
7. The new Chairman shall nominate a Vice-Chairman who shall require approval by a majority of the Board members present and voting. When a Chairman Elect is appointed they shall forthwith automatically replace the existing Vice-Chairman.
8. Should the Chairman resign without sufficient notice to complete the election process as outlined then the Vice-Chairman shall take over as Chairman until the selection process for a new Chairman can be completed. Under these circumstances the successful candidate shall immediately become Chairman.
9. Should the Chairman Elect resign from post then the selection process shall be repeated with the minimum of delay.
10. Throughout Regulation 5 "a year" means the period from one Engineering Council AGM to the next. If the chairmanship changes during the course of a year a period of office of less than 6 months shall not be counted as a year, but a period of office of 6 months or more shall be counted as a year.

Regulation 5C: Extension of Chairman's Term of Office

1. Exceptionally, and with the Board's consent by a two thirds majority of the Board members present and voting, a Chairman's term of office may be extended by up to a year beyond the 6 year maximum to ensure continuity and sound governance. In these circumstances a Chairman Elect's term of office shall be extended accordingly.

Annex A to Regulation 5A

Procedure for the election of Board Members by Licensed Members

1. Each Licensed Member shall identify a Representative Body able to represent its members who are Registrants. This will normally be the governing body of the Licensed Member, unless Registrants are in the minority.
2. The Representative Body of each Licensed Member with normally more than 100,000 paying Registrant members (ie Registrants who pay their registration fees through that Licensed Member) at 1 January each year shall elect three representatives to sit on the Board.
3. The Representative Body of each Licensed Member with normally more than 60,000 paying Registrant members at 1 January each year shall elect two representatives to sit on the Board.
4. The Representative Body of each Licensed Member with normally more than 5,000 paying Registrant members at 1 January each year shall elect one representative to sit on the Board.
5. The Licensed members described at clauses 2-4 above are known as Group A Institutions. Two further members of the Board shall be elected together by the Representative Bodies of the Licensed Members with normally over 1,000 paying Registrant members at 1 January each year. These Licensed Members are known as Group B Institutions. One member of the Board shall similarly be elected together by the Representative Bodies of the remaining Licensed Members with normally fewer than 1,001 paying Registrant members at 1 January each year. These Licensed Members are known as Group C Institutions. The CEO will present to the first Board meeting each calendar year a summary of Registrant statistics including the number of new Registrants for each Licensed Member over the previous three years.
6. This procedure, establishing the representation rights of Licensed Members, shall be reviewed annually, to ensure that the total number of Licensed Member representatives remains at 15. Should the number derived from the above rules vary from 15 then the 5000 paying Registrant threshold above will be reviewed in order to maintain the total at 15.

Section 6 – Meetings, Proceedings and Committees

Charter references	41
Bye-Law references	41-44, 46-48, 53
Last amended	

Regulation 6A: Conduct of General Meetings

1. The Bye-Laws require that an Annual Meeting shall be held in one of the first seven months of each calendar year, provided that no Annual Meeting shall be held more than fifteen months after the previous Annual Meeting.
2. The Board may call a general meeting other than the Annual Meeting at any time and the Board shall at all times be bound to do so on a requisition in writing of six members having a right to be represented and vote at the meeting. Such requisition shall state the matters to be brought before and the resolutions (if any) to be moved at such general meeting. If the Board does not within 40 days from the delivery of the requisition duly convene a meeting the requisitionists may do so.

Votes of Members and Authorisation of Representatives

3. Every member shall have one vote. The members of the Engineering Council are defined in the Charter as the Licensed Members. Professional Affiliates are not entitled to vote.
4. The vote of a member may only be cast by its authorised representative present in person. Subject to paragraphs 5 and 6, an authorisation or revocation shall be delivered by the member to the Engineering Council not less than 24 hours before the scheduled start of the meeting as provided under the Bye-Laws. An authorisation shall continue to be valid until revoked or replaced by the member. The Engineering Council shall not be required to consider whether the representative has been properly appointed by the member.
5. In the absence of an express authorisation by a member, or if the authorised representative of a member is not present, the authorised representative of that member shall be deemed to be:
 - a. The President of that member Institution; or if he/she is not present
 - b. The Chairman of Trustees of that member Institution; or if he/she is not present
 - c. The Board member appointed by that Licensed Member, or a Board member representing Group B or C institutions who is registered through that Licensed Member; or if not applicable or if he/she is not present
 - d. The chief executive of that member Institution.

For the avoidance of doubt, a Board member appointed by EngineeringUK who is also an individual member of a Licensed Member may vote on behalf of that Licensed Member only if authorised under clause 19.

6. No person shall vote as the authorised representative of more than one member at a general meeting. In the event of any duplication of authorisation, whether under paragraph 4, paragraph 5 or both, the Licensed Member through which the person is registered shall take precedence.
7. Any objection to the qualification of any voter must be raised at the meeting at which the vote is tendered and the decision of the person who is chairing the meeting shall be final.
8. In the case of an equality of votes on an ordinary resolution, the person chairing the meeting shall have a casting vote in addition to any vote he/she may have as an authorised representative.

Notice of General Meetings

9. The minimum period of notice required to hold any general meeting shall be twenty-one working days.
10. A notice shall specify the date time and place of the meeting and the general nature of the business to be transacted. If the meeting is to be an Annual Meeting, the notice shall say so.
11. The notice shall be given to all the members and to the Board members, the Professional Affiliates, the Associates and the auditors.
12. The proceedings at a meeting shall not be invalidated because an organisation or a person who was entitled to receive notice of the meeting did not receive it because of an accidental omission by the Engineering Council.

Attendance at General Meetings

13. The following persons shall be entitled to attend and speak at general meetings:
 - a. Board members;
 - b. The President and/or Chairman of Trustees of each member, or a trustee nominated by him/her;
 - c. The Chief Executive of each member, or a senior staff member nominated by him/her;
 - d. An authorised representative of a member who is not included under a.-c. above;
 - e. A representative of each Professional Affiliate;
 - f. Associates;
 - g. A representative of the auditors;
 - h. The Engineering Council CEO and any staff members nominated by him;
 - i. Any other persons or representatives invited by the Board.

Every person attending a general meeting shall enter on an attendance register his/her name and, except for Board members, an email address for receipt of a copy of the minutes.

Proceedings at General Meetings

14. No business shall be transacted at a general meeting unless a quorum is present. A quorum is ten authorised representatives of members present in person and entitled to vote.
15. If a quorum is not present within half an hour from the time appointed for the meeting, or if during a meeting a quorum ceases to be present, the meeting shall be adjourned to such time and place as the Board shall determine.
16. The Board shall reconvene the meeting and shall give at least seven clear days' notice of the reconvened meeting stating the date, time and place of the meeting. If no quorum is present at the reconvened meeting within fifteen minutes of the time specified for the start of the meeting the authorised representatives of members present in person at that time and entitled to vote shall constitute the quorum for that meeting.
17. General meetings shall be chaired by the Chairman. If the Chairman is not present within fifteen minutes of the time appointed for the meeting the Vice-Chairman shall deputise and, in the absence of the Vice-Chairman, the Board members present shall appoint a Board member to chair the meeting. If there is only one Board member present and willing to act, he/she shall chair the meeting. If no Board member is present and willing to chair the meeting within fifteen minutes of the time appointed for holding it, the authorised representatives of members present and entitled to vote must choose one of their number to chair the meeting.
18. The authorised representatives of members present in person at a meeting and entitled to vote may resolve by ordinary resolution that the meeting shall be adjourned. The person who is chairing the meeting must decide the date, time and place at which the meeting is to be reconvened unless those details are specified in the resolution. If a meeting is adjourned by a resolution of the authorised representatives of the members for more than seven days, at least seven clear days' notice shall be given of the reconvened meeting stating the date, time and place of the meeting.
19. No business shall be conducted at a reconvened meeting unless it could properly have been conducted at the meeting had the adjournment not taken place.
20. Any vote at a meeting shall be decided by a show of hands unless before, or on the declaration of the result of, the show of hands a poll is demanded either by the person chairing the meeting or by at least two authorised representatives of members present in person and entitled to vote. The declaration of the person chairing the meeting of the result of a vote shall be conclusive unless a poll is demanded. The result of the vote must be recorded in the minutes but the number or proportion of votes cast need not be recorded.
21. A poll must be taken immediately and as directed by the person chairing the meeting, who may appoint scrutineers from among the persons present but not entitled to vote.
22. Any business raised at any general meeting which has not been specified in the notice of the meeting shall not be subjected to a vote without the consent of the person chairing the meeting.

Minutes of Meetings

23. Copies of the minutes of general meetings shall be sent to all members and all persons who attended the meeting, if possible within twenty eight days of the conclusion of the meeting.

Regulation 6B: Engineering Council Committees and Panels

1. The Registration Standards Committee (RSC), the Quality Assurance Committee (QAC), the Finance Audit and Remuneration Panel (FARP), the Privy Council and Governance Panel (PCGP), International Advisory Panel (IAP), Management Panel (MP) and the Group B and C Panel shall be established as standing committees and panels.
2. The Chairman of each committee and panel shall be appointed from the Board with the exception of the Management Panel which will be chaired by the CEO. With the exception of the Finance Audit and Remuneration Panel (FARP) and Management Panel (MP), a member of the Board acting as Chairman of one of the standing committees or panels may continue as an additional non-voting member of the Board should this/her term of office as Chairman of the standing committees or panels exceed his/her term of office as a Board member.
3. Each committee and panel shall have Terms of Reference approved by the Board and reviewed at regular intervals and at least annually.
4. As a requirement of their licence, Licensed Members shall nominate competent volunteers as members of these committees and panels, particularly the QAC's Liaison Officers. The volunteers' objectives are:
 - a. To contribute to the maintenance of standards
 - b. The exchange of good practice
 - c. To support Continuous Performance Improvement

Regulation 6C: Engineering Council Guidance

1. Guidance documents are published by the Engineering Council's committees under the powers delegated by the Board. Guidance Notes produced by the panels may require Board approval before publication unless explicit delegation has already been given to do so. They should comprise:
 - a. Documents produced under an express authority in Regulations, eg. the Licensing Manual. Unless otherwise stated, these carry the same authority as the parent Regulation;
 - b. External Directives and other documents reproduced for convenience, particularly in the International area. These have varying degrees of authority, normally apparent from the text;
 - c. Guidance Notes, produced by Engineering Council committees and panels which are endorsed by the Board. Guidance Notes are complementary to Regulations: in simplistic terms, Regulations are "shall" whereas Guidance Notes are "should".
2. Guidance Notes should reflect a consensus view of best practice across, or in some cases beyond, the profession. Some could be described as firmer than others. During Licensing Reviews, material shortcomings in a Licensed Member's procedures or

practices compared with relevant guidance could be evidence of a need for improvement.

3. Guidance documents are listed on the Engineering Council's Extranet in .pdf format under the following categories:
 - a. Licensing Guidance;
 - b. Governance Guidance;
 - c. UK-SPEC Guidance;
 - d. Registration Guidance;
 - e. International Guidance.

Section 7 – Fees, Financial Control and the Seal

Charter references	5e-f, 10
Bye-Law references	5, 8, 11, 15, 49-52, 55-56
Last amended	

Regulation 7A: Regulations for the payment of fees for retention of registration by individuals

Payment of Fees

1. Annual registration fees shall be payable to EngineeringUK. The level of Registration Fee payable for each class or stage of registration shall be determined annually by the Board of EngineeringUK, and shall be notified accordingly to the Engineering Council, to each Licensed Member and Professional Affiliate, and to each Direct Registrant (see clause 8 below).
2. Subject to any registration agreement under Regulation 3B, the Registration Fee for any individual on the Register who is a member of a Licensed Member or Professional Affiliate ('the body') shall, unless EngineeringUK otherwise determines, be collected and accounted for by that body. If a body fails to invoice the Registrant for the Registration Fee, the body shall nevertheless be liable for the payment of the Registration Fee on request from EngineeringUK. The normal due date for payment of the Registration Fee is as set out in paragraph 4, and shall be regarded as the Due Date.
3. New registrants shall pay a Registration Entry Fee to their Licensed Member or Professional Affiliate prior to registration. The Registration Entry Fee shall be determined annually by the Board of EngineeringUK, and shall be notified accordingly to the Engineering Council and to each Licensed Member and Professional Affiliate. The Registration Entry Fee shall cover the period from the date of initial registration until the 31 December of the same year and shall be payable to EngineeringUK.
4. For all Registrants the due date for payment of the Registration Fee ("the Due Date") shall, unless otherwise set out in this Regulation, be 1 January each year unless EngineeringUK has agreed in writing an alternative Due Date with the body receiving the Registration Fee.
5. Should any Registrants elect to change the body to which they pay their Registration Fee, they shall contact both their current and new registering body to inform them of the change. Registrants may **not** change bodies in the calendar year in which they first become registered with the Engineering Council. In a subsequent year, Registrants may only change the body to which they pay their Registration Fee once in that calendar year.
6. Should any Registrants elect to become registered through another Licensed Member or Professional Affiliate as well as the body to which they pay their Registration Fee then the new Licensed Member or Professional Affiliate must assure itself that the individual meets the Registration Code of Practice requirements for that category of registration.
7. Where multiple registrations are held by the same individual, additional registration certificates may be applied for but would attract an Additional Certificate Fee, set by the Engineering Council. Each such certificate would be dated as of the date the additional registration was entered on to the Register.

8. A Direct Registrant, being an individual on the Register who is not a member of a Licensed Member or Professional Affiliate, shall pay their Registration Fee directly to EngineeringUK annually or otherwise as EngineeringUK may direct. The Due Date for direct registration fees shall be 1 January of each year.

Removals from the Register

9. If the Registration Fee has not been received by any Licensed Member or Professional Affiliate from a Registrant within such period (not exceeding ten months) after the Due Date as that body shall determine, that body shall request the Engineering Council to remove the Registrant from the Register. If the Licensed Member or Professional Affiliate leaves such an individual on the Register, the body shall be liable for the payment of the Registration Fee to EngineeringUK.
10. Any individuals on the Register who are members of a Licensed Member or Professional Affiliate may be removed from the Register if they have paid their Registration Fee to that body, but the body has consistently failed, as determined by EngineeringUK, to make payment of the Registration Fee to EngineeringUK. In such circumstances the Registrant would only be removed from the Register after the Engineering Council has written to the individual giving them reasonable notice of the removal due to non-payment of fees by their registering body.
11. If the Registration Fee has not been received by EngineeringUK from a Direct Registrant within three months after the Due Date, the non-paying individual shall be removed from the Register unless they have submitted to EngineeringUK in writing a reason for non-payment which the Engineering Council deems such as to justify their retention on the Register.
12. Where a Registrant is removed from membership of a Licensed Member or Professional Affiliate as the result of disciplinary action, that body must inform the Engineering Council, at the earliest opportunity, so that the Registrant can be removed from the Register by reason of misconduct.
13. Upon removal from the Register the Registrants shall cease forthwith to be entitled to use of any titles or post-nominals associated with registration and shall be requested by the Engineering Council to return their registration certificate.

Reinstatements to the Register

14. Any individuals removed from the Register for a period of more than twelve months, but less than three years from the last payment of the Registration Fee, may be re-instated, without undertaking a further Professional Review, provided that the Licensed Member is satisfied that the individuals have maintained their competence, upon payment of either:
 - a. An Administration Fee, as decided by the Board of the Engineering Council from time to time, plus the Registration Fee for the year that the application for reinstatement is made. Such an application for reinstatement shall be made within three years of the last payment of the Registration Fee. In such cases, the date of the individual's registration on the Register shall be the reinstatement date, or;
 - b. All outstanding Registration Fees for the period of time the individual was not on the Register. Such an application for reinstatement shall be made within three years of the last payment of the Registration Fee. In such cases, the date of the individual's registration on the Register shall be the original registration date.

15. An interim Registrant removed from the Register for more than three years can be reinstated upon payment of the current year's Registration Fee. In such cases, the date of the individual's registration on the Register shall be the reinstatement date.
16. Any individuals removed from the Register for a period of more than three years from the last payment of the Registration Fee may be readmitted to the Register on the condition that the Licensed Member has satisfied itself, through a Professional Review, that the individuals have maintained their competence. In such cases, the individual shall be treated as a new Registrant and issued with a registration certificate dated as of the date of their readmission to the Register.
17. Any Direct Registrant whose registration is removed for non-payment of their Registration Fee may only be reinstated on to the Register via a Licensed Member or Professional Affiliate.

Data Reconciliation

18. Each Licensed Member and each Professional Affiliate are required, not less than once each calendar year to submit their registrant data to the Engineering Council, for the purposes of reconciling the data held by the registering body with the registrant data held by the Engineering Council.
19. To facilitate the reinstatement of lapsed registrations each Licensed Member and each Professional Affiliate are required, as part of the data reconciliation process, to supply the most recent date each Registrant paid their Registration Fee, to be known as the 'last payment date'.

Regulation 7B: Financial Control

1. The Finance, Audit and Remuneration Panel (FARP) shall make Financial Regulations regarding the authority and procedures for financial transactions, including the manner in which documents, cheques and other negotiable instruments shall be signed or otherwise executed on behalf of the Engineering Council.

Regulation 7C: The Seal

1. The Engineering Council Seal shall be held securely by the CEO. The Seal shall be used where necessary to enable contracts within the delegated authority of the signatories, and a record shall be kept of each use. The Seal may also be used for the following:
 - a. To authenticate documents certifying an individual's registration with the Engineering Council;
 - b. To authenticate agreements with national organisations in other jurisdictions, provided such agreements have the authority of the Board;
 - c. To authenticate documents certifying the licences granted to Licensed Members or Professional Affiliates of the Engineering Council.

Section 8 – International

Charter references	4j
Bye-Law references	
Last amended	

Regulation 8A: International Activities

1. The Board has established the IAP to provide advice relating to international initiatives and core business activities identified in Engineering Council's Strategic Plan under Charter clause 4j.
2. The Engineering Council is the UK National Member of the European Federation of National Engineers Associations (FEANI). The Board delegates the functions of the British National Committee, as defined in the FEANI National Members Handbook, to the IAP.
3. The Engineering Council holds the UK Sections of the International Registers of engineers, technicians and technologists established under international engineering agreements. The Board delegates responsibility for admission to and oversight of the UK Sections of such registers to the IAP.

Regulation 8B: Membership of Multinational Organisations

1. Following consultation with the Licensed Members, the Board may, from time to time, approve a proposal for the Engineering Council to join a multinational organisation or agreement where such membership is consistent with the objects of the Engineering Council.
2. Any proposal for membership of a multi-national international organisation shall be scrutinised by the IAP, which may make recommendations to the Board with due regard to delivery of the objects of the Council, capability to deliver on attendant obligations and financial commitments. Such membership shall be reviewed at intervals not exceeding 5 years.
3. The IAP shall ensure that obligations arising from membership of multinational organisations and agreements are incorporated into Engineering Council Regulations, processes and procedures and communicated to the Licensed Members.

Regulation 8C: Engineering Council Representatives

1. Membership of multi-national organisations may give rise to a requirement to appoint or nominate representatives to roles, committees and working groups on a defined term or ad hoc basis.
2. The IAP shall be responsible for identifying suitable candidates for appointment or nomination and making recommendations to the Board.

3. Where not already a member of the IAP, Engineering Council representatives shall normally be appointed as expert members of the IAP or shall be invited to attend IAP meetings where matters relevant to their role are to be discussed.
4. Engineering Council representatives shall not commit the Council to actions or financial liabilities without prior approval or requirement for subsequent ratification by the Board.
5. Engineering Council representatives shall not normally be remunerated. The Engineering Council shall meet reasonable travel and subsistence costs in accordance with applicable finance policies.
6. Engineering Council representatives should ensure they make clear when they are speaking on behalf of the Council and when they are speaking in another capacity and shall take all reasonable steps to identify potential conflicts of interest and respond appropriately.

Regulation 8D: International Agreements

1. Following consultation with Licensed Members, the Engineering Council may, from time to time, enter into agreement with overseas bodies regarding mutual recognition of overseas titles and qualifications, or may approve agreements made by Licensed Members. Such agreements shall exempt appropriate applicants from all or part, depending on the scope of the particular agreement, of the registration requirements.

Section 9 – Relationship with the Privy Council Office (PCO)

Charter references	4k. 12
Bye-Law references	
Last amended	

Regulation 9A: Relationship with the PCO

1. The Board delegates to the Privy Council and Governance Panel (PCGP) its powers under the Charter where the PCGP is accountable for the delivery of governance initiatives and core business activities identified in Engineering Council's Strategic Plan, specifically the relationship with the Privy Council.
2. The Engineering Council is an advisor to the Privy Council on Royal Charter and Bye-law applications and amendments in the fields of engineering, science and technology.
3. Licensed Members and Professional Affiliates shall consult with the Engineering Council on all matters concerning the grant of or amendment of Royal Charters and Bye-Laws, and, so far as is possible, resolve any issues that arise in discussion before sending informal proposals to the Privy Council Office. Following the informal consultation with the PCO and any subsequent formal adoption of the necessary resolutions by a Licensed Member or Professional Affiliate the PCO will require a signed and sealed version of the resolutions, with a certificate that they have been duly passed in accordance with the requirements of the Licensed Member or Professional Affiliate's extant governance procedures, which will normally be the existing Charter and Bye-laws or Memorandum and Articles of Association. Guidance for the submission of applications and amendments are contained in the PCO's website.
4. The Engineering Council may formally object to applications for or amendments to, Charter and Bye-laws which do not accord with this Regulation.
5. Licensed Members and Professional Affiliates who are incorporated other than by Royal Charter shall likewise consult with the Engineering Council on all matters concerning the proposed amendment of their governing document.

Section 10 – Research in Pursuance of Engineering Council Objects

Charter references	41
Bye-Law references	
Last amended	

Regulation 10A: Research in Pursuance of the Engineering Council's Objects

1. The Board from time to time, may publish, or commission the publication of, material relevant to the objects in any form, undertake or commission research, establish and maintain libraries, databases, or any other facilities for the benefit of the public, and hold or promote conferences or other events.
2. This may include, but is not restricted to, delivery of research initiatives aligned to:
 - a. The Engineering Council's core business activities identified in the Engineering Council's Strategic Plan or any of its strategic aims;
 - b. The pursuance of the Engineering Council's Objects;
 - c. Supporting the Engineering Council's strategy development in the form of horizon scanning and its business planning process.

Annex - Regulations Responsibility Matrix

Regulation	Title	Body Responsible for Policy	Body Responsible for its Operation
1A	Regulations for Registration	RSC	RSC
1B	Maintenance of Registration	RSC	MP
1C	Appeal by an individual against loss of registration	PCGP	PCGP
1D	Requirements Where Professionally Registered Engineers are in the Minority	PCGP	QAC
2A	Regulations for the Conduct of Audits	QAC	QAC
2B	Appeal against alterations to existing licences	PCGP	QAC
3A	Approval of Professional Affiliates	QAC	QAC
3B	Registrations Agreements between Licensed Members and Professional Affiliates	QAC	QAC
4A	Approval of Engineering Council Associates	Board	MP
5A	Election of Board Members [Old 8]	Board	PCGP
5B	Election of Chairman [Old 8]	Board	Board
6A	Conduct of General Meetings	Board	PCGP
6B	Engineering Council Committees and Panels [Old 2]	PCGP	All
6C	Engineering Council Guidance	PCGP	All
7A	Regulations for the payment of fees for retention of registration by individuals [Old 4]	FARP	FARP
7B	Financial control [Old 7]	FARP	FARP
7C	The Seal [Old 6]	FARP	FARP
8A	International Activities	IAP	IAP
8B	Membership of Multinational Organisations	IAP	IAP
8C	International Agreements	IAP	IAP
9A	Relationship with PCO	PCGP	PCGP
10A	Research in Pursuance of the Engineering Council's Objects	Board	All