

## Engineering Council Charter

### ENGINEERING COUNCIL CHARTER – AMENDED 2019

ELIZABETH THE SECOND by the Grace of God of the United Kingdom of Great Britain and Northern Ireland and of Our other Realms and Territories Queen, Head of the Commonwealth, Defender of the Faith:

#### TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETING!

**WHEREAS** We were pleased by Royal Charter dated the twenty-seventh day of November 1981 (hereinafter referred to as the "Original Charter") to establish a body corporate by the name of "The Engineering Council" with perpetual succession and a common seal:

**AND WHEREAS** We were pleased by Supplemental Charters dated the twenty-seventh day of April 1988 and the fifteenth day of July 1992 to amend the provisions of the Original Charter:

**AND WHEREAS** We were pleased by Supplemental Charter dated the twenty-fourth day of January 1996 (hereinafter referred to as the "Supplemental Charter of 1996") to revoke the provisions of the Original Charter except Article 1 thereof in so far as it incorporates a body corporate with the powers referred to therein, and to make new provisions for the constitution, objects, powers and functions of the Engineering Council and matters ancillary thereto:

**AND WHEREAS** We were pleased by Supplemental Charter dated the twelfth day of February 2002 to amend further the provisions of the constitution of the Engineering Council including the change of its name to "The Engineering Council UK":

**AND WHEREAS** We were pleased by Supplemental Charter dated the sixth day of November 2013 to amend further the provisions of the constitution to amend the Supplemental Charter of the twelfth day of February 2002 including the alteration of the name of "The Engineering Council UK" to "The Engineering Council";

**AND WHEREAS** by an Humble Petition submitted to Us in Our Council, the Engineering Council have prayed that in order to modify its constitution, powers and functions for the public benefit, We might be graciously pleased to grant the said Council a further Supplemental Charter:

**NOW, THEREFORE, KNOW YE** that We, having taken the said Petition into consideration and being minded to accede thereto, by virtue of Our Prerogative Royal and of all other powers enabling Us in that behalf, have of Our especial grace, certain knowledge and mere motion granted and declared and do by these Presents for Us, Our Heirs and Successors grant and declare as follows:

#### THE ENGINEERING COUNCIL

1. The Supplemental Charter of **sixth day of November 2013** (except insofar as it preserved the incorporation effect of the Original Charter and the powers referred to in Article 1 thereof) and the Schedules thereto are hereby revoked, provided that such revocation shall not affect the validity or legality of any act or deed done hereunder.

#### OBJECTS

2. The Objects of the Engineering Council shall continue to be to advance education in, and to promote the science and practice of, engineering (including relevant technology) for the public benefit and thereby to promote industry and commerce in Our United Kingdom and elsewhere.

#### DUTIES

3. In pursuance of the Objects, the Engineering Council shall:

a. establish and keep under review generic standards and procedures for academic achievement, professional competence and commitment and the requirements for initial and continuing professional development for Registrants;

b. participate, on behalf of Registrants, in the work of the Engineering and Technology Board (hereinafter referred to as the “ETB”)or any successor (by whatever name) and respond to enquiries made by the ETB concerning regulation of the profession;
c. provide guidance on the constitutions and codes of conduct and disciplinary procedures of Licensed Members (hereafter referred to as Licensees) and Professional Affiliates;
d. maintain a Register with sections, for Chartered Engineers who may use the postnominal letters “CEng”, Incorporated Engineers who may use the postnominal letters “IEng”, for technicians who may use the postnominal the letters “EngTech” and “ICT <i>Tech</i> ” as relevant, and further sections as may seem desirable to the Engineering Council from time to time and modifications, extensions or additions to the Register as required. The Engineering Council shall also take such action as it decides is necessary to protect the integrity of the Register and to ensure that its post-nominal designations are used only by those Registrants so entitled;
e. admit as Licensees those organisations which demonstrate to the satisfaction of its Board their competence to assess individuals for interim and full registration and which regulate the conduct of their members;
f. audit the performance of Licensees and their compliance with the licensing requirements including Registrant representation within those requirements;
g. license those organisations to nominate individuals (hereafter referred to as Registrants) for entry to the Register, and monitor the additions and deletions to the Register;
h. license those organisations to accredit or approve programmes of education or professional development or integrated education and training programmes that support admission to the Register;
i. designate as Professional Affiliates those organisations meeting the relevant criteria as provided by the Engineering Council from time to time;
j. audit the performance of Professional Affiliates’ compliance with Engineering Council requirements as provided in the Regulations;
k. in conjunction or collaboration with Licensees, act as the representative body of Our United Kingdom in relation to the international recognition of Registrants and of educational qualifications in engineering and related subjects and disciplines;
l. give appropriate assistance and advice to Our Ministers on any matter relating to the Objects of the Engineering Council;
m. 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;
<b>POWERS</b>
4. To enable the pursuance of the Objects, the Engineering Council may exercise the following powers:
a. hold, or arrange for the holding of, examinations or other assessments in engineering or any other subject relevant to the Objects;
b. receive gifts, endowments, bequests, donations, money and property real or personal and to purchase, lease or otherwise acquire land, buildings and hereditaments of any kind, and hold the same in perpetuity or otherwise and from time to time grant, demise, alienate or otherwise dispose of the same or any part thereof and accept the Office of Trustee and carry out any trusts associated with any transfer of money or property to the Engineering Council;

c. enter into any contract or transaction, or engage in any activity, which is conducive, ancillary or incidental to the attainment of the Objects;
d. borrow or raise money with or without security, and charge or mortgage any of its property whether real or personal;
e. charge fees and subscriptions;
f. invest any moneys of the Engineering Council not immediately required for its purposes in accordance with the Bye-laws;
g. appoint and remunerate staff and provide for their pensions and those of their dependents;
h. provide indemnity insurance covering every Trustee and committee member, Officer and employee of the Engineering Council, against any loss or expense incurred through any act or omission done or committed by them in good faith while undertaking authorised duties on behalf of the Engineering Council, and pay all reasonable and proper premiums in respect of such indemnity insurance; and
i. do all such other lawful acts and things as may further the Objects.
<b>GOVERNANCE</b>
5. The Engineering Council shall be accountable to the Licensees in respect of its activities.
6. The management and control of the Engineering Council shall be vested in a Board of Trustees (hereafter referred to as the Board) which may exercise all or any of the powers of the Engineering Council, and may delegate its powers and functions in accordance with these Bye-laws. The Board shall be constituted in accordance with the Bye-laws: provided that one third (or the number nearest thereto) of its members shall be appointed by ETB.
7. No Trustee or member of any committee of the Board shall be accountable in respect of acts done or authorised to which they have not expressly assented or shall incur personal liability in respect of any loss or damage incurred through any act done in good faith for the benefit of the Engineering Council.
<b>PROPERTY AND INCOME</b>
8. Any person corporate may assure in perpetuity, or otherwise, or demise or devise to, or for the benefit of, the Engineering Council any lands, tenements, or hereditaments whatsoever, or any interest therein, within Our United Kingdom of Great Britain and Northern Ireland.
9. The income and property of the Engineering Council, howsoever derived, shall be applied solely towards the Objects and no portion thereof shall be paid or transferred directly or indirectly to the members thereof or used otherwise than for charitable purposes: provided that nothing in this article shall prevent the payment in good faith of the reasonable out-of-pocket expenses of members of Trustees and of any individual serving on a committee of the Board.

**CHARTER CHANGES**

10. The Board, by a three quarters majority vote, may propose to a General Meeting modifications to the Charter. If such a motion is accepted by a three-quarters majority vote of the Licensees voting in person in General Meeting, the Engineering Council may resolve to modify or revoke any of the provisions of this Our Supplemental Charter, provided that no modification or revocation shall be made which shall cause the corporation to cease to be a charity at law. Any modification or revocation made under this article shall become effectual, when allowed by Us, Our Heirs or Successors in Council, so that this Our Supplemental Charter shall henceforth continue in force as so modified or revoked. This provision shall apply to this Our Charter as modified or revoked.

**BYE-LAW CHANGES**

11. The Board, by a three quarters majority vote, may propose to a General Meeting modifications to the Bye-laws. If such a motion is accepted by a three-quarters majority vote of the Licensees voting in person in General Meeting, the Engineering Council may resolve to make, amend or revoke Bye-laws for the regulation of the affairs of the Engineering Council: provided that no new Bye-law, amendment or revocation shall be effective unless it has been approved by the Lords of Our Most Honourable Privy Council, of which approval a certificate under the hand of the Clerk of Our said Council shall be conclusive evidence. The Bye-laws may provide for any matter dealt with in the Bye-laws to be further dealt with in Regulations made by the Board, provided that such regulations shall be invalid to any extent to which they are inconsistent with this Our Supplemental Charter or the Bye-laws.

**SURRENDER OF CHARTER**

12. The Board, by a three quarters majority vote, may propose to a General Meeting that Our Charter be surrendered. If such a motion is accepted by a three-quarters majority vote of the Licensees voting in person in General Meeting, the Engineering Council may resolve to surrender this Our Supplemental Charter and any further Charter granted to the Engineering Council subject to the sanction of Us, Our Heirs or Successors in Council upon such terms as We or They may think fit and wind up or otherwise deal with the affairs of the corporation. If on the winding up or dissolution of the Engineering Council there shall remain after the satisfaction of all debts and liabilities any property whatsoever then it shall not be given to or distributed among the Licensees or Trustees of the Engineering Council or any of them but, subject to any special trusts affecting any of the property, shall be given to some other body, determined by the Board at or before dissolution of the Engineering Council, with charitable Objects similar to those of the Engineering Council and which prohibits the distribution of its income and property to at least the same extent as specified in these presents.

**CONCLUSION**

13. Our Royal Will and Pleasure is that this Our Supplemental Charter shall ever be construed benevolently and in every case most favourably to the Engineering Council and the promotion of the Objects.

**IN WITNESS** whereof We have caused these Our Letters to be made Patent.

**WITNESS** Ourselves at Westminster in the year of Our Reign.

**BY WARRANT UNDER THE QUEEN'S SIGN MANUAL**

## Engineering Council Bye-laws

### 1. INTERPRETATION

In the Charter and these Bye-laws the following meanings will apply:

<b>Word</b>	<b>Meaning</b>
Authorised representative	The individual who exercises the Licensed Member's vote in General Meetings
Board	The governing body of the Engineering Council
Board Member	Trustee of the Engineering Council
Engineering and Technology Board	The Engineering and Technology Board (ETB), a company limited by guarantee incorporated on 14 November 2001 whose trading name is EngineeringUK, or any successor organisation
ICT <i>Tech</i> Standard	Information and Communications Technology Technician (ICT <i>Tech</i> ) Standard
Interim Registration	The stage at which individuals have met the educational requirement for registration, but who have not yet demonstrated the necessary competences and commitment to become a Registrant
Licensee	An incorporated engineering or technological organisation licensed by the Board to assess and nominate individuals for the appropriate Register and which is thereby a member of the Engineering Council, entitled to vote on any matter to be resolved at an Engineering Council General Meeting
Professional Affiliate	An incorporated body designated as such by the Board as required by these Bye-laws
The profession	The profession of engineer, technologist or technician
Section	A section of the Register
Register	The Register is the national register of Chartered Engineers (CEng), Incorporated Engineers (IEng), Engineering Technicians (EngTech) and Information and Communication Technology Technicians (ICT <i>Tech</i> )
Registrant	An individual who registers with the Engineering Council through a Licensee and has demonstrated the competence appropriate to one or more of the sections provided by these Bye-laws and commits to adhering to a Code of Professional Conduct
The Standard	Refers to the published requirement of competence and commitment for registration
UK-SPEC	UK Standard for Professional Engineering Competence describes the requirements for registration
Qualification	Shall include standards of education and professional development

References to the singular shall include the plural, and to persons shall include organisations whether incorporated or not.