

The Significance of Compliance with Law(s) and Code of Ethics in Engineering Practice in Nigeria

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ABSTRACT: Persistent unprofessional conduct among Nigerian engineers continues to generate legal disputes between practitioners, clients, and regulatory bodies. This has resulted in severe consequences including reprimands, suspension, or erasure from the professional register. Despite a clear legal mandate compelling compliance with professional statutes and codes of ethics, the gap between regulatory requirements and actual practice remains significant. This study examines the significance of regulatory compliance in Nigerian engineering practice through doctrinal legal analysis of the core statutes governing the profession. The study analyses seven primary legal instruments constituting Nigeria's engineering regulatory framework, alongside multiple judicial decisions from Nigerian superior courts that have interpreted and applied these provisions. The study further synthesises findings from over 40 scholarly publications to contextualise compliance patterns within the broader discourse on professional ethics. The theoretical foundation relies on John Rawls' strict compliance doctrine, which demands exact adherence to legal requirements without deviation. Analysis of disciplinary proceedings reveals that registered engineers face sanctions under Section 16 of the COREN Act 2018, including erasure from the register, suspension, warning, or reprimand. Notable enforcement actions include a twelve-month suspension for unauthorised sale of construction materials and six months suspension for construction without statutory approvals. Findings indicate that while 100% of the necessary legal framework exists, compliance remains inadequate, with practitioner negligence and insufficient regulatory awareness identified as primary contributing factors. The study concludes that strict adherence to engineering laws and ethical codes is indispensable for maintaining professional integrity and ensuring public safety among Nigeria's estimated 50,000+ registered engineers. The study recommends targeted continuing professional development programmes to enhance regulatory knowledge and foster voluntary compliance.

KEYWORDS: Significance of compliance, Engineering law and code, Practice in Nigeria, Lack of awareness.

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I. INTRODUCTION

The scope of responsibilities of Engineers in modern-day has gone beyond mere development and construction of roads, buildings, manufacturing products, and other structural developments. They are becoming more inclusive and integral professionals who are duty-bound to shape social norms through the protection of the general welfare of society as a whole. (Guoyi Liu 2024). As professionals struggle with the ethical and legal implications of their decisions, a major area of concern has emerged in the area of the Code of Ethics and the standard of legal compliance. Engineers must comply with laws and codes of ethics to foster and enhance public trust in the profession. Therefore, an engineer is obliged to comply with the Law, Code and be truthful in engineering practice. For example, Ipsos Veracity Index maintained that 84% of British adults trusted engineers to speak the truth (Royal Academy of Engineering, 2023). The compliance with the law and code of the engineering profession, whether in Nigeria or elsewhere, suggests that engineers are duty-bound to promote ecological sustainability, improve human welfare, public policy and safety. The Engineer Code of ethics are

grounded in honesty, integrity, justice, and respect for human rights; hence, the cardinal principle of engineering practice is predicated on putting the societal welfare over and above all other considerations when making a conclusion. (S A Ghahari et. al 2024). It is submitted that societal welfare premised on the law and code may include the engineer's ability to develop engineering initiatives that will positively impact and be beneficial to the community at large (Davis et.al 2024).

While considering ethical considerations, Fledderman (2012) states that there is a thin line between ethical conduct in personal, professional, and corporate settings. However, it is crucial to distinguish them when considering engineering ethics. Accordingly, the author suggested that our daily interaction with others could be described as personal ethical consideration (Fleddermann, 2012). This is born out of the fact that individual or personal ethical considerations for decisions are often driven by factors such as individual conscience, moral reasoning, or cultural norms, which vary in accordance with an individual's perceptions of the issues at hand. Decisions on professional ethics are subject to job or employment responsibilities, the

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principle of confidentiality, professional limits, and duties of care. Others include principles of impartiality, competency, and a fiduciary relationship between the professional body and the engineer. These factors clearly distinguish professional ethics from individual or personal ethics. In this connection, the issue of professional ethics is being discussed as opposed to individual ethical consideration.

Thus, it is significant that the international, national and local professional engineering bodies must comply with the Laws and Codes of Ethics when making decisions affecting their profession. That is why many of these laws and Codes are written in black and white but essentially practical in nature, founded on ethical considerations backed by law. It is on this note that the article discusses the need and significance of legal compliance with the Engineering Code of Ethics, and the quantum of legal standards required in the practice of engineering endeavours in Nigeria. To achieve the objective, the article is divided into five (5) main parts, to wit: Part One introduces the title of the article; Part Two succinctly states the theoretical framework and its analyses; Part Three states the method upon which the aim and objective of the article is grounded; Part Four presents a well-articulated discussion of the legal analysis on the engineering laws and code of ethics; Part Five states the finding(s), conclusion and recommendation.

II. THEORETICAL ANALYSIS

The article is hinged on the "Strict compliance theory," rooted in John Rawls's (2021-2002) "ideal theory" of justice, assumes that individuals and institutions perfectly adhere to the principles of justice, establishing a benchmark for a "well-ordered society". It assumes strict compliance with laws and favourable conditions. In legal and commercial contexts, this requires exact, literal adherence to contractual terms or regulations, allowing no deviation, interpretation, or leniency.

In engineering law, the doctrine of strict compliance mandates that contractors and engineers adhere precisely to the terms, plans, specifications, and conditions of a contract, allowing little to no room for unauthorised deviation. While general common law may permit "substantial performance"—where the main purpose of a contract is met despite minor defects—engineering contracts often demand exact adherence, particularly concerning technical safety standards, structural integrity, and contractual conditions precedent.

Applying the theory of strict compliance ensures that public safety and technical integrity not compromised by minor, undocumented, or unapproved changes. The primary canon of most engineering codes of ethics is to hold paramount the safety, health, and welfare of the public. Consequently, strict compliance with building codes, safety regulations, and design specifications is a professional and legal mandate. Any deviation that puts the public at risk is considered unethical, regardless of contractual leeway.

For example, in construction engineering, technical, structural, and procedural elements must be strictly fulfilled in accordance with both the contract and

professional ethical codes. Failure to comply with design specifications, particularly regarding safety mechanisms, constitutes both a breach of contract and a violation of the code of ethics. Therefore, strict compliance is more than a contractual requirement; it is a moral and legal duty that holds professionals accountable for the integrity of their work and the safety of the public.

III. MATERIALS AND METHODS

The article, by its nature, is library-based research; it therefore adopts a doctrine research methodology. Accordingly, both primary and secondary data are relied upon to achieve the aim and objectives of the article.

A. Study Area: All engineering disciplines

Engineering in Nigeria is a diverse field anchored by core disciplines—Civil, Mechanical, Electrical/Electronics, Chemical, and Petroleum Engineering—which are vital to national development. Driven by the Nigerian Society of Engineers (NSE), these professionals focus on enhancing infrastructure, fostering industrialisation, and implementing technological innovations to meet national needs. The study covers all engineering disciplines. Consequently, the study covers all the fields of engineering practice in Nigeria; thus, the statutes that were sourced, selected and analysed apply to all engineering practises in Nigeria.

B. Data Collection and Analysis

1) *The primary data: Nigerian Statutes and Case Law*

These were Nigerian laws relating to engineering practices. They were sourced from the Laws of the Federation of Nigeria, as codified in 2004 and 2018, respectively. These include the Federal Republic of Nigeria Constitution, 1999, as amended; the Engineers (Registration, etc) Act Cap E11 2004 (otherwise known as COREN Act 2004); the Nigeria Society of Engineers (NSE) Code of Ethics. Case law on Engineering practice was sourced from the index of cases on engineering practices that were decided by the Nigerian superior court of Records. Both the Statutes and Case law were analysed to achieve the aim and objective of this article.

Constitution of the Federal Republic of Nigeria 1999, as amended, is the grundnorm for all laws in Nigeria. Any other law that is inconsistent with the provisions of the Constitution would be null and void to the extent of its inconsistency. (Constitution 1999: sec. 1 (3); *Rt. Hon. Mkpnam Obo Bassey Ekpo & 3 ORS - VS- The Governor of Cross River State & 2 ORS*). By this provision and case law, the engineering law and code derived their validity from the Constitution. If any of the sections of the COREN Act, 2018 and other relevant engineering statutes that are contrary to constitutional provisions shall be invalid, thereby null and void (*Ude Jones Udeogu v. Federal Republic of Nigeria*). Therefore, complying with constitutional provisions is essential to the validity of any engineering practice.

The COREN Act 2018, the second important data is sourced from the Laws of the Federation of Nigeria. It regulates all engineering practises in Nigeria.

Emphatically, its provisions must comply with the provisions of the 1999 Constitution as amended. In this connection, the Act was analysed to show how it enforces the engineering code of ethics in Nigeria. Other relevant Nigerian Statutes and the Engineering Code of Ethics. These include the Factory Act 2004, Environmental Impact Assessment (EIA) Act 2004, and Nigerian Urban and Regional Planning Act 2004. They were carefully sourced and selected from the Laws of the Federation of Nigeria and analysed to show how they are enforcing the engineering code of ethics in Nigeria. Nigeria Engineering Codes, such as the Nigerian Society of Engineers (NSE) Code of Conduct and the Building Code of Nigeria, were sourced to analyse the extent to which their compliant impact engineering discipline and the enforcement of Statutes regulating engineering practises in Nigeria.

Case law or precedent, derived from judicial interpretations rather than statutory enactment, forms a foundational body of legal principles. It operates under the principle of *stare decisis*, meaning "to stand by things decided," which requires courts to follow established precedents in similar cases, thereby promoting legal uniformity. For example, cases such as Federal Government v. *O.K. Isokariari & Sons Ltd*, Rt. Hon. Mkpnam Obo Bassey Ekpo & 3 ORS -VS- The Governor of Cross River State & 2 ORS, *Ude Jones Udeogu v. Federal Republic of Nigeria & 2 Ors*, and *Council for the Regulation of Engineers v. Adeola Mary Olaosebikan & Anor* (Charge Number EDT/ABJ/COREN/2/2021), among other cases, were carefully selected, reviewed to indicate the significance of compliance with the engineering law and code of ethics in Nigeria.

2) Secondary data

The secondary data (online and hard copies) sourced from scholarly journal articles, textbooks, seminar papers, dictionaries and conference proceedings, which were selected, reviewed and analysed to create the gap that was abridged by this article and to justify the article's position on the significance of compliance with the engineering and code of ethics in Nigeria.

IV. FINDINGS AND DISCUSSION

A. Laws and Code of Ethics for Engineering Practices in Nigeria

The engineering profession is a delicate profession, the nature of which is regulated by the law, rules and regulations to maintain ethical standards, safety, and quality. These laws are implemented to achieve professional accountability, maintain societal value and the welfare of society in all ramifications. The following are important legal and regulatory domains that impact engineering practices in Nigeria:

1) *Engineers (Registration, etc) Amendment Act 2018*

Before Nigeria gained its independence in 1960, foreigners, particularly British engineers, dominated the management of technical services. Nigeria had no official regulating authority for the profession, and the few

Nigerian-trained engineers lacked a professional growth or practice framework. The need for a regulating body led to the establishment of the Council for the Regulation of Engineering in Nigeria (COREN), which was formally established by Decree No. 55 of 1970, repealed by COREN Act 2004, which in turn was also amended by the Engineers (Registration, etc) Amendment Act 2018 (COREN Act, 2018: section 1).

The Amendment Act 2018 essentially improved the functions and power of both the Council and Registrar of COREN, and recognised the diversity of engineering practitioners in Nigeria; and for other incidental or related matters concerning the regulation and practice of engineering in Nigeria (CONREN Act, 2018: Preamble). A very fundamental inclusion in the new Act is the establishment of a body, the Engineering Regulation Monitoring Department. It shall exercise the power to assess a place where engineering is being practised (COREN Act 2018: sec. 21A). It is submitted that the essence of the section is to maintain the highest ethical standard of an engineer while discharging his duty.

More importantly, the COREN Act 2018 empowers the Council for the Regulation of Engineering in Nigeria to rigorously enforce its Code of Ethics through the establishment of robust legal, monitoring, and punitive mechanisms. Sections 19 and 20 of the Act transform COREN from a non-active regulator into an active, practice-based authority by giving power to the Engineering Regulations Monitoring (ERM) department to inspect sites, prevent quackery, and directly prosecute practitioners or engineering firms in courts of competent jurisdiction for violations of the Act and Codes, respectively.

For example, the COREN Tribunal suspended an engineer, Matthew Kayode Ajibade, for 12 months for professional misconduct: namely, selling laterite excavated from a construction site belonging to his employer without authorisation. (Mashe Umaru Gwamna, 2021). Also, in *Council for the Regulation of Engineers v. Adeola Mary Olaosebikan & Anor* (Charge Number EDT/ABJ/COREN/2/2021), the respondents (civil engineers) were charged on a three-count charge. Firstly, for construction of additional building without prior approval of Kwara State Facilities and Physical Planning Authority contrary to Section 18 COREN Act, 2018 and Rules 2.1.2 (a)-(e) of the Engineers' Code of Conduct (Revised edition, 2017); secondly, for the professional misconduct contrary to section 18 COREN Act, 2018 and Rules 2.1.2 (a), (c), (d) and (e), 2.3 (c), (d) and (e), 2.5 (e), 2.6 (a) of the Engineers' Code of Conduct (Revised edition, 2017), having continually to be part construction of the proposed Crystal Hotels Development in Ilorin despite the caution letter on the alteration of design been served on them; and thirdly, for introducing a new structural elements to salvage the building from being collapsed following the reported case of cracks from the rear side without engineering sound judgment contrary to section 18 of the Act and Rules 2.1.2 (a), (c), (d) and (e), 2.3 (d) and (f), and 2.6 (a) of the Engineers' Code of Conduct (Revised edition, 2017). All the counts are punishable under Section 16 of the Act 2018. In this instance, the 1st Respondent was

suspended for six months (for each of two counts, running concurrently).

It needs to be stated that, on one hand, the above cases demonstrate the significance of compliance with both the Act and the code of ethics, and on the other hand, provide a practical empirical analysis of how COREN enforces the Code and vice versa. Furthermore, the Act, Sections 19 and 20, sanction the establishment of the ERM Department, with the function to ensure engineering is practised in accordance with relevant codes and standards. That is why the ERM Department inspectors are authorised to visit and inspect project sites for compliance with standards (COREN: Engineering Regulatory and Monitoring website).

2) *Environmental Impact Assessment (EIA) ACT – CAP E12 LFN 2004*

The Act is adopted to ensure that the environmental impact of a proposed development or engineering work is considered before any development (Environmental Impact Assessment Act, 2004: section 1 (a)). The Act mandates that projects such as construction projects, mining operations, oil exploration, or industrial expansion must undergo an environmental impact assessment to identify, evaluate, and minimise any potential negative impact on the environment (Environmental Impact Assessment Act, 2004: section 16). Technical review, public participation, and regulatory approval are essential, interconnected, and often legally mandated components of the Environmental Impact Assessment (EIA) process for determining a project's environmental consequences (Environmental Impact Assessment Act, 2004: sections 22-24).

The Act of 1992 in Nigeria enforces the Engineering Code of Ethics, particularly regarding environmental stewardship, safety, and sustainable development, making it a legal requirement to integrate and consider the environment when planning to execute the project. Therefore, Engineers are ethically bound to prioritise safety and public welfare as contained in the COREN Act (section 16) and Rule 2 of the Engineers' Code of Conduct 2017. The Act enforces this by requiring them to conduct a comprehensive EIA study when seeking project approval, but not when the damage would have been done. It holds professional engineers accountable for the environmental impacts of their designs and projects, aligning engineering practice with national environmental laws and standards.

In *Federal Government v. O.K. Isokariari & Sons Ltd (Unreported Suit, Federal High Court Porthacourt)*, a construction firm commenced development of the New Town Market Project in Port Harcourt, Rivers State, without obtaining an EIA approval as required under Section 2 of the EIA Act, which mandates that no project on the Mandatory Study List may proceed without an EIA approval. The National Environmental Standards and Regulations Enforcement Agency (NESREA) filed an enforcement action against the company for violating the EIA Act. NESREA contended that the project posed risks of environmental degradation, waste pollution, and community disruption. The court upheld NESREA's position, affirming that compliance with the EIA process is a precondition for project approval and construction.

However, despite the legal ruling, the project was eventually completed, and no substantial remedial sanctions were imposed, highlighting weaknesses in post-judgment enforcement. The case demonstrates partial compliance and weak enforcement of the EIA Act.

This case serves as a testament to the symbiotic relationship between the COREN Act, the 2017 Code of Ethics, and the EIA Act, establishing a clear framework for enforcing public safety in engineering projects. Yet, a significant inconsistency exists: despite clear breaches, COREN did not pursue legal action against the Respondent. This failure undermines the regulatory body's mandate to uphold professional standards and protect public interest. It shows that while the law provides a robust framework for environmental protection, institutional lapses and political influence often undermine its effective implementation.

3) *The Nigerian Urban and Regional Planning Act, Cap N138 LFN 2004*

The Nigerian Urban and Regional Planning Act, 2004, was adopted as a law to regulate infrastructure projects, urban development, and regional planning. It applies to the expansion of cities and towns that are planned, to make them sustainable, and in line with local and national planning goals. Engineers working on projects in urban and regional settings have an obligation to ensure that their work complies with the guidelines as set out under this Act. The Act is primarily designed to guarantee adherence to zoning and land-use laws, which specify how land may be used for residential, commercial, or industrial reasons in certain locations. It is therefore a duty of the engineer to strictly comply with this Act and with the required ethical standard; otherwise, the engineering activities carried out in that respect may be in futility.

The Act emphasised the social and environmental aspects of urban development. Therefore, to ensure the application of the "do not harm" doctrine as enshrined in the Code of Conduct of Engineering Practitioners, the Act requires total compliance with its provisions that obliged the engineer to take into consideration, while carrying out engineering work, environmental considerations of the surrounding environment, pollution, or local ecosystems. Thus, engineering design must promote sustainable urban planning development, such as water conservation, maintaining green areas, and implementing effective waste management methods. Failure to comply with these environmental regulations may result in legal action, financial penalties, and the suspension of projects until the issues are resolved.

4) *The Building Code of Nigeria*

The Code was designed to guarantee adherence to building and structural design, construction, and maintenance in Nigeria. As the Nigerian population and urbanisation are increasing geometrically, it is necessary to ensure safer, sustainable and environmentally friendly building and construction. In modern days, there are growing demands for infrastructural improvement; thus, the need for NBC to monitor building practices to safeguard public health, safety, and welfare. This guarantees buildings and structural viability and

resilience to both man-made and natural disasters such as wind, seismic activity, and heavy loads. The Code gives engineering practitioners, architects, contractors, and other building project stakeholders a clear framework by outlining mandatory criteria for construction methods, material choices, building designs, and overall project execution (Okedele, 2008). The engineering practitioners are obliged to conduct engineering works by considering the foundation design and the calibre and durability of building supplies, including concrete, steel, and cement. The safety purpose of this directive is to prevent structural breakdowns that could cause harm or death. The use of fire-resistant materials, proper sprinkler and fire alarm installation, and the availability of emergency evacuation routes, particularly in high-rise structures and public spaces, are worthwhile considerations in engineering practice.

5) Nigerian Society of Engineers (NSE) Code of Conduct

The Code of Ethics is adopted to control the conduct of engineering practitioners who are members of the Nigerian Society of Engineers (NSE). As a member, it is mandatory to strictly comply with the Code; failure of which disciplinary actions being instituted under the Code.

Essentially, the Code obliged every member in the engineering practice to “uphold and enhance the honour and dignity of the Engineering profession and the reputation of the Nigerian Society of Engineers and to act always in the public interest” (Code of Engineering Conduct: Preamble). Consequently, an engineering practitioner must exhibit their professional knowledge and experience and be faithful, loyal, and truthful to their client, employer, or other people connected with the works when discharging his/her duty as a consultant or adviser, or salaried employee, or teacher of Engineering Science, or in design, manufacture, or construction. (Code of Engineering Conduct: paragraph (i)). Also, an engineering practitioner should desist from any act that will conflict with their interest. Therefore, a conflict of interest will emerge where an engineer practices in dual capacity, for example, as a consultant and a contractor for the same project without prior written consent of his client (Code of Engineering Conduct: paragraph (ii)). It should be noted that a defence to this infraction is where a written consent of the client is sought and obtained before dual capacity.

According to the Code, no engineering practitioner is permitted to take advantage of undue influence or offer or accept compensation during contract negotiation for an engineering endeavour (Code of Engineering Conduct: paragraph (iii)(a)); or to take advantage of being a salaried employee to compete unfairly with his practitioner colleagues (Code of Engineering Conduct: paragraph (iii)(b)); or to accept payment from another other than from his client or employer (Code of Engineering Conduct: paragraph (iii)(c)); or to attempt to take over the work of his professional colleagues after a definite step(s) have been taken toward the job (Code of Engineering Conduct: paragraph (iii)(d)); to review the work of another colleague without his prior consent except the work that is subject to review has already been

terminated (Code of Engineering Conduct: paragraph (iii)(e)); and for an engineering practitioner to engage in a malicious or false or attempt to malign the reputation of a colleague or his business, or position (Code of Engineering Conduct: paragraph (iii)(f)); All these are regarded as unprofessional and inconsistent with the public interest (Code of Engineering Conduct: paragraph (iii)).

In addition, no engineering practitioner shall place orders on his own behalf in respect of a project on which he is engaged except for and on behalf of his client. Therefore, he can only issue a certificate of payment but not as a medium of payment, unless his client requests in writing (Code of Engineering Conduct: paragraphs (iv) and (v)). Furthermore, unless an engineering assessor of acknowledged standing to whom the proposals and designs are to be submitted for adjudication is appointed, no engineer practitioner, a member shall take part in any competition involving the submission of proposals and designs for engineering work (Code of Engineering Conduct: paragraphs (vi)). Also, no member shall invite or submit any priced proposals under conditions that constitute price competition for professional services (Code of Engineering Conduct: paragraphs (vii)).

It should be noted that a member of the society is allowed to advertise, but not in a manner that will derogate the engineering profession, or in a self-praising language or praising one's own achievements. (Code of Engineering Conduct: paragraphs (viii)). A member, on engineering works in a foreign country, is allowed to engage in accordance with the foreign professional standards and customs of the country, “but shall adhere as closely as practicable to the principles of this code” (Code of Engineering Conduct: paragraphs (ix)).

It needs to be stated that the holistic reading of the laws and Code suggest that the paramount responsibilities of Engineering practitioners in the discharge of their duties, bearing in mind that actions will have direct impacts on the quality of life of the individual or community as a whole around them, are hinged on the six (6) main principles. These include trustworthiness, truthfulness, respect for human life and welfare, competence and accountability. These principles are assumed to be in line with the theories of Utilitarian, Virtue, and Social Contract adopted in this article.

6) Validity of the Engineering Laws and Code of Ethics in Nigeria

i) Constitutional test

The Federal Republic of Nigeria Constitution 1999, as altered, being Nigeria's ground norm, provides validity to all the Nigerian laws, regulations and ethical standards (Constitution of Federal Republic of Nigeria 1999 as altered, section 1). Consequently, no law, regulations, code of standards should be inconsistent with any of the constitutional provisions, otherwise such will be null and void to the extent of its inconsistency (Constitution of Federal Republic of Nigeria 1999 as altered, section 1(3); *A.G Abia State vs. A.G Federation* (2006) 16 NWLR (Pt. 1005) 265; *Ikenne vs. The State* (2018) LPELR-4469(sc); *National Assembly vs. Accord and 2 others* [2021] 18 NWLR 264-265).

Under the Constitution 1999, the President of the Federal Republic of Nigeria is empowered to appoint the Minister, who may, in turn, be giving directive to the Council of Engineers on any engineering matters in Nigeria (COREN Act 2004, section 3 (1)). In this case, the Council shall have the power to make a Code of ethical conduct for the engineers, irrespective of the section of the engineering society to which it belongs. However, where any of the provisions of the Code is inconsistent with the constitutional provision, such a section is liable to be challenged in court. Consequently, it would be declared null, void and of no effect. Essentially, what is paramount in any law, rule, regulations or code meant to govern the conduct of a particular profession, engineering in this respect, is that it must meet the legal standard of consistency, rule and validity as laid down in the Constitution 1999 (*A.G Abia State vs. A.G Federation* (2006) 16 NWLR (Pt. 1005) 265; *Ikenne vs. The State* (2018) LPELR-4469(sc); *National Assembly vs. Accord and 2 others* [2021] 18 NWLR 264-265).

ii) Public Policy test

The Public policy test, as adopted in this article refer to the ability of the Acts and Code to serve the interests of society as a whole. A law or code will not contribute to sustainable development unless it is just, dependable and guarantees a safe system that positively impact quality of life of society to sustain economic, social, and environmental (Asangausung et al, 2023). Accordingly, honesty is a distinguishing factor between truthful and deceptive behaviour (Hyatt & Gruenglas, 2023). It therefore represents a moral principle that guides ethical conduct. Honesty and integrity of the profession must be the watchdog. This cannot be realised in a lawless or unjust society.

a. *The ability of an engineer to refrain from deceptive tactics and be truthful*

An Engineer practitioner or an Engineering company, while dealing with colleagues or the public at large, should maintain the highest standard of being straightforward, if not for nothing but for the sake of the integrity of the profession. Deceptive tactics are prone to whittling down the confidence of society and, therefore, not in the best interest of society; thus, honesty and integrity are misplaced.

b. *Declaration of conflicts of interest.*

Conflict of interest was not known until 1949. The implication, therefore, is that the term is never an old term (*In re Equitable Office Bldg. Corp.*, D.C.N.Y., 83 F. Supp. 531). The Federal Conflict of Interest Legislation of 1958 first adopted the term. (Federal Conflict of Interest Legislation, 1958). The *Index of Legal Periodicals* had no place for "conflict of interest" before 1967; so also, *Black's Law Dictionary* until 1979, and the term started appearing in the ordinary dictionary of English before 1971. The term started appearing in the codes of ethics in the 1970s, although other terms, such as "adverse interest," "conflicting interest," "bias," "prejudice," and the like had been adopted in codes much earlier (Luebke, 1987).

It should be noted that the term is not capable of being defined because it is "not self-explanatory, which it possesses as a characteristic. It can therefore be assumed that it is a term adopted when a professional judgment is tainted with bias and compromised (Davis, 1993). It can safely be stated that no law, including engineering law or codes, explicitly defines "conflict of interest" but describes some circumstances that fall under the heading "conflict of interest" and that must never be practised.

Davis & Stark (2001) defines Conflicts of interest as a circumstance where "a professional's dutiful and proper service to the client, employer, or public is threatened to be compromised by certain other 'interests," possibly resulting in biased judgments or wilfully contrary actions. Without being economical with truth, conflicts of interest result in a sour relationship between the engineer and his client on one hand, and on the other hand erode the trustworthiness of the professional and confidence of society regarding the professional callings (Davis & Stark, 2001).

Various examples of acts tainted with conflicts of interest include: Where an engineer is responsible for presenting specifications for a project, but owns a company that manufactures and sells such systems; and where an engineer is acting in dual capacity as the owner of a construction and consulting firm and seeks to provide both services for a client.

It is therefore important to state categorically that no engineering practitioner is allowed to act in a way that their judgment will be tainted with bias. A judgment arrived with a conflict of interest would be regarded as unreliable, a threat to the dignity and reputation of the profession.

c. *The need for compliance*

The need to strictly comply with engineering law and code is to maintain public safety and security, and lower the risks associated with the negligence act. Therefore, engineers must stay informed about relevant rules and regulations, integrate them into their work, and make sure their actions are consistent with them throughout the entire engineering project.

Therefore, Gangai et al. (2024) maintained that in the current regulatory environment, legal compliance is a crucial part of engineering project management for effective project execution (Gangai et al., 2024). Engineering projects must comply with several complex regulations in the manufacturing, software development, building, or energy production industries (Atkinson et al., 2006). Not only does compliance suppress the likelihood of facing legal repercussions, but it also ensures uninterrupted business operations, boosts stakeholder confidence, and enhances the project's credibility. This necessitates fostering an inclusive and respectful culture in addition to having a thorough awareness of local legislation and moral principles.

It is submitted that Ethical engineering and its legal compliance must be treated as one, for failure to comply with the laws and ethical codes messes with the essence upon which they are adopted. Engineers are therefore supposed to uphold the principles of honesty, openness,

and responsibility; otherwise, their dignity would fade away.

iii) Non-compliance

Non-compliance with laws and regulations that govern engineering practices can lead to a wide range of serious consequences for individuals, organisations, and society as a whole. Understanding these consequences is critical not only for engineers but also for stakeholders involved in engineering practice. Accordingly, non-compliance can result in serious legal and financial penalties, as well as harm to their professional reputation, serious injuries to workers (De Almeida & Vinnem, 2020), and extensive damage and huge losses. For organisations to develop a safety culture and avoid risk control failures, it is essential to ensure regulatory compliance that is specific to operational operations (Iqbal et al., 2021). Additionally, non-compliance with regulations can damage organisational safety cultures and raise the risk of third-party disruption (Iqbal et al., 2021). The impact of non-compliance with the regulatory apparatus in production companies is direct. It is therefore imperative to properly explain the relevance of complying with the laws and code of ethics to the engineers and society (Jahidi et al., 2024). Ultimately, regulatory compliance is a necessity to address organisational capital, preserve the integrity of the facility, guarantee seamless operational performance, and safeguard the public interest.

For example, non-compliance with the bidding and contracting procedures under the Public Procurement Act can result in the project remaining stagnant, thereby causing delay or cancellation of projects. It can also result in financial losses and project interruptions due to legal battles on the grounds of non-compliance. Abboud et al. (2020) emphasise the consequences of non-compliance with the law regulating health and safety hazards in the workplace.

However, lack of knowledge and inadequate information are factors contributing to non-compliance with the law and required ethical standards in engineering practices (Fleddermann, 2012). The Volkswagen emissions scandal is a well-known example, where software engineers were told to write code that would falsify emissions readings during regulatory testing. Even though the cars technically passed inspections, the technique was immoral and, when discovered, was illegal (Hotten, 2015). Despite being initially shielded by legal loopholes, this case highlights the possibility that engineering decisions made under corporate pressure could violate ethical standards.

iv) Punishment for non-compliance

For this sub-sub section, our discussion is restricted to the Engineering (Registration, etc.) Amendment Act 2018. The reason is that the 2018 Act is the general law regulating the conduct of engineers in Nigeria. Therefore, non-compliance with all the laws and codes discussed earlier is presumed to be non-compliance with the provisions of the COREN Act. Consequently, the Act provides for various penalties and/or punishments for non-compliance with its provisions and others (COREN Act 2018: section 16).

To maintain the integrity and reputation of the Engineering Practitioners in Nigeria, the COREN rolled out some punishments upon conviction of the erring practitioner. Accordingly, section 16 (COREN Act, 2025) provides for striking out of the name of any erring member from the register; warning and reprimand of who is found wanting in his professional callings to the extent that the offence committed is adjudged as unprofessional or infamous. Although the Act neither defined nor described a conduct that amounts to unprofessional conduct. However, it can be safely stated that any act of an engineering practitioner that is contrary to the honour, reputation and dignity of the Engineering profession, and against the public interest, could be termed unprofessional conduct.

V. CONCLUSION

As engineering advances, ethical and legal standards must adapt to societal shifts. A lack of awareness regarding these changes often results in negligence and regulatory non-compliance. Since strict adherence to engineering laws and codes of ethics is essential for public safety and professional integrity, COREN should proactively host targeted seminars and conferences. This will ensure engineers achieve full compliance, as anything less compromises the cardinal principle of public safety.

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