



28.07.2021

Circular No. 01/2021

To,

All Secretaries to the Ministries

All Secretaries to State Ministries

All Provincial Chief Secretaries

All Heads of Departments

All District Secretaries

Chief Executive Officers of Government Institutions and other Institutions

Chairmen of all Government Institutions

Heads of Departments of all Government, Semi-Government and Private Institutions where Engineering Professionals are employed within Sri Lanka

All Chief Financial Officers and

All Engineering Practitioners

Lawful Registration to act as an Engineering Practitioner in the Democratic Socialist Republic of Sri Lanka

1. In terms of provisions of the Engineering Council, Sri Lanka Act, all those who function as Engineering Practitioners shall be registered as such with the Engineering Council, Sri Lanka (ECSL) stating his/her name, registration number, and date. Failure to do so is illegal.
2. In terms of the legal provisions of the aforesaid Act, registration in the Engineering Council, Sri Lanka is mandatory to refer the name as an Engineering Practitioner or to appear as an Engineering Practitioner or to officially act or to engage in the services as an Engineering Practitioner. It has been enacted that anybody who has not been so registered doesn't have any legal authority to hold posts or appear and act as an Engineering Practitioner either personally or in the government sector or the private sector within Sri Lanka.
3. Therefore, in the event of any person introduces himself/herself as an Engineering Practitioner or draws salaries/allowances as an Engineering Practitioner or works on a contract basis, from and out of the Government finances or funds, it is prohibitory and unlawful for not being registered as an Engineering Practitioner in compliance with the relevant qualifications as set out in the schedule "A" of the Engineering Council, Sri Lanka Act and for not having his/her name included in the register of the relevant Engineering Practitioner Category prior to doing so.
4. No Engineering Practitioner shall use his/her, an abbreviated professional designation under Section 17 of the Engineering Council, Sri Lanka, Act unless such Engineering Practitioner has been formally registered as such with the Engineering Council, Sri Lanka, in the relevant category.
5. Registration under the relevant category of the Engineering Council, Sri Lanka under Section 15 of the Act is required to use the abbreviated designation as an Engineering Practitioner referred to in paragraph 4 above.
6. According to the list of qualifications of the Engineering Practitioners set out in the schedule "A" of the Engineering Council, Sri Lanka Act No. 4 of 2017, after verification as to whether all the academic qualifications and professional requirements required to join with public and private sector employment within Sri Lanka are met, the final qualification is the registration in the Engineering Council, Sri Lanka which will be considered the permission granted by the Engineering Council, Sri Lanka to engage in professional practice and activities as Engineering Professionals about whom the Engineering Council, Sri Lanka is satisfied with. This verification of the qualification is the official and lawful permission granted by the Engineering Council, Sri Lanka which has a continuous corporation existence.

7. The aforesaid verification of qualifications and verification of granting permission having registered as an Engineering Practitioner is the official and professional permission, unanimously determined and declared by the Engineering Council, Sri Lanka which is incorporated as follows in terms of Section 3 of the aforesaid Act. Accordingly, this Engineering Council, Sri Lanka, consists of the following appointments;

Ex-Officio members

Three Deans of Engineering Faculties who are not lower than the level of a Professor nominated by the University Grants Commission established under the Universities Act No. 16 of 1978 - 3(a)(i) or three of their nominees.

Director-General of Tertiary and Vocational Education Commission or his representative.

Appointed Members

Seven Chartered Engineers nominated by the Institution of Engineers, Sri Lanka established by the Institution of Engineers, Sri Lanka Act, No. 17 of 1968 - 3(b)(i).

Four members representing different engineering disciplines nominated by the Institution of Incorporated Engineers of Sri Lanka established by the Institution of Incorporated Engineers of Sri Lanka (Incorporation) Act, No. 64 of 1992 - 3(b)(ii).

A Chartered Engineer nominated by Sri Lanka Engineering Service - 3(b)(iii).

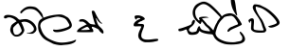
A representative of Engineering Technicians nominated by the Tertiary and Vocational Education Commission established under the Tertiary and Vocational Education Act, No. 20 of 1990 - 3(b)(iv),

Engineering Council selects, register and maintain registers of Engineering Practitioners in Sri Lanka.

8. This legal position, without any difference, is relevant to all who represent their names as Engineering Practitioners working in government and private sectors as well as engaged in self-employment within Sri Lanka.
9. And further, even a Foreign Engineering Practitioner who is engaged temporarily as an Engineering Practitioner within Sri Lanka for a certain project or an activity and/or is employed in Sri Lanka temporarily for a specific short period of time, the permission of the Engineering Council, Sri Lanka should be obtained. Engineering Practitioners' activities should not be done without obtaining a temporary registration for a period of not more than four months subject to the conditions imposed by the said Council having verified for that purpose.
10. Regulations in relation to the above registration have been published through the Extra Ordinary Gazette No. 2198/9 dated 20.10.2020 of the Republic of Sri Lanka.
11. It is notified that the concessionary period for registration declared by the aforesaid gazette was extended up to 31st of December 2021 having taken into consideration the impact on the corporate structure of both government and private sectors due to the Covid 19 pandemic.
12. Accordingly, it is notified that if somebody appears and acts as an Engineering Practitioner within Sri Lanka without having the aforesaid registration, it is against the law, and employing such a person without due registration would possibly be included in the offense of abetting and/or offenses connected thereto which are among the consequential offenses connected to the said offense.
13. It is notified that a person should be registered in the relevant category that each and every Engineering Practitioner belongs to, from and out of the categories of the Engineering Professionals set out in the aforesaid gazette. For that purpose, permission should be obtained having got the registration approved from the Engineering Council, Sri Lanka having applied and submitted qualifications in terms of the regulations set out in the aforesaid gazette in the Republic of Sri Lanka through the professional bodies that he/she belongs to.

14. This circular is forwarded to the Secretary to the Ministry of Finance, Secretary to the Ministry of Public Administration, Secretary to the Public Service Commission, Secretaries to Provincial Public Service Commissions, and to all the Provincial Chief Secretaries in order to apply relevant provisions of it, at the time of recruitment and promotional procedures when a person is employed as an Engineering Practitioner as far as it is relevant to the state finance.

It is declared that this circular is effective from 26.07.2021.



Eng. Tilak De Silva
Chairman,
Engineering Council, Sri Lanka

Copies:-

- i) Auditor General, National Audit Office - For your info and necessary action, please.
- ii) Secretary, Public Service Commission - For your info and necessary action, please.
- iii) Secretary, Provincial Public Service Commission - For your info and necessary action, please.
- iv) Director-General, Department of Management Services - For your info and necessary action, please.