

Board of Mining Engineering

Article III RESPONSIBILITIES TO THE COMMUNITY

Rule 1. Foremost, The Mining Engineer should be aware of the safety and welfare of the people, in the pursuit of his/her profession.

Rule 2. The Mining Engineer shall always be ready and willing to render professional service, even without compensation, in cases of accidents, emergencies, or calamities.

Rule 3. The Mining Engineer shall not issue or cause to be issued any unwanted professional opinion, improper advice, false information tending to alarm, confuse, or endanger the safety of the community. He shall report to the proper authorities acts or omissions relative to the practice of the profession which are prejudicial to public interest and the welfare of the people.

Rule 4. The Mining Engineer shall not render a professional opinion or report without the benefit of supporting facts and competent analysis of the mining issue at hand. The basis and limitations of his professional opinion or conclusion must be stated clearly, taking into account the purpose for which the opinion or report is rendered.

Rule 5. The Mining Engineer shall not issue or cause to be issued any sensational or exaggerated opinion, report or statement tending to induce or encourage any undertaking or activity that may be immoral, unlawful or inimical to the general welfare.

Rule 6. The Mining Engineer shall always endeavor, if called upon to enlighten any interested sector of the community, to state honestly in accordance with his professional knowledge the facts or circumstances pertinent to the inquiry, without bias or prejudice.

Rule 7. The Mining Engineer shall not cause or allow the publication of his report, maps or dissertations for any untoward, unlawful or immoral undertaking. However, he may publish or cause the publication of any article, document or writing in order to impart his knowledge and expertise to the public.

Rule 8. The Mining Engineer may publish or disseminate professional calling cards or announcements; but the announcement or advertisement of his work or expertise must not be false or exaggerated. Pursuant to the provisions of Section 3 of the Republic Act No. 4274, known as the Mining Engineering Law of the Philippines, and Section 6 of P.D. No. 223, this Code of Ethics for Mining Engineers endorsed by the Philippine Society of Mining Engineers (PSEM) is hereby adopted to govern the practice of mining engineering in the Philippines.

PREAMBLE

It is a solemn responsibility of a Mining Engineer, after admission in the practice of mining engineering to adhere to the fundamental principles of his/her profession guided by a norm of conduct consistent with this Code of Ethics.

Article I DECLARATION OF PRINCIPLES

Rule 1. The practice of Mining Engineering, as a profession, is a privilege granted by the State. The privilege requires a high degree of knowledge, efficiency, responsibility and morality. The dignity and honor of the profession must at all times be kept unblemished.

Rule 2. The duly constituted authorities shall be recognized and obeyed in the practice of the profession.

Rule 3. A Mining Engineer shall endeavor to protect and conserve, develop, and utilize the natural resources of the State for the benefit of the present and future generations.

Article II RESPONSIBILITIES TO THE STATE

Rule 1. The Mining Engineer shall maintain allegiance to the Republic of the Philippines, support the Constitution and obey all laws duly promulgated and approved by the duly constituted authorities.

Rule 2. The Mining Engineer shall faithfully exercise his/ her profession, conserve and protect the natural resources of the State, and promote the development and use of such natural resources for the interest of the people.

Rule 3. The Mining Engineer shall strive for the common good and shall contribute his/her expertise for the success of national projects or policies.

Rule 9. The Mining Engineer in the government service must work for the interest of the government and shall not employ his position for profit. He shall not exact favors or oppress those dealing with his office.

Rule 10. The Mining Engineer shall actively support the organization of his chosen profession, and share his experiences with others in the profession.

Article IV RESPONSIBLE TO EMPLOYER AND CLIENTS

Rule 1. The Mining Engineer must faithfully use his knowledge and skills in performing his tasks to this clients or employer.

Rule 2. The Mining Engineer shall protect with utmost professional attention the interest of his employer or client.

Rule 3. The Mining Engineer shall not advance or promote any interest of his client or employer which is contrary to law; public policy or professional obligations and ethics.

Rule 4. The Mining Engineer, whose obligations to his employer or clients are in conflict with his professional obligations or ethics, should endeavor to resolve the conflict in accordance with the law, public policy, and the provisions of this Code. Where the conflict is beyond reconciliation, he should sever his professional engagement.

Rule 5. The Mining Engineer shall disclose to his prospective employer or client any personal interest he holds on any mineral property, mining organization, or other matters which may affect, directly or indirectly, adversely or otherwise, his relations and obligations with the prospective client or employer.

Rule 6. The Mining Engineer shall not divulge any information given in confidence during his employment; neither shall he attempt to profit therefrom nor shall he use, directly or indirectly, such information to the prejudice of his employer or client.

Rule 7. The Mining Engineer shall not engage or offer to engage, his/her professional services to those with conflicting and adverse interests.

Rule 8. The Mining Engineer must faithfully promote and advance the interest of his employer or client.

Rule 9. The Mining Engineer shall not place himself under any obligation to any person or organization who has a pending transaction with his employer or client, and shall not receive any favor from such person or organization.

Rule 10. The Mining Engineer must refer his client or employer, whenever necessary to serve the interests of the latter, to experts or consultants. He must not accept any favor or compensation whatsoever for the referral to such experts or consultants.

Rule 11. The Mining Engineer shall act as trustee of his client or employment in the preparation of contracts and similar documents. He shall be impartial in the interpretation of such documents so that the rights and obligations of his clients or employer and other contracting parties shall be faithfully determined and discharged.

Article V RESPONSIBILITIES TO EMPLOYEES

Rule 1. The Mining Engineer, as employer, shall at all times be concerned with the welfare of his employees whose rights as workers are guaranteed under the Constitution and protected by laws.

Rule 2. The Mining Engineer shall be willing to share the substantial profits from his enterprise with the employees responsible therefor.

Rule 3. The Mining Engineer must observe and obey all laws, rules and regulations on labor, particularly those affecting labor relations, hours of work, wages and terms and conditions of work.

Rule 4. The Mining Engineer shall at all times strive to improve the knowledge and skill of his employees, provide safety measures for his men, and maintain the operational efficiency of his machines or equipment.

Article VI RESPONSIBILITIES TO COLLEAGUES

Rule 1. The Mining Engineer shall accord respect and courtesy to his brothers in the profession. He shall abstain from opinions or comments, critical of, or prejudicial to his colleague's reputation or business, unless such colleague is engaged in activities inimical to the dignity and integrity of the profession, and such critical views are aired in the proper forum.

Rule 2. The Mining Engineer shall not fraternize with those engaged in unethical practices.

Rule 3. The Mining Engineer must duly acknowledge the professional work of his colleagues and give full recognition thereto; and must refrain from plagiarism in oral or written communications.

Rule 4. The Mining Engineer shall ensure that proper credit and recognition must be accorded to any associate, subordinate, or partner, who has contributed to the work for which he himself claims responsibility.

Rule 5. The Mining Engineer must not take undue advantage of his present or former stature or position in the profession to unduly oppress or unfairly compete with his colleagues or take undue advantage of their weaknesses or lack of knowledge. He must not use the advantages of private practice to the detriment of his employed colleagues.

Rule 6. The Mining Engineer must always encourage and promote the professional advancement of his colleagues, especially when he occupies a position of authority. He shall exert efforts to assist in the development of the knowledge and skills of his colleagues.

Rule 7. The Mining Engineer shall not describe himself or permit himself to be described as a consultant, unless he possesses all the necessary qualifications and experience, occupies a position of professional independence, and able to act as an independent and unbiased adviser.

Rule 8. The Mining Engineer shall seek harmony and cooperation among colleagues in the profession, encourage the ethical dissemination of knowledge in mining engineering and be actively involved with legitimate organizations of his profession.

Article VII THE ESSENCE OF THE MINING ENGINEER'S DUTIES AND RESPONSIBILITIES

Rule 1. The conferment of the privilege to practice Mining Engineering requires the faithful, ethical and lawful performance of the acts constitutive of professional practice. In the ultimate analysis, the Mining Engineer's existence is justified by the need to ensure that all the God-given natural mineral resources of the State shall be wisely conserved, and properly developed, exploited, and utilized for the benefit of the present and future generations of the country.

Article VIII

Rule 1. Violation of any provision of this Code shall constitute unethical or unprofessional conduct, and shall be dealt with under the provisions of Section 22 of the Mining Engineering Law and Section 16 of the Rules and Regulations implementing the aforesaid Law.

Effectivity

Rule 1. This Code shall take effect upon approval hereof by the Commission and after fifteen (15) days following its publication in the Official Gazette. Adopted in the City of Manila, this 10th day of January, 1986.