

NIGERIA SURVEY ETHICS

A LECTURE DELIVERED

BY

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BY

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NIGERIA SURVEY ETHICS

WHAT JUSTIFICATION?

- A Surveyor bought one acre of land for himself and surveyed it. After some years, same parcel of land was divided to six plots by Survey Assistant, by order of a client other than the Surveyor. The Surveyor signed the six plots at different time to the Survey Assistant without knowing that the parcel of land belongs to him.
- It later resulted in Litigation. The Surveyor have to stand as expert witness for himself and the Client.

WHAT AN EXPERT WITNESS !!!!!!!

ETHICS

WHERE THERE IS NO LAW THERE CAN NOT BE SIN

- ETHICS can be defined as the moral principles that govern a person's behaviour or the conduct of an activity, or standard of behaviour
- ETHICS can also be defined as Rules of Behaviour based on ideas about what is morally good

CODE OF ETHICS IN THE SURVEY PROFESSION

- Every profession be it medical, teaching, engineering, journalism, etc have professional ethics that guided the practice of the profession.

Surveying in Nigeria like other professions cannot be an exemption.

- The body established to ensure that survey ethics are upheld is known as SURCON STATE COMMITTEE ON ETHICS AND PRACTICE OF THE SURVEYING PROFESSION (SSCE) known in each state of the federation as THE ETHICS COMMITTEE.
- The Ethics Committee consists of the Surveyor General of the state and two other members which are Nigerian Institution of Surveyors (NIS) chairman of the state chapter and one council member according to section 23 of the Surveyors Council of Nigeria Act.

- The SSCE of each state are responsible to the surveyors Council of Nigeria for effective supervision of survey practice. They make prompt report to the council through the office of the Registrar of any breach of professional ethics by any surveyor and such report of misconduct is directed to the Surveyors Investigating Panel to look into the allegation and recommend appropriate steps to be taken according to section 16 of the Surveyors Council of Nigeria Act CAP 425, laws of the Federation of Nigeria 1990.

DECREE 1989

- Every Surveyor shall be governed by the provision of the Surveyor Council of Nigeria Decree 1989 No. 44

OFFICE OF A SURVEYOR

- A Surveyor shall maintain a good and respectable office.
- A Surveyor shall display his certificate conspicuously in his office.
- Where a Surveyor maintains an approved branch office, such office shall be manned by a Surveyor.

REMUNERATION OF SURVEYOR

- A Surveyor shall be remunerated in accordance with the provision of the professional scale of fees as approved by the Federal Ministry of Works and NIS
- A Surveyor shall not offer his services at reduced fees nor shall he compete with any other surveyors by under-cutting the fees or his services

Any Surveyor who contravene the provision of this section shall be guilty of an offence and shall be liable on conviction to the penalties stipulated in the Code of Ethics

PRIVATE PRACTICE BY SURVEYORS IN PAID EMPLOYMENT.

- Surveyor in paid employment shall not undertake any other survey practice except where the condition of service expressly permits.
- Consultancy units in institution of higher learning offering Surveying/Geoinformatics after enlistment with SURCON shall be allowed to practice.

A Surveyor who contravenes the provision of this Code of Ethics shall be guilty of an offence and liable on conviction to the Penalties stipulated in the Code of Ethics

ATTITUDE TOWARDS PROFESSIONAL COLLEAGUES

A Surveyor on instruction to -:

- proceed with a professional work upon which another surveyor was previously engaged, or
- Certify true copies of another Surveyor's plan or product without the other Surveyor's consent , except in case of a deceased surveyor,
- Shall cause notice of the facts to be given to the Ethics Committee of the State where the survey was situated and shall take all reasonable care to satisfy himself that there are no outstanding obligations between the previous surveyor and the client before he proceeds to undertake such works. Otherwise, he shall be guilty of an offence and shall be liable on conviction to the penalties stipulated in the Code of Ethics

MALICIOUS INJURY TO PROFESSIONAL COLLEAGUES

- Any Surveyor who attempt to injure falsely or maliciously directly or indirectly the professional reputation or prospects of any other surveyor is guilty of an offence and liable on conviction to a penalty commensurate with the gravity of the injury.

ADVERTISEMENT

- A Surveyor who advertises or offers his services by means of circulars or paid announcements in any newspaper or magazine is guilty of an offence and liable on conviction to penalties as stipulated in the schedule of penalties to this Code of Ethics
- A surveyor may however notify his clients by post or press publications of any change of address or in the constitution of his firm

INDUCEMENTS FOR JOBS

A Surveyors who offer benefits or gifts to agents or offers any form of inducement to anybody in order to be assigned survey works is guilty of an offence and liable on conviction to penalties stipulated in this Code of Ethics.

MISCONDUCT AS RELATED TO PLANS

A surveyor who

- certifies any plan, survey data or other records of any survey relating to any land in respect of which he did not effect or personally the whole or any part of such survey, examine or satisfy himself of the correctness of the entries in any field book and of the calculation thereon or working plans and other records in connection therewith, which may have been made by any other Surveyor, or

- Certifies a plan which he knows or ought to know is incorrect if he had exercised reasonable care, or
- Is convicted of any criminal offence and the criminal offence is in the opinion of the Council, sufficient to render him unfit to practice as a surveyor ,

Is guilty of **infamous conduct** in any professional respect and liable on conviction to the penalties specified in the Code of Ethics

MISUSE OF PROFESSIONAL NAME

- A Surveyor who permits his name to be used in aid of an unauthorized practice of surveying by any person/agency or corporate body is guilty of an offence and liable on conviction to the penalty stipulated in the Code of Ethics

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ISSUANCE OF FALSE CERTIFICATE

- A Surveyor who issues a false certificate of conduct, training and field experience to a pupil surveyor is guilty of an offence and liable.

CONDUCT RELATING TO THE COUNCIL'S SEAL, ETC.

A Surveyor shall not-:

- Duplicate the common seal of the SURCON or
- Duplicate plan numbers, or
- Duplicate beacon numbers, or
- Backdate survey records, data, plans or charts

Any Surveyor who contravenes any of the provisions above is guilty of an offence and liable on conviction to penalties stipulated in the Code of Ethics

SURVEYOR AS EXPERT WITNESS

- A Surveyor shall maintain the status of an expert witness at all times and while standing as an expert witness is estopped from presenting himself as a client's witness.
- Any Surveyor who contravene the provision of this Code of Ethics is guilty of an offence and liable on conviction to suspension from practice as a Surveyor for a period of one month.

TRAINING

- A Surveyor shall continue his professional development throughout his career and provide opportunities for the professional development of the Surveyors under his supervision through the Mandatory Continuing Development Program (MCDP) Organized by NIS in collaboration with SURCON.

OTHERS

- No Surveyor shall remove, tamper with or recap any survey beacon emplaced by another surveyor in the course of carrying out his assignment.
- Only the surveyor who made a plan can withdraw same for amendment after lodgment with the Surveyor-General of the state concerned.
- No surveyor shall operate through any person not being a surveyor or sign a survey plan produced by such a person.
- A Surveyor who is engaged to carry out his professional and technical duties should in the first instance satisfy himself on the status of the land in relation to government lands before embarking upon his task.
- It shall be an offence for a surveyor or a person seeking to become a surveyor except for good cause shown to proceed to litigation in any court to resolve any professional issue or question without first exhausting opportunities available in the enabling Act and the rules and regulations of SURCON or any circulars.
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CIVIC RESPONSIBILITY

- A Surveyor should ensure strict performance of his civic responsibilities and any contravention of this provision shall be treated as professional misconduct in accordance with the provision of the Decree.

THANK YOU