ENGINEERING

Engineering Profession Act 18 of 1986

Summary: This Act (originally published in OG 5244) regulates the engineering profession. It was brought into force by AG 1/1987 (OG 5313) and AG 5/1989 (OG 5687).

Repeals: The Act repeals the *Professional Engineers' Act 81 of 1968* (originally published in RSA GG 2119), with the repeal being effective as of 1 February 1987.[137]

Amendments: Act 25/1991 (GG 327) amends sections 1, 2, 3, 11, 12, 16, and 26 and substitutes certain words and expressions and the long title.

GN 22/2004 (GG 3154) amends Schedule II to the Act. General Notice 563/2015 (GG 5903) substitutes Part A and Part B of Schedule II.

Savings: Regulations, fees and reservations of work made in terms of the *Professional Engineers' Act 81 of 1968* survive under this Act pursuant to section 29(2):

> Any regulation made or any fees prescribed or any kind of work prescribed as reserved for professional engineers under any provision of any law repealed by this Act, which could be made or prescribed in terms of a corresponding provision of this Act, shall be deemed to have been made or prescribed in terms of such corresponding provision, and any reference in any such regulation or in respect of any fees or kind of work so prescribed -
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> (a) to any council as defined in any such law, shall be deemed to be a reference to the council;
> (b) to any law repealed by this Act, shall be deemed to be a reference to this Act;
> (c) to the Minister of Public Works or the Minister, shall be deemed to be a reference to the Minister;
> (d) to any provision of any law repealed by this Act, shall be deemed to be a reference to the corresponding provision of this Act;
> (e) to any register, shall be deemed to be a reference to the corresponding register referred to in this Act;
> (f) to a registrar, shall be deemed to be a reference to the registrar;
> (g) to the Republic, shall be deemed to be a reference to Namibia.

In respect of these savings, it should be noted that the *Professional Engineers' Act 81 of 1968* was transferred to SWA by the Executive Powers (Public Works) Transfer Proclamation, AG 16 of 1978 (OG 3720), which came into force on **30 March 1978** – which excluded from transfer sections 11-17 of that Act (all of which concern advisory committees).

Regulations: The following regulations made in terms of the *Professional Engineers' Act 81 of 1968* appear to survive under this Act pursuant to section 29(2) of this Act:

> **Regulations in terms of the Professional Engineers' Act, 1968 (Act 81 of 1968)** are contained in RSA GN R.380/1969 (RSA GG 2298, reprinted in OG 2988), as corrected by RSA GN R.2039/1969 (RSA GG 2488) (Afrikaans text only), and as amended by RSA GN R.344/1971 (RSA GG 3014), RSA GN R.534/1973 (RSA GG 3843) and RSA GN R.1871/1973 (RSA GG 4048).[138]

[137] In South Africa, this Act was repealed after the date of Namibian independence by the Engineering Profession of South Africa 114 of 1990 (RSA GG 12636).

[138] In South Africa, these regulations were replaced after the date of transfer by regulations in RSA GN R.1527/1981 (RSA GG 7663), as amended by RSA GN R.1782/1981, RSA GN R.2199/1981 and RSA GN R.37/1985.

Additional regulations on the Board of Control for Professional Technologists (Engineering) were issued in South Africa after the date of transfer in RSA GN R.2543/1984 (RSA GG 9507). These regulations were repealed in turn by Regulations on the Board of Control for Professional Technologists (Engineering) in RSA GN R.1262/1986 (RSA GG 10297), as amended by RSA GN R.1537/1986 and RSA GN R.2039/1988.

These regulations were issued under the current Act:

> **Regulations concerning registration and annual registration fees** are contained in GN 161/1987 (OG 5434), as amended by General Notice 192/1989 (OG 5861), GN 71/1998 (GG 1829), General Notice 336/1999 (GG 2229) as amended by General Notice 365/1999 (GG 2248), General Notice 117/2002 (GG 2759), General Notice 87/2003 (GG 2974) and General Notice 60/2005 (GG 3402).
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> > A determination of the professional registration process and requirements (full/professional registration only) was issued under regulation 2 of these regulations in General Notice 499/2026 (GG 8966), effective from 1 July 2026.
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> > A determination on adjustment of basic registration and annual fees, and setting of other fees chargeable was issued under regulation 2 of these regulations in General Notice 500/2026 (GG 8966), effective from 1 April 2026.
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> **Regulations on the tariff of consulting fees** are contained in GN 24/1993 (GG 593), as amended by GN 14/1998 (GG 1796), GN 157/2002 (GG 2810), GN 49/2006 (GG 3591), GN 199/2006 (GG 3738), GN 205/2007 (GG 3933), GN 265/2008 (GG 4153), GN 42/2010 (GG 4440), GN 206/2012 (GG 5014) and GN 239/2013 (GG 5274).

Rules: Council rules are contained in GN 91/1988 (OG 5550).

Notices: The savings clause quoted above applies only to regulations, fees and reservation of work. The following notice on reservation of work appears to survive in terms of the savings clause:

> RSA GN R.3063/1969 (RSA GG 2500), issued in terms of section 7(6) of the Professional Engineers' Act 81 of 1968, prescribes certain kinds of work reserved for professional engineers in connection with projects, undertakings or services of an agricultural, chemical, civil, electrical, mechanical, mining or metallurgical engineering nature.

Other types of notices made under the repealed laws do not generally appear to survive under the current Act. However, GN 159/1987 (OG 5434) states that the South West African Engineering Council has determined that the recognition as professional engineers' institutes granted in terms of section 7(3)(a) of the Professional Engineers Act 81 of 1968 to the Engineering Professions Association of South West Africa/Namibia and the South West African Association of Consulting Engineers, published in AG GN 60/1978 (OG 3833), shall be deemed to have been granted under section 7(1)(i) of the Engineering Profession Act 18 of 1986.

The following notices were issued under this Act:

> Remuneration and allowances payable to Council members are addressed in GN 160/1987 (OG 5434).
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> Exemptions from the provisions of sections 11, 12, 13, 16 and 17 in respect of work for the Millennium Challenge Account are contained in GN 13/2009 (GG 4210).

Lists of registered members, and cancellations and reinstatements of registrants, are published from time to time, but these have not been recorded here.

Additional regulations on the Board of Control for Engineering Technicians were issued in South Africa after the date of transfer in RSA GN R.1500/1983 (RSA GG 8800) as amended by RSA GN R.345/1984 (RSA GG 9097). These regulations were replaced in turn by regulations on the Board of Control for Engineering Technicians in RSA GN R.1261/1986 (RSA GG 10297), as amended by RSA GN R.1536/1986, RSA GN R.1607/1987 (RSA GG 10837) and RSA GN R.1865/1988 (RSA GG 11504).

Fees: Annual registration fees and **consulting fees** are set out in the form of regulations issued under this Act, as listed above. These regulations do not repeal any previous notices on fees issued under the repealed legislation, but would clearly supersede them.

Notices of proposed amendments of tariffs of consulting fees have not been recorded.

There is a notice issued in terms of the Professional Engineers Act 81 of 1968 concerning examination fees, but it was issued after the date of transfer,[139] and no prior notices on this topic were located.

Appointments: Members of the Engineering Council are appointed in GN 16/1990 (GG 33), GN 148/1992 (GG 512), GN 32/1993 (GG 605), GN 153/1994 (GG 913), GN 27/1996 (GG 1255), GN 72/1989 (GG 1829), GN 276/1999 (GG 2248), General Notice 20/2004 (GG 3154), GN 93/2006 (GG 3658), GN 186/2007 (GG 3919), GN 240/2012 (GG 5038), GN 318/2013 (GG 5351), GN 312/2019 (GG 7034) and GN 316/2025 (GG 8797).

Cases: *Fischer Seelenbinder Associates CC v Steelforce CC* 2010 (2) NR 684 (HC).

See also Namibia Qualifications Authority Act 29 of 1996 (occupational standards) (**EDUCATION**).

[139] RSA GN R.1524/1981 (RSA GG 7663), which was replaced in South Africa by RSA GN R.876/1988 (RSA GG 11289) after the Engineering Profession Act 18 of 1986 came into force in SWA.