



QUANTITY SURVEYORS (REGISTRATION, ETC.)

ACT NO 31 OF 1986
(NOW CAP Q1, LFN 2004)

QUANTITY SURVEYORS (REGISTERED QUANTITY SURVEYORS) REGULATIONS, 2017



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FEDERAL REPUBLIC OF NIGERIA

Official Gazette

No. 143

Lagos - 25th October, 2017

Vol.104

Government Notice No. 141

The following is published as supplement to this Gazette:

<i>S.I. No.</i>	<i>Short Title</i>	<i>Page</i>
22	Quantity Surveyors (Registered Quantity Surveyors) Regulations, 2017	B761-771

Printed and Published by The Federal Government Printer, Lagos, Nigeria
FGP 46/42018/150

Annual Subscription from 1st January, 2018 is Local: ₦45,000.00. Overseas: ₦60,500.00 [Surface Mail]
₦75,000 [Second Class Air Mail]. Present issue ₦1.00 per copy. Subscribers who wish to obtain Gazette after
1st January should apply to the Federal Government Printer, Lagos for amended Subscriptions.

**QUANTITY SURVEYORS (REGISTRATION, ETC) ACT,
(CAP.Q1, LAWS OF THE FEDERATION OF NIGERIA, 2004)**

**QUANTITY SURVEYORS (REGISTERED QUANTITY
SURVEYORS) REGULATIONS, 2017**



ARRANGEMENT OF REGULATIONS

Regulation:

PART I - QUANTITY SURVEYING PRACTICE IN NIGERIA

1. Object of Regulations.
2. Practice of Quantity Surveying Defined.
3. Quantity Surveyor Defined.
4. Quantity Surveying Firm Defined.
5. Responsibility of a Registered Quantity Surveyor.
6. Annual Renewal Practice License.
7. Duty of Protecting the Sanctity of the Practice of the Profession.
8. Payment of Annual Practicing fees.
9. Renewable Stamp.
10. Notification of Quantity Surveying Practice.

PART II – RELATIONS WITH CLIENTS

11. Dedication and Devotion to the Cause of the Client.
12. Negligence of Duty as a Registered Quantity Surveyor.
13. Representing Client Competently.
14. Change of a Registered Quantity Surveyor.

PART III - RELATIONS WITH OTHER QUANTITY SURVEYORS

15. Fellowship.
16. Good Faith and Fairness among Registered Quantity Surveyors.
17. Associating in a Matter.
18. Change of Quantity Surveyor by the Client.

PART IV – GOVERNING BODY

19. Duties and Powers of the Quantity Surveyors Registration Board of Nigeria.
20. Delegation to attend functions on behalf of the Quantity Surveyors Registration Board.

- 21. Power to make Practice Directions from time to time.
- 22. Disciplinary Powers of the Board.

B 762

PART V – DISCIPLINE OF QUANTITY SURVEYORS

- 23. Meaning of Professional Misconduct.
- 24. Meaning of Infamous Conduct.
- 25. Penalty for Practice by a Non-Quantity Surveyor.
- 26. Penalties for Unprofessional and Infamous Conducts.

PART VI – MISCELLANEOUS

- 27. Communication of Regulations.
- 28. Short Title.

S. I. No. 22 of 2017

B 763

**QUANTITY SURVEYORS (REGISTRATION, ETC) ACT,
(CAP.Q1, LAWS OF THE FEDERATION OF NIGERIA, 2004)**

**QUANTITY SURVEYORS (REGISTERED QUANTITY
SURVEYORS) REGULATIONS, 2017**

[20th Day of October, 2017]

In exercise of the powers conferred on me by Section 18 of the Quantity Surveyors (Registration, etc.) Act, Cap. Q1, Laws of the Federation of Nigeria, 2004 and all other powers enabling me in that behalf, I, BABATUNDE RAJI FASHOLA (SAN), Honourable Minister of Power, Works and Housing make the following Regulations:-

*Commence-
ment.*

PART 1 -- QUANTITY SURVEYING PRACTICE IN NIGERIA

*Object of
Regulations.*

1. These Regulations shall operate as the code of ethics for all quantity surveyors and it shall complement the Quantity Surveyors (Registration, etc) Act, Cap. Q1, Laws of the Federation of Nigeria, 2004 (hereinafter referred to as 'the Act'), in governing the practice of quantity surveying in Nigeria.
2. --- (1) Quantity surveying is the profession which deals with the evaluation and management of cost, quantities, time and procurement of construction and infrastructure works, right from schemes in prospect, through schemes in progress, up to schemes in use; that is, total cost and procurement Management.
 - (2) The primary expert knowledge areas of the quantity surveyor are cost quantities, time and procurement management of projects.
 - (3) The core skills of the quantity surveyors comprise analysis, appraisal or evaluation, communication, documentation, management, quantification and synthesis.
 - (4) The quantity surveyor uses Bill of Quantities or Schedule of Values, which set the standard for descriptive precision and quantitative reliability for the scheme in performing his professional service.
3. --- (1) For the purpose of these Regulations, a quantity surveyor is an individual person duly registered with the Quantity Surveyors Registration Board of Nigeria.
 - (2) The principal services of the quantity surveyor are –
 - (a) preliminary cost advice;
 - (b) advising on construction methods;
 - (c) advising on contractor selection;
 - (d) preparing tender documents;
 - (e) obtaining or negotiating tenders or bids;

*Practice of
Quantity
Surveying
Defined.*

*Quantity
Surveyor
Defined.*

B 764

- (f) cost planning;
- (g) valuing construction works;
- (h) preparing and agreeing accounts with contractors;
- (I) preparing expenditure statements for taxation and accounting purposes;
- (j) technical auditing;
- (k) assessing replacement cost for insurance project control;
- (l) giving expert advice in arbitration and disputes;
- (m) feasibility studies;
- (n) investment appraisals;
- (o) cost control and post-contract management;
- (p) project management and co-ordination;
- (q) value management, analysis and engineering;
- (r) risk management;
- (s) security management;
- (t) financial analysis;
- (u) property condition surveys and appraisal;
- (v) due diligence studies;
- (w) procurement management;
- (x) scheduling and planning;
- (y) life cycle costing;
- (z) facility management;
- (aa) asset management;
- (bb) contract auditing; and
- (cc) estimating.

*Quantity
Surveying Firm
Defined.*

4. A Quantity Surveying Firm is a business entity registered by the Corporate Affairs Commission and approved by the Quantity Surveyors Registration Board of Nigeria to practice quantity surveying in Nigeria.

*Responsibility of
a Registered
Quantity
Surveyor.*

5.--- (1) A registered quantity surveyor shall uphold, observe and maintain a high standard of professional conduct, and shall not engage in any conduct which is contrary to the code of ethics of the profession.

(2) A registered quantity surveyor shall exhibit a high level of professional competency in the discharge of his duties

*Annual Renewal
of Practice
License.*

6. The practice licence of a registered quantity surveyor shall be renewed annually upon the payment of an annual practicing fee and attending at least one mandatory continuing professional development event organised by the Board.

7. --- A registered quantity surveyor shall not engage in any act of knowingly or make any omission or engage in any conduct calculated or designed to lead to admitting into the practice of a person who is unqualified or unsuitable for admission by reason of his insufficient qualification, moral character or any other reason.

(2) A registered quantity surveyor shall not aid a non-quantity surveyor in the unauthorised practice of the profession, either by permitting his professional services or his name to be used in aid of, or to make possible, the unauthorised practice of the profession by any person not registered pursuant to these Regulations or disqualified from the practice of the profession.

(3) A registered quantity surveyor shall not write or sign his name or permit his name to be written or signed on a document prepared by a non-quantity surveyor as if prepared by him, in return for a fee or otherwise.

(4) A registered quantity surveyor shall always put the ethics of the profession above any personal ambition or financial consideration.

8.—(1) Practising fees shall become due on the 1st of January of every year and a registered quantity surveyor shall pay his annual practising fees not later than 31st of March of every year, provided that where a quantity surveyor becomes registered during the year, he shall pay his annual practising fees within 30 days of the registration.

(2) A registered quantity surveyor shall not sign, stamp or seal any document, instrument, agreement, letter, report, opinion or similar document in his capacity as a registered quantity surveyor, when he is in default of payment of his annual practising fees and his practicing license has not been renewed.

(3) The amount to be paid as annual practising fees shall be in such sum as may be approved by the Board from time to time.

9.—(1) The Board shall for a fee as it may consider appropriate, make available renewable stamps to be applied for and obtained by all quantity surveyors both in private practice and in the public sector, annually.

(2) A quantity surveyor acting in his capacity as a registered quantity surveyor, shall not sign or file a recognised professional document unless there is affixed on such document, a stamp as may be approved by the Governing Board of Quantity Surveyors Registration Board of Nigeria.

(3) Where a registered quantity surveyor, in disregard of these Regulations, signs or causes any document in any of the capacities mentioned in sub regulation (1) of this regulation, the matter shall be referred to the Disciplinary Committee established under section 12 of the Act for necessary action.

B 765

*Duty of
Protecting
the Sanctity
of the
Practice of
the
profession.*

*Payment of
Annual
Practising
fees.*

*Renewable
Stamp.*

B 766

*Notification of
Quantity
Surveying
Practice*

10.-- (1) A person who sets up private quantity surveying practice, either alone or in association or partnership with another, shall inform the Board at any point where there is any change in such quantity surveying practice, and where he continues to carry the practice, he shall deliver a notice in the prescribed form to the Quantity Surveyors Registration Board of Nigeria.

(2) The Notice referred to in sub regulation (1) of this regulation, shall state that the:-

- (a) name of the quantity surveyor;
- (b) address where the quantity surveying practice is carried on;
- and
- (c) date the quantity surveyor was registered in Nigeria.

(3) Every registered quantity surveyor who after having been registered, changes his name or address for quantity surveying practice, shall deliver to the Board a Notice in the prescribed form showing particulars of the changes made.

PART II -- RELATIONS WITH CLIENTS

11. -- (1) A registered quantity surveyor shall uphold the duty to devote his attention, energy and expertise to the service of his client and subject to any rule of law, to act in a manner consistent with the best interest of the client.

(2) Without prejudice to the generality of sub regulation (1) of this regulation, a quantity surveyor shall:-

- (a) consult with his client in all question of doubt which do not fall within his discretion;
- (b) keep the client informed of the progress and any important development in the cause or matter as may be reasonably necessary;
- (c) advise his client against any impending risk which is likely to occur in the course of the matter; and
- (d) promptly respond to request for information by the client.

12.-- (1) Subject to the provisions of this regulation, a person shall not be immune from liability for damages attributable to his negligence while acting in his capacity as a quantity surveyor and any provision purporting to exclude or limit that liability in any contract shall be null and void.

(2) Nothing in sub regulation (1) of this regulation shall be construed as preventing the exclusion or limitation of the liability therein stated in any case where a registered quantity surveyor gives his services without reward either by way of fees, disbursements or otherwise.

(3) Negligence by a quantity surveyor in handling a client's affairs may be of such a nature as to constitute professional misconduct.

*Dedication and
Devotion to
the Cause of
the Client*

*Negligence of
duty as a
Registered
Quantity
Surveyor.*

13. A registered quantity surveyor shall:-

- (a) not handle a job which he knows or ought to know that he is not competent to handle without associating with him, a quantity surveyor who is competent to handle it, unless the client expressly objects;
- (b) not handle a job without adequate preparation;
- (c) not neglect a job entrusted to him;
- (d) not carry out any act whereby for his personal benefit or gain he abuse or takes advantage of the confidence reposed on him by his client; and
- (e) where he collects money for his client, or is in position to deliver a project or property on behalf of his client, promptly report, and account for it and shall not mix such money or property with or use it as his own.

14. -- (1) when a client de-commissions his quantity surveyor on a project, the client is entitled to all documents:-

- (a) prepared by such a quantity surveyor in respect of the project; and;
- (b) received by the quantity surveyor in the course of the project

(2) Upon the de-commissioning of a quantity surveyor by a client on a project, the Quantity Surveyor shall have a lien on all documents of the client received in the course of the project, in respect of unpaid fees due to him.

PART III - RELATIONS WITH OTHER QUANTITY SURVEYORS

15.-- (1) A registered quantity surveyor shall treat other registered quantity Surveyors with respect, fairness, consideration and dignity.

(2) A client to a registered quantity surveyor shall have the right to proffer, either on his own, or on the advice of his quantity surveyor, the services of additional registered quantity surveyors in a project.

16. -- (1) Where a registered quantity surveyor is employed by a client to join an original registered quantity surveyor, the latter quantity surveyor shall decline where it is objectionable to the original quantity surveyor.

(2) Without prejudice to the provision contained in sub regulation (1) of this regulation where an original quantity surveyor is relieved of his commission or retainer by the client or he withdraws, a new quantity surveyor may come into the project.

(3) The new quantity surveyor stated in sub regulation (2) of this regulation shall ensure that all the fees due to the original quantity surveyor in the job are paid.

17. -- (1) Where registered quantity surveyors jointly associated in a course are unable to agree as to any matter vital to the interest of the client, the conflict or opinion shall be frankly stated to the client for his determination, and the client's decision shall be final.

(2) Where the nature or the difference under sub regulation (1) of this regulation makes it impracticable for the registered quantity surveyor whose judgement has been overruled to co-operate effectively, he shall withdraw from the employment.

B 767

*Representing
Client
Competently.*

*Change of a
Registered
Quantity
Surveyor.*

Fellowship.

*Good Faith
and Fairness
among
Registered
Quantity
Surveyors.*

*Associating
in a Matter.*

B 768

*Change of
Quantity
Surveyor by the
Client.*

18.—(1) Where a client changes a registered quantity surveyor on a pending project, the new quantity surveyor shall give notice of his engagement to the former registered quantity surveyor and ensure that the former quantity surveyor is paid his earned fees.

(2) A registered quantity surveyor shall observe and uphold good faith and fairness in dealing with another quantity surveyor including:-

(a) strictly observing all promises or agreements with other registered quantity surveyors, professionals and clients whether oral or in writing and whether in or out of court, and shall adhere in good faith to all agreements implied by the circumstances of the case; and

(b) where he gives a personal undertaking and does not expressly or clearly disclaim personal liability there under, honour his undertaking promptly.

(3) Where a registered quantity surveyor is aware or ought reasonably to be aware, that a project is already assigned to another registered quantity surveyor preceding him, he shall not have any dealing with that client in respect of the same project without giving prior notice to the serving quantity surveyor, provided that the registered quantity surveyor accepting the notice shall endeavour to ensure that the project is effectively and effectually realised without compromise.

PART IV - GOVERNING BODY

19. --- (1) The Quantity Surveyors Registration Board of Nigeria (herein after referred to as 'the Board') shall be responsible for making the decisions for regulating the quantity surveying profession in Nigeria.

(2) Notwithstanding the provision of sub regulation (1) of this regulation, the Minister shall have the power to issue directives to the Board as he deems fit from time to time.

(3) The Board may propose to the Minister any amendment to these Regulations, as it may deem fit, for the smooth operation of the practice.

(4) An amendment pursuant to sub regulation (3) of this regulation shall be subject to approval by the Minister.

(5) In these Regulations, "Minister" shall have the same interpretation as provided for in section 19 of the Act.

*Duties and
Powers of the
Quantity
Surveyors
Registration
Board of
Nigeria.*

B 769

- 20.—(1) No person shall attend any function on behalf of the Board unless such a person is duly authorised by the Board in writing to do so.
- (2) A person or firm invited for the function stated in sub regulation (1) of this Regulation, in his or its capacity as the representative of the practice of Quantity Surveying in Nigeria, shall first seek and obtain the written consent of the Board.
- (3) A violation of the provisions of sub regulations (1) or (2) of this regulation shall constitute an act of gross professional misconduct and upon an infringement of the stated provisions, an erring practitioner whether in private practice or public service shall be referred to the Registered Quantity Surveyors Disciplinary Committee.
- 21.—(1) Subject to the provisions of the Act and these Regulations, the Board may from time to time propose to the Minister, practice directions as it may deem necessary to facilitate the smooth practice of the quantity surveying profession.
- (2) In the event of a conflict between these Regulations and a practice direction made pursuant to sub regulation (1) of this Regulation, these Regulations shall prevail over the practice direction.
22. The disciplinary powers of the Board shall be vested in the Registered Quantity Surveyors Disciplinary Committee as established in section 12 of the Act.

Delegation to attend functions on behalf of the Quantity Surveyors Registration Board.

Power to make Practice Directions from time to time.

Disciplinary Powers of the Board.

PART V - DISCIPLINE OF QUANTITY SURVEYORS

23. Professional misconduct as used in these Regulations shall include an act or omission which is in a professional respect immoral, dishonest or dishonourable and which violates the ethics of the quantity surveying profession.
24. Infamous conduct in these Regulations means an act or omission, whether or not in a professional respect, of a registered quantity surveyor, which is of such a kind that brings disrepute or embarrassment to the quantity surveying Profession.
25. Subject to the provisions of the Act and these Regulations, where a person other than a quantity surveyor:-
- (a) practices or holds himself out to practice as a registered quantity surveyor;
- (b) takes or uses the title of registered quantity surveyor;
- (c) wilfully takes or uses any name, title, addition or description falsely implying, or otherwise misrepresents that he is a registered quantity surveyor or is qualified or recognised by law to act as a registered quantity surveyor; or
- (d) prepares for or in expectation of a reward any instrument relating to immovable property; such a person shall be prosecuted as provided in the Act.

Meaning of professional misconduct.

Meaning of Infamous Conduct

Penalty for Practice by a Non-Quantity Surveyor.

B 770

*Penalties for
Unprofessional
and Infamous
Conducts.*

26.--- (1) Where a person whose name is on the register of Registered Quantity Surveyors of Nigeria is adjudged by the Registered Quantity Surveyors Disciplinary Committee to be guilty of infamous conduct in any professional respect, the Board may decide to:-

- (a) direct the Registrar to strike the person's name off the Register;
- (b) suspend the person from practice by ordering him not to engage in practice as a registered quantity surveyor for such period of time as may be specified in the direction; or
- (c) admonish the person, and any such direction may, where appropriate, include provision requiring the refund of monies paid or the handing over of documents or any other thing as the circumstances of the case may require.

(2) Where a person whose name is on the register of Registered Quantity Surveyors of Nigeria is adjudged by the Disciplinary Committee to be guilty of a misconduct not amounting to infamous conduct which in the opinion of the Registered Quantity Surveyors Disciplinary Committee, is incompatible with the status of a registered quantity surveyor and such a misconduct is not one envisaged by section 13 of the Act, the Board or Disciplinary Committee may, where it may deem fit, give such a direction as is authorised by paragraph (b) or (c) of sub regulation (1) of this regulation.

(3) Any direction under sub regulation (2) of this regulation may, where appropriate, include provisions requiring the refund of monies paid or the handing over of documents or any other thing as the circumstances of the case may require.

(4) In this regulation 'Registrar' means the Registrar appointed pursuant to section 5 of the Act.

PART VI - MISCELLANEOUS

27. Except as otherwise provided by or under these Regulations, any document authorised or required to be served by or under these Regulations may, without prejudice to any other means of service, be served by post in a registered letter.

28. These Regulations may be cited as the Quantity Surveyors (Registered Quantity Surveyors) Regulations, 2017.

*Communication
of Regulations.*

Citation.

Made at Abuja on the 20th day of October, 2017.

B 771

BABATUNDE RAJI FASHOLA, SAN
*Honourable Minister
of Power, Works and Housing*

EXPLANATORY NOTE

*(This Note does not form part of the above Regulations but is intended to
explain its purport)*

These Regulations prescribe the code of ethics for the regulation of quantity surveyors' practice in Nigeria, to complement the provisions of the Quantity Surveyors (Registration, etc) Act, Cap. Q1, Laws of the Federation of Nigeria 2004.