

ENGR 401

Professional Practice

COMPLIANCE:
HEALTH AND SAFETY

Compliance: Privacy

Questions arising from last Lecture

1. What are the implications of breaching the Privacy Act 1993?
2. There are 12 privacy principles listed in the Privacy Act
 - a. Summarise the circumstances under which you might not need to obtain the consent of someone to collect their personal information.
 - b. Which privacy principle upholds the “right to be forgotten”?
 - c. For how long are you allowed to retain personal information under the Privacy Act?
 - d. Bonus Question: How does your answer to (c) relate to backup or archive copies of personal information?

ENZ Code of Ethical Conduct

Obligations in the Public Interest:

1. Take reasonable steps to safeguard **health and safety**.
2. Have regard to effects on environment.

Link: <https://www.engineeringnz.org/resources/code-ethical-conduct/>

What does this mean for software and hardware engineers?

Software has no hazards, so it doesn't apply to us, right?

New Zealand Bill of Rights Act

in many respects, it is a statement of our New Zealand way-of-life

<http://www.legislation.govt.nz/act/public/1990/0109/latest/DLM224792.html>

- Liberty
- Civil rights
- Non-discrimination

Closely associated with the Human Rights Act 1993

<http://www.legislation.govt.nz/act/public/1993/0082/latest/DLM304212.html>

Health and Safety at Work Act 2015

Worksafe New Zealand is the work health and safety regulator.

<http://www.worksafe.govt.nz/>

Health and Safety at Work Act:

- <https://worksafe.govt.nz/managing-health-and-safety/getting-started/understanding-the-law/>
- <https://worksafe.govt.nz/the-toolshed/tools/quizzes/>

The University's Health and Safety policies – what do you know about them?

How do they relate to the Health and Safety at Work Act?

Health and Safety at Work Act 2015

Implications for Software and Hardware Engineers in New Zealand:

- Electrical Safety
- Evacuation and Emergency procedures
- Infrastructure (fire extinguishers, smoke detectors, etc.)
- OOS/RSI
- Interpersonal

but also:

- Procedures and Policies within organisations.

Accident Compensation Corporation

Link: <https://www.acc.co.nz/>

“Everyone in New Zealand is covered by our no-fault scheme if they’ve been injured in an accident. The cover we provide helps pay for the costs of your recovery.”

The Accident Compensation Corporation places requirements on businesses with regard to Health and Safety practices.

This compliance will affect you in one way or another.

ENZ Code of Ethical Conduct

But what about

2. Have regard to effects on environment.

What does this mean for software and hardware engineers?

That “sustainable management of the environment” thing might be relevant for other types of engineer, but doesn’t apply to us, right?



SUSTAINABLE DEVELOPMENT GOALS

17 GOALS TO TRANSFORM OUR WORLD

Link: <https://www.un.org/sustainabledevelopment/sustainable-development-goals/>

- On September 25th 2015, countries adopted a set of goals to **end poverty, protect the planet** and **ensure prosperity for all...**
- For the goals to be reached, everyone needs to do their part: governments, the private sector, civil society and people like you.

More than just pollution, climate change and seismic loading.

Your ENGR 489 project reports will all be expected to address engineering sustainability.

The UN Sustainable Development Goals should frame “sustainability” in the context of your field and your project.

Standards and Legal Compliance

Standards can help in two ways:

1. Voluntary compliance with a recognised standard can confer legal compliance,
2. Legislation which requires compliance with a recognised standard.

Either way, the burden of developing your own practices

Practice Notes and Guidelines

Link: <https://www.engineeringnz.org/resources/practice-notes-and-guidelines/>

Other organisations, e.g. the ACM, provide similar guidance.

What is the difference between “Good Practice” and “Best Practice”?

Contract Law

Contract law is *subtle and complicated*.

The best advice to engineers:

Don't sign anything!

Until you've received advice from a qualified professional!

Contracts are not something anyone should try to handle on their own.

Taking legal advice may be expensive, but not taking legal advice is almost always more expensive.

Questions

What can you find out about:

- Legislation relating to electronic crime?
- NZ laws relating to electronic commerce?
- Legal liability, professional liability, third-party liability?
- What should professionals do when confronted with a situation in which legal compliance is unethical or laws are being used unethically?
- When do professionals have a *professional obligation* to speak about wider societal issues? How do we do that while remaining *professional*?