



OVERVIEW OF REGISTRATION OF ENGINEERS ACT 1967 & REGISTRATION OF ENGINEERS REGULATIONS 1990

Presenter:

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Member, Engineers Act Committee

Date : 17th March 2021

Venue: Zoom



Outline of Presentation

Part #1

OVERVIEW OF THE REGISTRATION OF ENGINEERS ACT 1967

By: Datuk Paduka Ir. Hj. Keizrul bin Abdullah

Part #2

OVERVIEW OF THE REGISTRATION OF ENGINEERS ACT 1967

By: Ir. Hj. Ashari bin Mohd Yakub



Registration of Engineers Act 1967

REGISTRATION OF ENGINEERS ACT 1967

Act of Parliament

First enacted as Act 66 (of 1967)



History of the REA

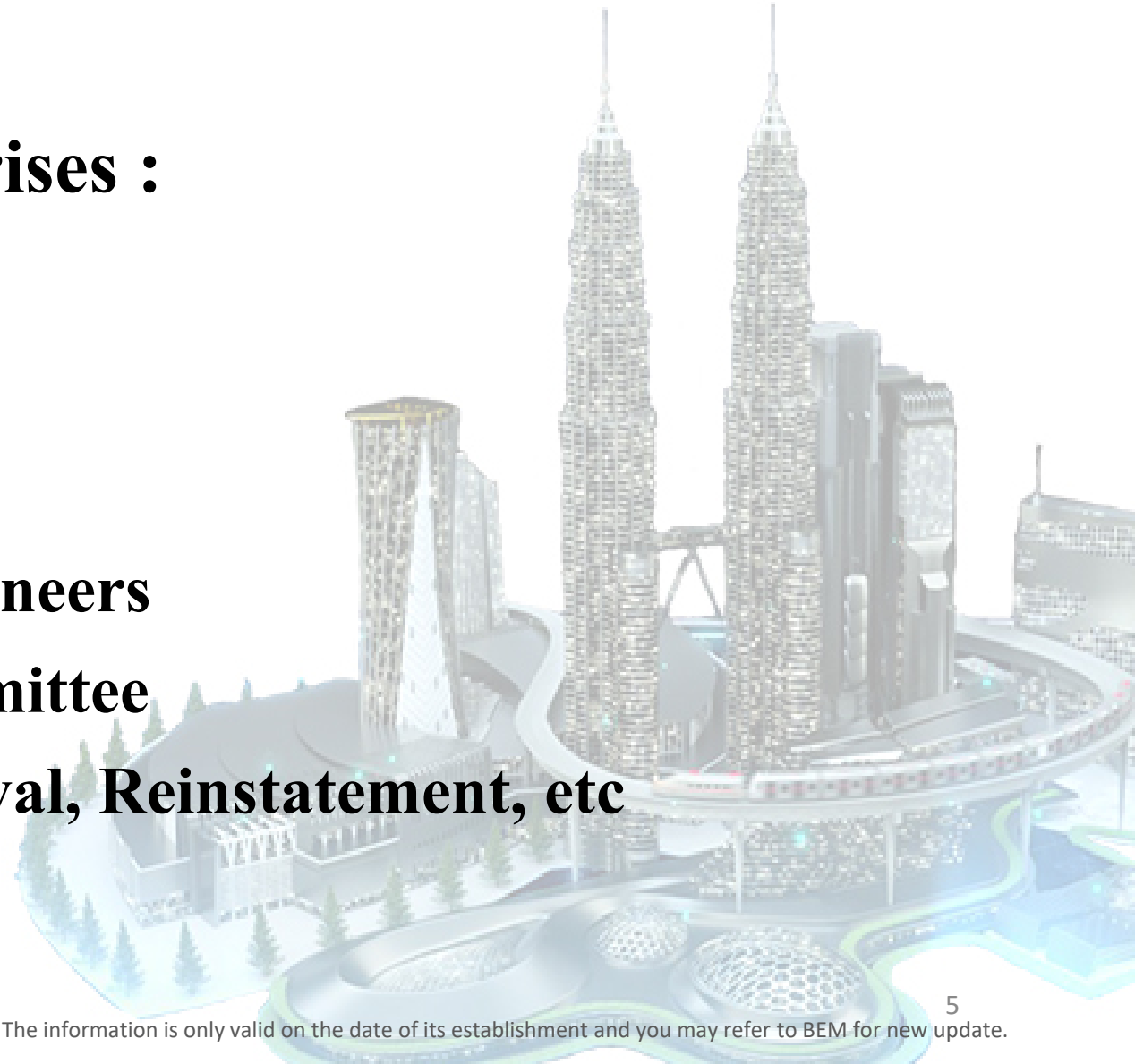
- 1967** **The REGISTRATION OF ENGINEERS ACT 1967** (Act No. 66 of 1967)
- 1972** **Amendments** (Act A132 - Operationalised on 7.7.1972)
- 1972** **Amendments** (Act A138 - 23.8.1972)
- 1974** **Amendments** (Act A218 - 22.2.1974)
- 1987** **Revised to be REGISTRATION OF ENGINEERS ACT 1967**
(Revised 1987) (Act A662 - 16.1.1987)
- 2002** **Revised to be REGISTRATION OF ENGINEERS ACT 1967**
(Revised 2002) (Act 1158 - 1.12.2002)
- 2007** **Revised to be REGISTRATION OF ENGINEERS ACT 1967**
(Revised 2007) (Act A1288 - 1.4.2007)
- 2015** **Amended to be REGISTRATION OF ENGINEERS ACT 1967**
(Revised 2015) (Act A1479 - 31.7.2015)



Contents of the REA

The Act (Revised 2015) comprises :

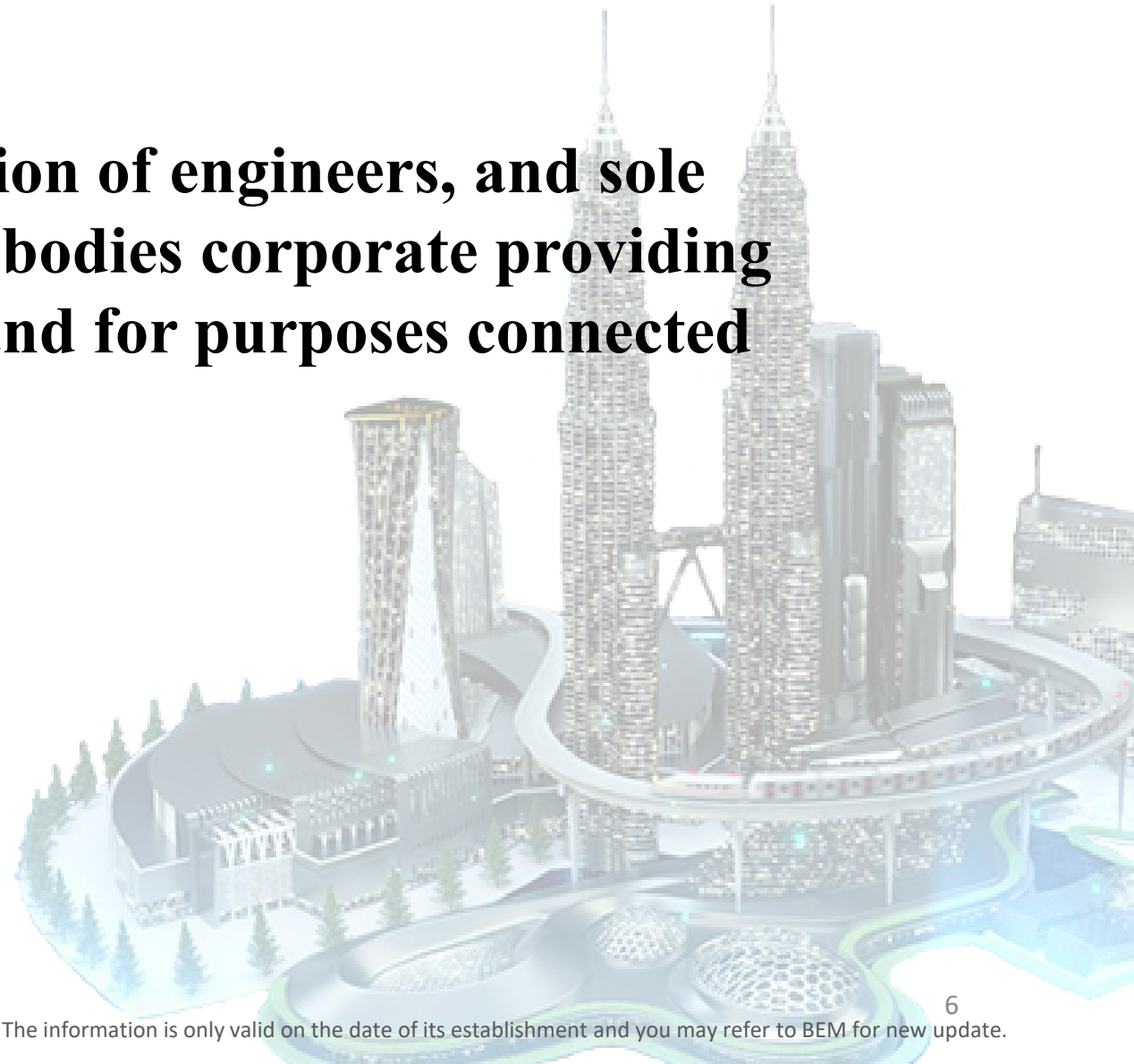
- **Preamble**
- **Part I - Preliminary**
- **Part II - Board of Engineers**
- **Part III - Registration of Engineers**
- **Part IIIA - Disciplinary Committee**
- **Part IV - Cancellation, Removal, Reinstatement, etc**
- **Part V - General**





Preamble

An Act to provide for the registration of engineers, and sole proprietorships, partnerships and bodies corporate providing professional engineering services and for purposes connected therewith.

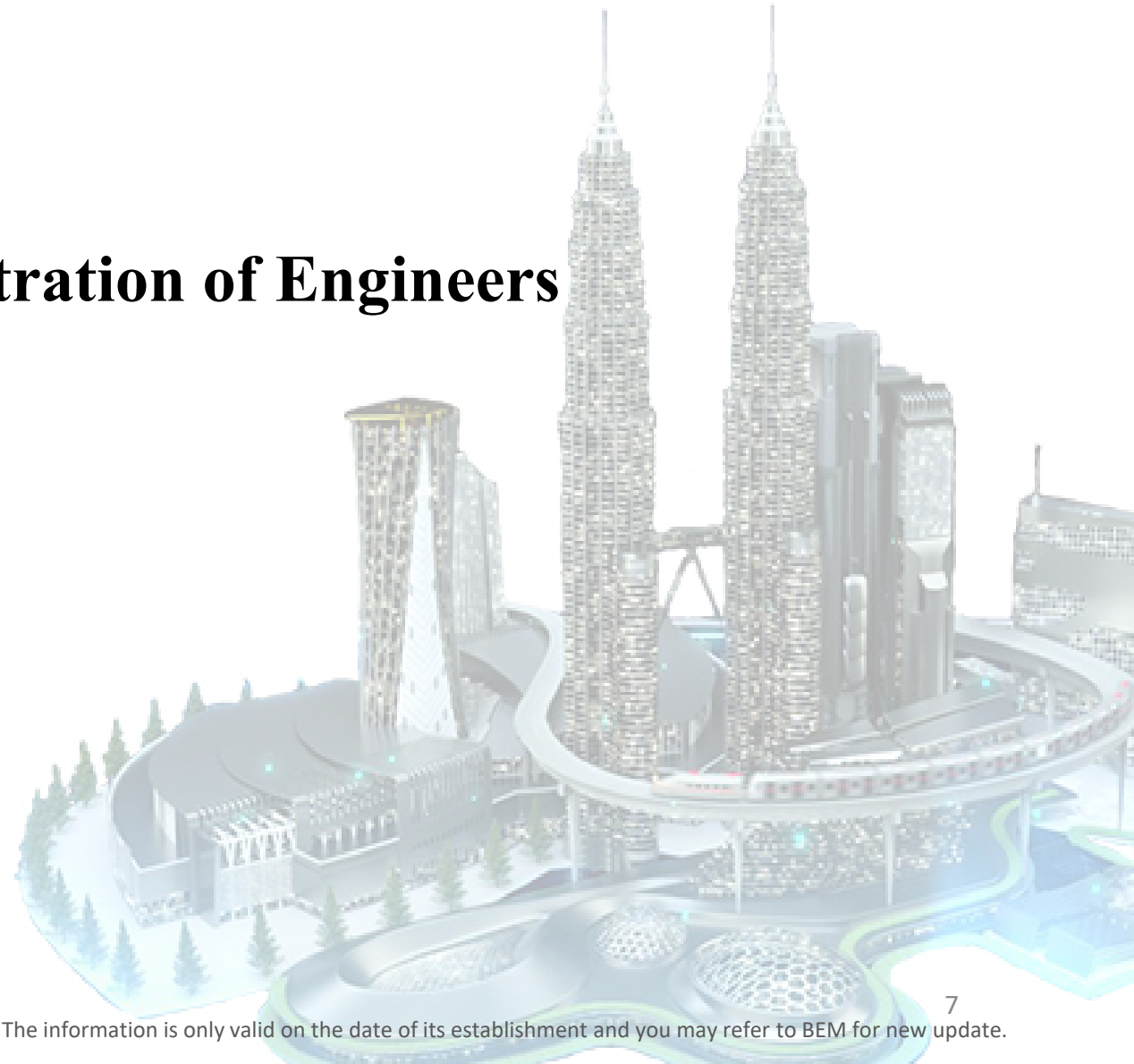




Part I - Preliminary

Subsection 1(1)

This Act may be cited as the Registration of Engineers (Amendment) Act 2015





Part I - Preliminary

Section 2. In this Act unless the context otherwise requires :

“Accredited Checker” means a person registered under section 10B;

“Board” means the Board of Engineers established by subsection 3(1);

“Engineering consultancy practice” means a sole proprietorship, partnership or body corporate, providing professional engineering services, registered under section 7A or 7B;



Part I - Preliminary

Section 2. In this Act unless the context otherwise requires :

“Engineering Technologist” means a person registered under section 10C;

“Engineering works” means all works which include any publicly or privately owned public utilities, buildings, machines, equipment, processes, works or projects that require the application of engineering principles and data;



Part I - Preliminary

Section 2. In this Act unless the context otherwise requires :

“Graduate Engineer” means a person registered under subsection 10(1);

“Inspector of Works” means a person registered under section 10E;

“Practising Certificate” means a certificate issued by the Board to a Professional Engineer under section 10D;



Part I - Preliminary

Section 2. In this Act unless the context otherwise requires :

“prescribed” means prescribed by regulations made under section 26;

“Professional Engineer” means a person registered under subsection 10(2);

“Professional Engineer with a Practising Certificate” means a person registered under section 10D;



Part I - Preliminary

Section 2. In this Act unless the context otherwise requires :

“professional engineering services” means engineering services and advice in connection with any feasibility study, planning, survey, design, construction, commissioning, operation, maintenance and management of engineering works or projects and includes any other engineering services approved by the Board;

“Register” means the Register kept and maintained under section 5;

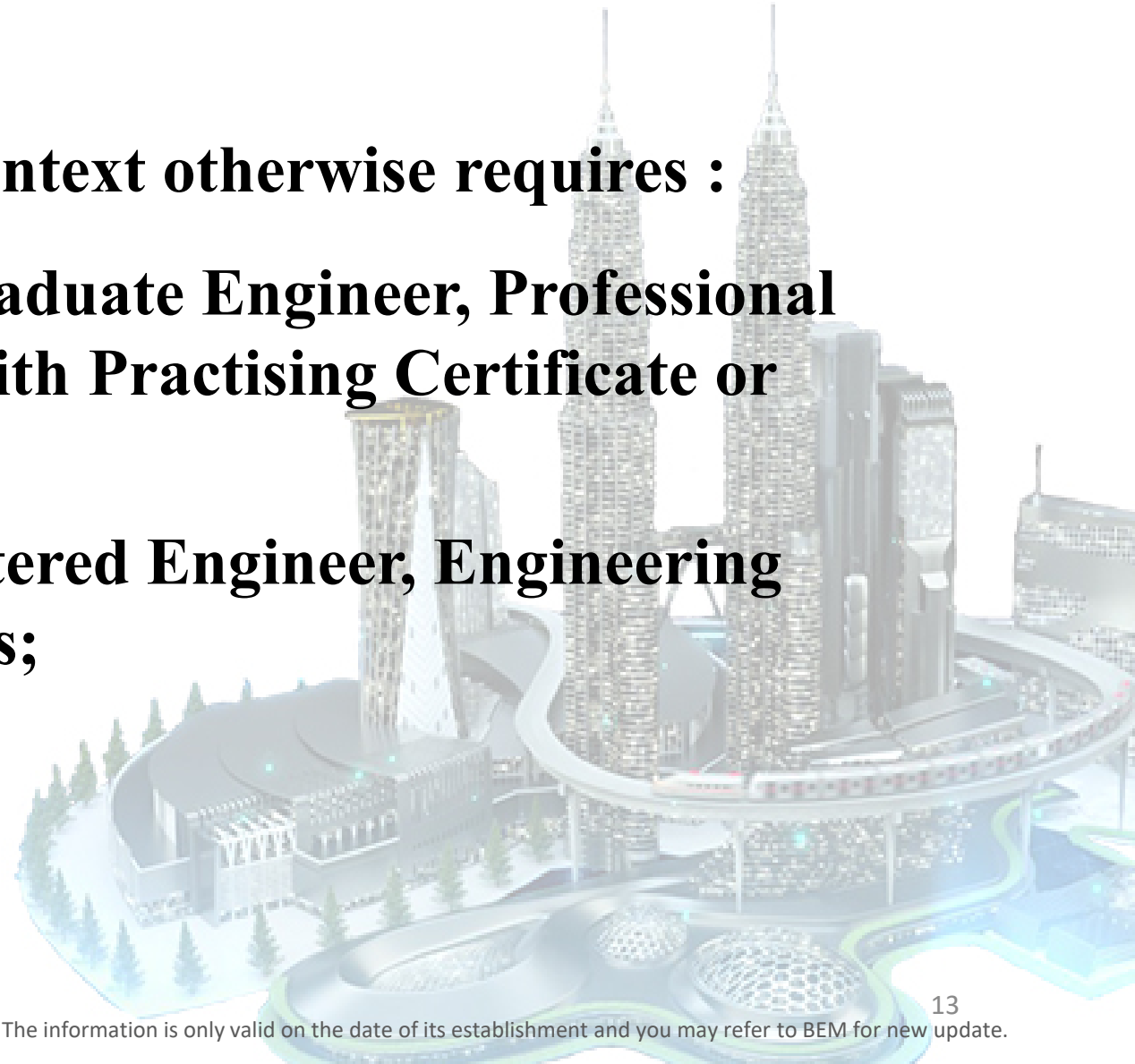


Part I - Preliminary

Section 2. In this Act unless the context otherwise requires :

“registered Engineer” means a Graduate Engineer, Professional Engineer, Professional Engineer with Practising Certificate or Accredited Checker;

“registered Person” means a registered Engineer, Engineering Technologist or Inspector of Works;





Part II - Board of Engineers

Subsection 3(1)

For the purposes of this Act there is hereby established a board to be called “Board of Engineers” which shall be a body corporate with perpetual succession and a common seal and which may sue and be sued





Part II - Board of Engineers

Subsection 3(2)

The Board shall consist of the following members who shall be Malaysian citizens and who are appointed by the Minister :

- a) A President who shall be a Professional Engineer (PE) or a Professional Engineer with Practising Certificate (PEPC);***
- b) Not > 14 members who shall be PEs and PEPCs, 5 of whom shall be from a nomination list submitted by IEM Council;***
- c) A member from the Board of Architects; and***
- d) A member from the Board of Quantity Surveyors.***



Part II - Board of Engineers

Subsection 3(3)

The members of the Board shall consist of the following :

- a) 3 PEs and 2 PEPCs who are in the public service of the Federation;***
- b) Not > 2 PEs who are in the service of any local authority or statutory authority;***
- c) Not > 5 PEPCs who are employees, sole proprietors, partners or directors of an engineering consultancy practice (ECP); and***



Part II - Board of Engineers

Subsection 3(3)

The members of the Board shall consist of the following :

- d) A PE and a PEPC who are employees of any person or body of persons, not being in the public service of the Federation or in the service of any local authority or statutory authority.*



Part II - Board of Engineers

Subsection 3(5)

A member of the Board, including the President, shall not be appointed for more than 5 consecutive years.





Part II - Board of Engineers

Subsection 4(1)

The functions of the Board shall be :

- a) to keep and maintain the Register;**
- b) to approve or reject applications for registration under this Act or to approve any such application subject to such conditions or restrictions as it may deem fit to impose;**
- c) to order the issuance of a written warning or reprimand, the imposition of a fine, suspension, cancellation, removal or reinstatement in accordance with Parts III and IV;**



Part II - Board of Engineers

Subsection 4(1)

The functions of the Board shall be :

- d) to fix from time to time with the approval of the Minister the scale of fees to be charged by registered Engineers and ECPs for professional engineering services rendered;**
- e) to hear and determine disputes relating to professional conduct or ethics of registered Persons or to appoint a committee or arbitrator or arbitrators to hear and determine such disputes;**



Part II - Board of Engineers

Subsection 4(1)

The functions of the Board shall be :

- ea) to act as a stakeholder in a contract for professional engineering services, when requested;**
- eb) to employ any person, as it deems necessary, to assist the Board in carrying out its functions, powers and duties subject to such terms and conditions as it may determine;**



Part II - Board of Engineers

Subsection 4(1)

The functions of the Board shall be :

ec) to provide facilities for the promotion of learning and education and to hold or cause to be held professional development programmes, including continuing professional development programmes, for registered Persons to further enhance their knowledge in the latest developments relating to that profession;



Part II - Board of Engineers

Subsection 4(1)

The functions of the Board shall be :

- ed) to appoint a committee consisting of persons to be determined by the Board -**
 - (i) to conduct professional assessment examinations (PAE) for the purpose of admission as a Professional engineer; or**
 - (ii) to conduct professional competency examinations (PCE) for the purpose of issuing a Practising Certificate to the Professional Engineer**



Part II - Board of Engineers

Subsection 4(1)

The functions of the Board shall be :

ee) to appoint any person to represent the Board in any committee, panel or institution, where that person would subsequently make recommendations to the Board on all matters regarding the qualifying for admission to the profession;



Part II - Board of Engineers

Subsection 4(1)

The functions of the Board shall be :

- ef) to appoint a body consisting of members from the Board, Professional Engineers and other persons as may be determined by the Board to advise the Government and the public on matters relating to engineering education, including the certification of such programmes;**
- eg) to cause examinations to be conducted by an institution recognized by the Board for the purpose of admission to the profession;**



Part II - Board of Engineers

Subsection 4(1)

The functions of the Board shall be :

- f) to determine and regulate the conduct and ethics of the engineering profession; and**
- g) generally, to do all such acts, matters and things as are necessary to carry out the provisions of this Act.**





Part III - Registration of Engineers

Subsection 5(1)

The Register shall contain the following :

- (a) Part A - (*names, addresses, other particulars of*) Professional Engineers;**
- (b) Part B - Graduate Engineers;**
- (c) Part D - Engineering consultancy practices;**
- (d) Part E - Accredited Checkers;**
- (e) Part F - Professional Engineers with Practising Certificates;**
- (f) Part G - Engineering Technologists; and**
- (g) Part H - Inspectors of Works.**



Part III - Registration of Engineers

Subsection 5(2)

There shall be indicated against the name of each registered Persons or ECPs kept in the Register the branch or branches of engineering in which he or it is qualified to practice and particulars of any conditions or restrictions imposed by the Board under subsection 7A(3) or 7B(1), section 10C, 10D or 10E, or paragraph 4(1)(b).



Part III - Registration of Engineers

Subsection 7(1)

Entitlements of a Professional Engineer.

{Will be covered in a later Webinar in this series}





Part III - Registration of Engineers

Subsection 7(1A)

Entitlements of a Professional Engineer with Practising Certificate.

{Will be covered in a later Webinar in this series}





Part III - Registration of Engineers

Subsection 7(1B)

Entitlements of a Graduate Engineer and Engineering Technologist.

{Will be covered in a later Webinar in this series}





Part III - Registration of Engineers

Section 7A

Covers the entitlements, registration and disciplinary process of an Engineering consultancy practice (ECP).

{Will be covered in a later Webinar in this series}



Part III - Registration of Engineers

Section 7B

Covers the registration of an Engineering consultancy practice (ECP) providing a combination of services comprising professional engineering services, architectural consultancy services or quantity surveying services.

{Will be covered in a later Webinar in this series}



Part III - Registration of Engineers

Section 8

Only PEPCs residing and practicing in Malaysia and ECPs may submit plans, engineering surveys, drawings, schemes, proposals, reports, design or studies to any person or authority in Malaysia.

{Will be covered in a later Webinar in this series}



Part III - Registration of Engineers

Section 8A

Plans or drawings which a PE may submit.

{Will be covered in a later Webinar in this series}



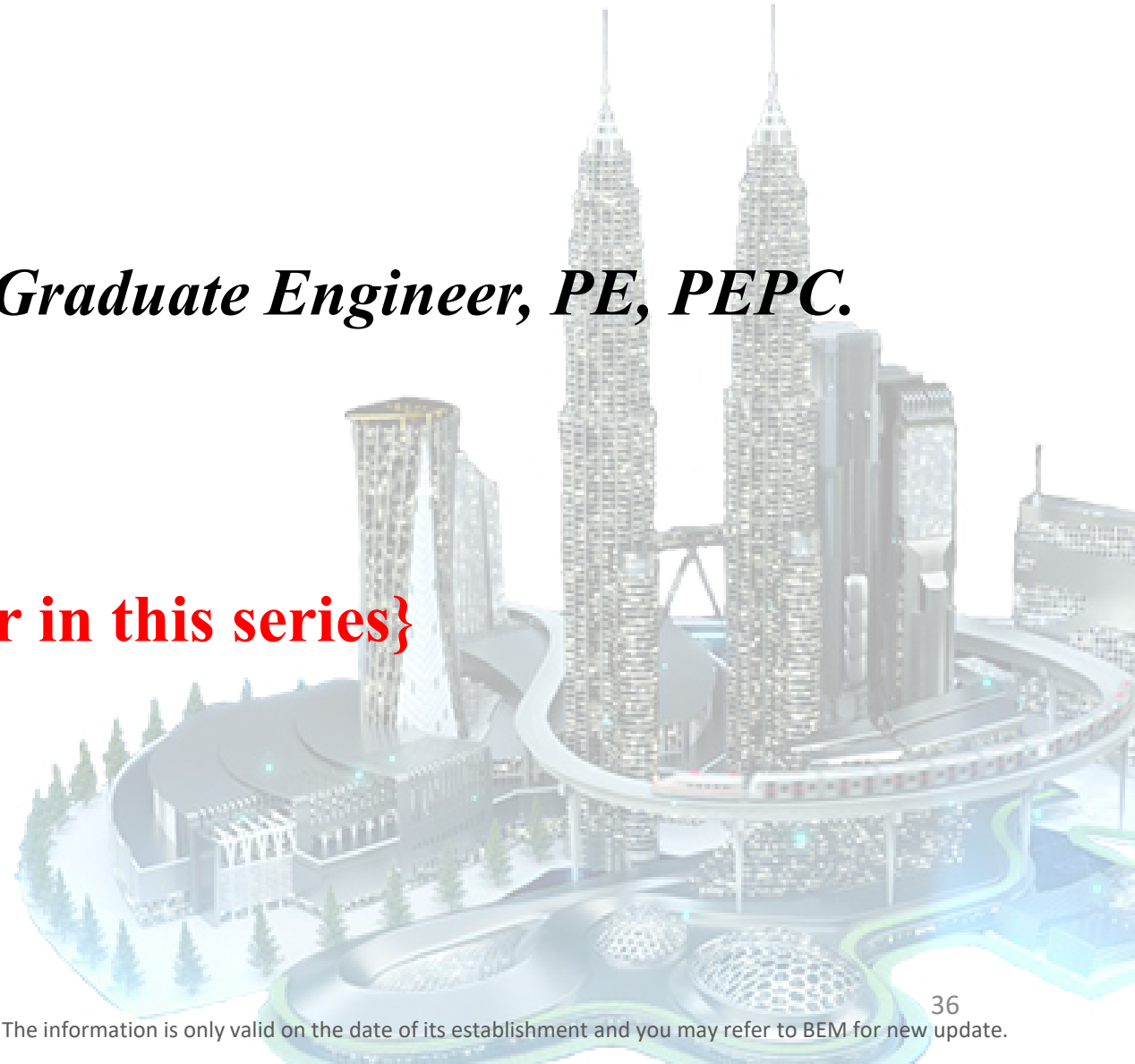


Part III - Registration of Engineers

Section 10

Qualifications for registration as a Graduate Engineer, PE, PEPC.

{Will be covered in a later Webinar in this series}





Part III - Registration of Engineers

Section 10B

Registration as an Accredited Checker.

{Will be covered in a later Webinar in this series}





Part III - Registration of Engineers

Section 10C

Registration as an Engineering Technologist.

{Will be covered in a later Webinar in this series}





Part III - Registration of Engineers

Section 10D

Registration as a PEPC.

{Will be covered in a later Webinar in this series}





Part III - Registration of Engineers

Section 10E

Registration as a Clerk of Works.

{Will be covered in a later Webinar in this series}





Part III - Registration of Engineers

Section 12

Application for registration shall be made to the Board in such manner as may be prescribed and accompanied by the prescribed fee.





Part III - Registration of Engineers

Subsection 13(1)

The Registrar shall upon receipt of the prescribed fee issue to any person, sole proprietorship, partnership or body corporate whose application for registration has been approved by the Board a certificate of registration in the prescribed form.





Part III - Registration of Engineers

Subsection 13(2)

Every certificate of registration, except the certificate of registration issued to a Graduate Engineer and Engineering Technologist, shall, subject to this Act, expire on the 31st day of December of the year in which it is issued and may be renewed annually upon payment of the prescribed fee and upon satisfying such conditions as may be determined by the Board.



Part III - Registration of Engineers

Subsection 13(3)

A certificate of registration –

- a) issued to an Inspector of Works shall expire on the 31 December of the third year from the date the certificate of registration is issued; and**
- b) may be renewed upon the expiry of the certificate of registration on payment of the prescribed fee and upon satisfying such conditions as may be determined by the Board.**



Part III - Registration of Engineers

Section 14

Every registered Person and ECP shall notify the Registrar of any change in his or its business address within 3 months of the change.





Part IIIA - Disciplinary Committee

Section 14A

Appointment of a Disciplinary Committee.

{Will be covered in a later Webinar in this series}





Part IIIA - Disciplinary Committee

Section 14B

Powers of the Disciplinary Committee.

{Will be covered in a later Webinar in this series}





Part IIIA - Disciplinary Committee

Section 14C

Proceedings of the Disciplinary Committee.

{Will be covered in a later Webinar in this series}





Part IV - Cancellation, Removal, etc

Section 15

Disciplinary process.

{Will be covered in a later Webinar in this series}





Part IV - Cancellation, Removal, etc

Section 16

There shall be removed from the Register the name and other particulars of -

- a) any registered Person who has died, or ECP which has ceased to practise;**
- b) any registered Person, other than a Graduate Engineer, Engineering Technologist, or ECP who has failed to renew his or its registration within one month of the expiry of the registration;**



Part IV - Cancellation, Removal, etc

Section 16

There shall be removed from the Register the name and other particulars of -

- c) any registered Person whose registration has been cancelled under paragraph 15(1A)(d) or any ECP whose registration has been cancelled under subsection 7B(3) or paragraph 7A(5)(dd); or**
- d) any registered Person, or ECP whose registration has been effected by reason of any mistake or error made by the Board in considering his or its application for registration.**



Part IV - Cancellation, Removal, etc

Section 17

Reinstatement.

{Will be covered in a later Webinar in this series}

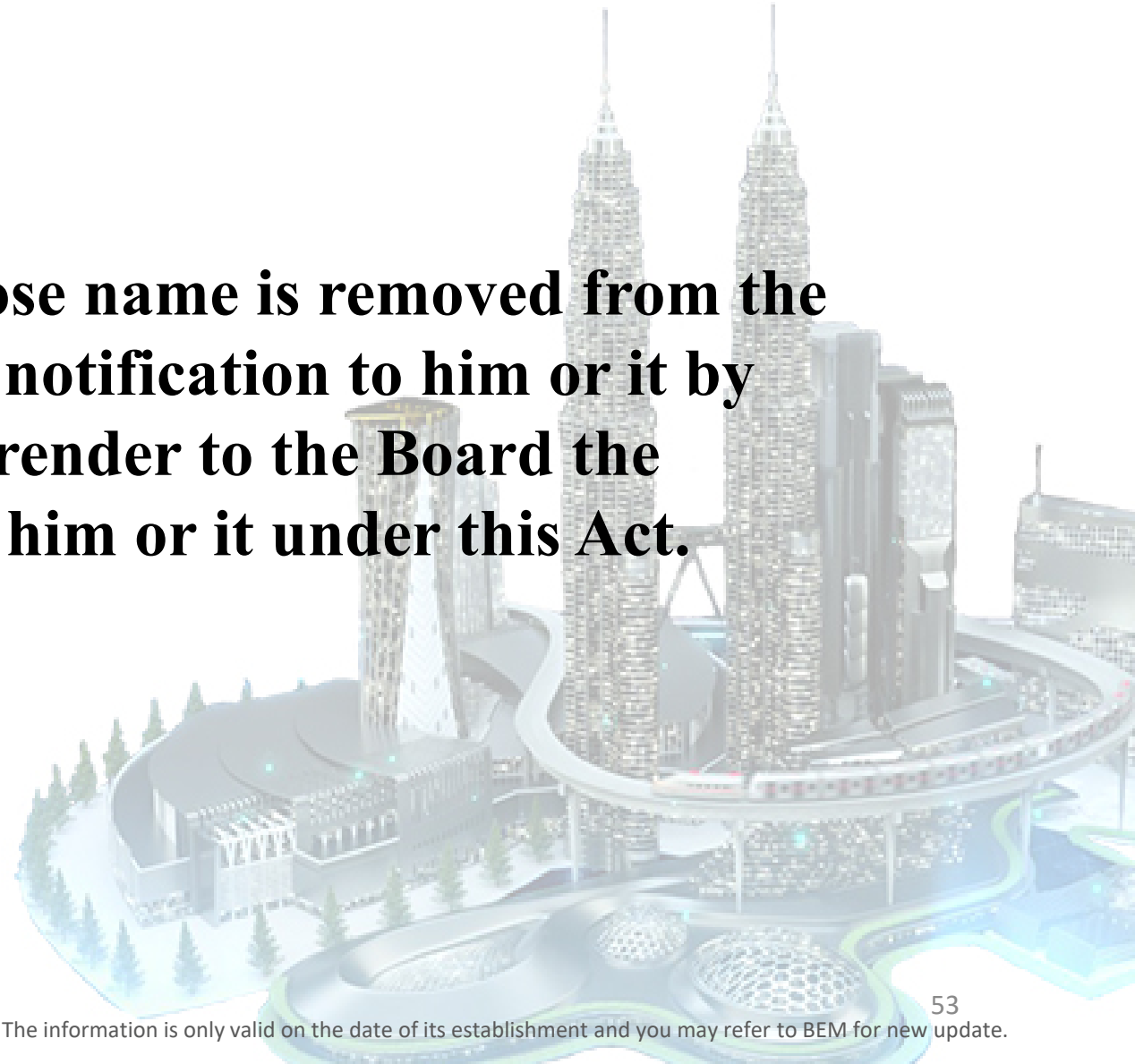




Part IV - Cancellation, Removal, etc

Section 18

Any registered Person or ECP whose name is removed from the Register shall within 14 days after notification to him or it by registered post of the removal, surrender to the Board the certificate of registration issued to him or it under this Act.





Part V - General

Section 19

Appeal

- *refused registration by the Board*
- *dissatisfied with any conditions or restrictions imposed by the Board*
- *name removed pursuant to an order made by the DC or Board*
- *not satisfied with an order of the DC or Board*

{Will be covered in a later Webinar in this series}



Part V - General

Section 20

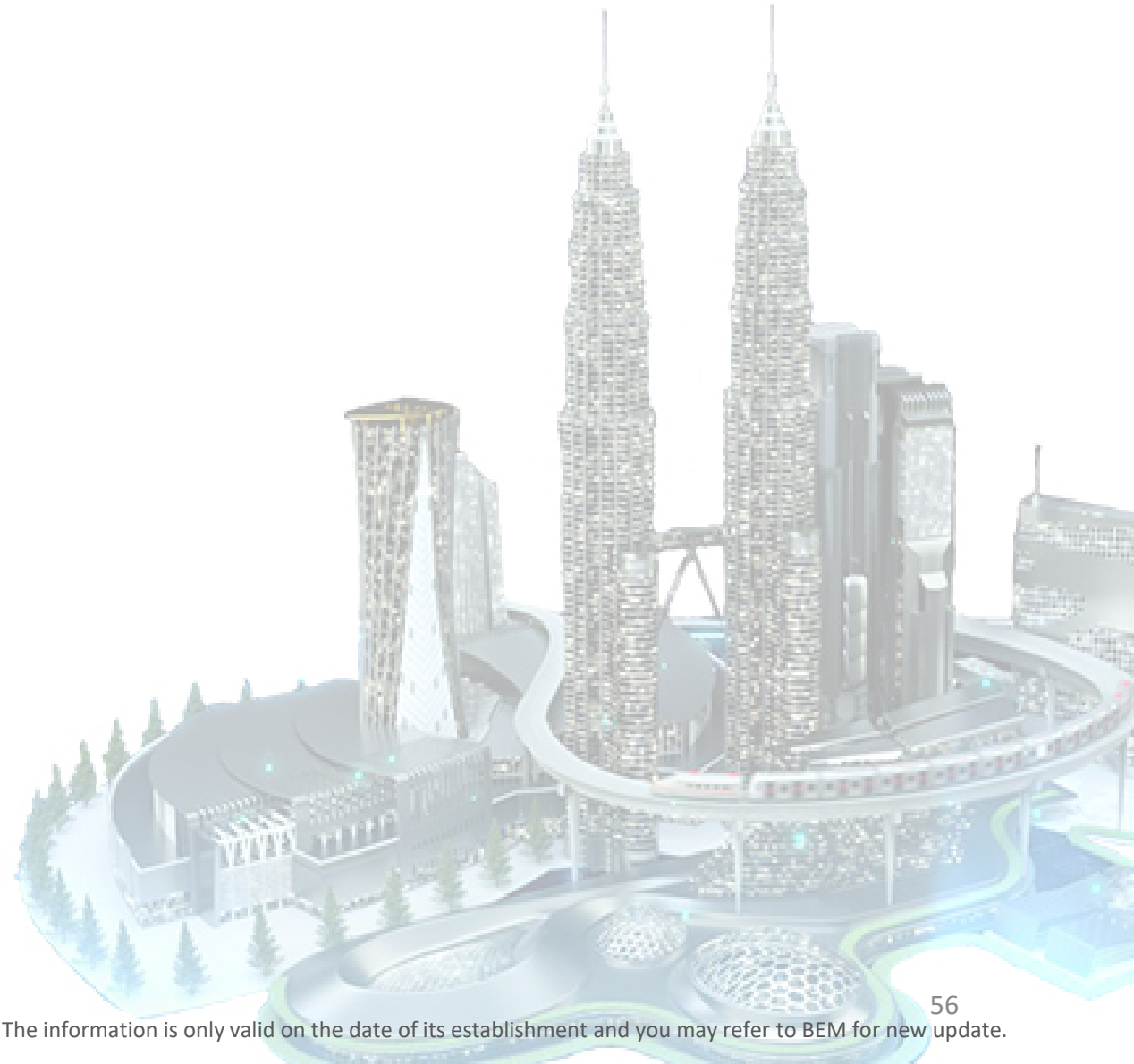
For the purpose of this Part there shall be established an Appeal Board consisting of a Judge of the High Court as Chairman who shall be appointed by the Yang di-Pertuan Agong (after consultation with the Chief Justice) and 2 other persons appointed by the Yang di-Pertuan Agong.



Part V - General

Section 22

Appeal procedure





Part V - General

Section 24

Any person, sole proprietorship, partnership or body corporate who -

- a) procures or attempts to procure registration or a certificate of registration under this Act by knowingly making or producing or causing to be made or produced any false or fraudulent declaration, certificate, application or representation whether in writing or otherwise;**
- b) willfully makes or causes to be made any falsification in the Register;**



Part V - General

Section 24

Any person, sole proprietorship, partnership or body corporate who -

- c) forges, alters or counterfeits any certificate of registration under this Act;**
- d) uses any forged, altered or counterfeited certificate of registration under this Act knowing the same to have been forged, altered or counterfeited;**
- e) impersonates a registered Person;**



Part V - General

Section 24

Any person, sole proprietorship, partnership or body corporate who -

f) buys or fraudulently obtains a certificate of registration under this Act issued to another registered Person or ECP;

g) sells any certificate of registration issued under this Act; or

h) contravenes section 7 or 8, or subsection 7A(1), 24A(1) or 24B(5),

shall be guilty of an offence and shall, on conviction, be liable to a fine not exceeding fifty thousand ringgit, or to imprisonment for a term not exceeding three years, or to both.



Part V - General

Section 24A

- (1) No person shall employ a person, sole proprietorship, partnership or body corporate other than a PEPC or ECP, to perform professional engineering services.**
- (2) Nothing in subsection (1) shall prohibit the employment of any person holding one of the certificates referred to in section 7(3) to do all things which the certificate enables or authorizes him to do.**



Part V - General

Section 24B

Investigation Committee.

{Will be covered in a later Webinar in this series}





Part V - General

Subsection 25(1)

Any person, sole proprietorship, partnership or body corporate who contravenes this Act or any regulations made thereunder shall be guilty of an offence and shall, where no penalty is expressly provided therefor, be liable, on conviction, to a fine not exceeding ten thousand ringgit or to imprisonment for a term not exceeding one year, or to both.



Part V - General

Subsection 25(2)

If a sole proprietorship, partnership or body corporate contravenes this Act or any regulations made thereunder, the sole proprietor or every partner, director, manager, secretary or other similar officer thereof shall be guilty of the same offence and be liable to the same penalty as the sole proprietorship, partnership or body corporate is guilty of and liable to, unless he proves that the offence was committed without his knowledge, consent or connivance or was not attributable to any neglect on his part.



Part V - General

Subsection 25(3)

If a registered Person or ECP refuses or fails to comply with an order of the Disciplinary Committee or Board made under subsection 15(1A) or 7A(5) respectively, or the Appeal Board made under section 19, he shall be guilty of an offence, and shall, on conviction, be liable to a fine not exceeding ten thousand ringgit in the case of an individual, or a fine not exceeding fifty thousand ringgit in the case of an ECP.



Part V - General

Section 26

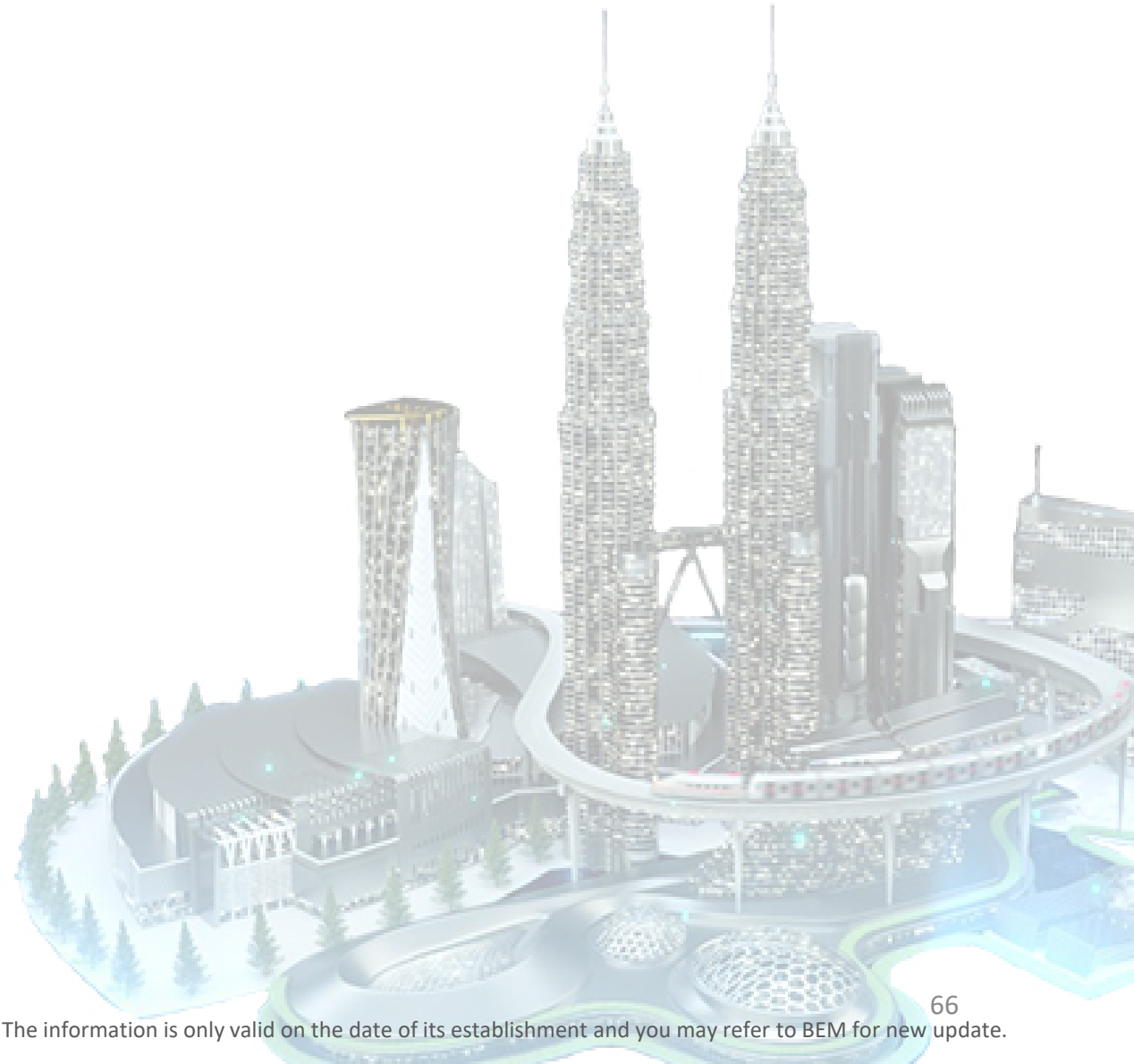
The Board may with the approval of the Minister make regulations to prescribe anything which may be prescribed or is required to be prescribed under this Act or to enable it to perform any of its functions or to exercise any of its powers set out in this Act.



Part V - General

Section 26A

Authorization by President.

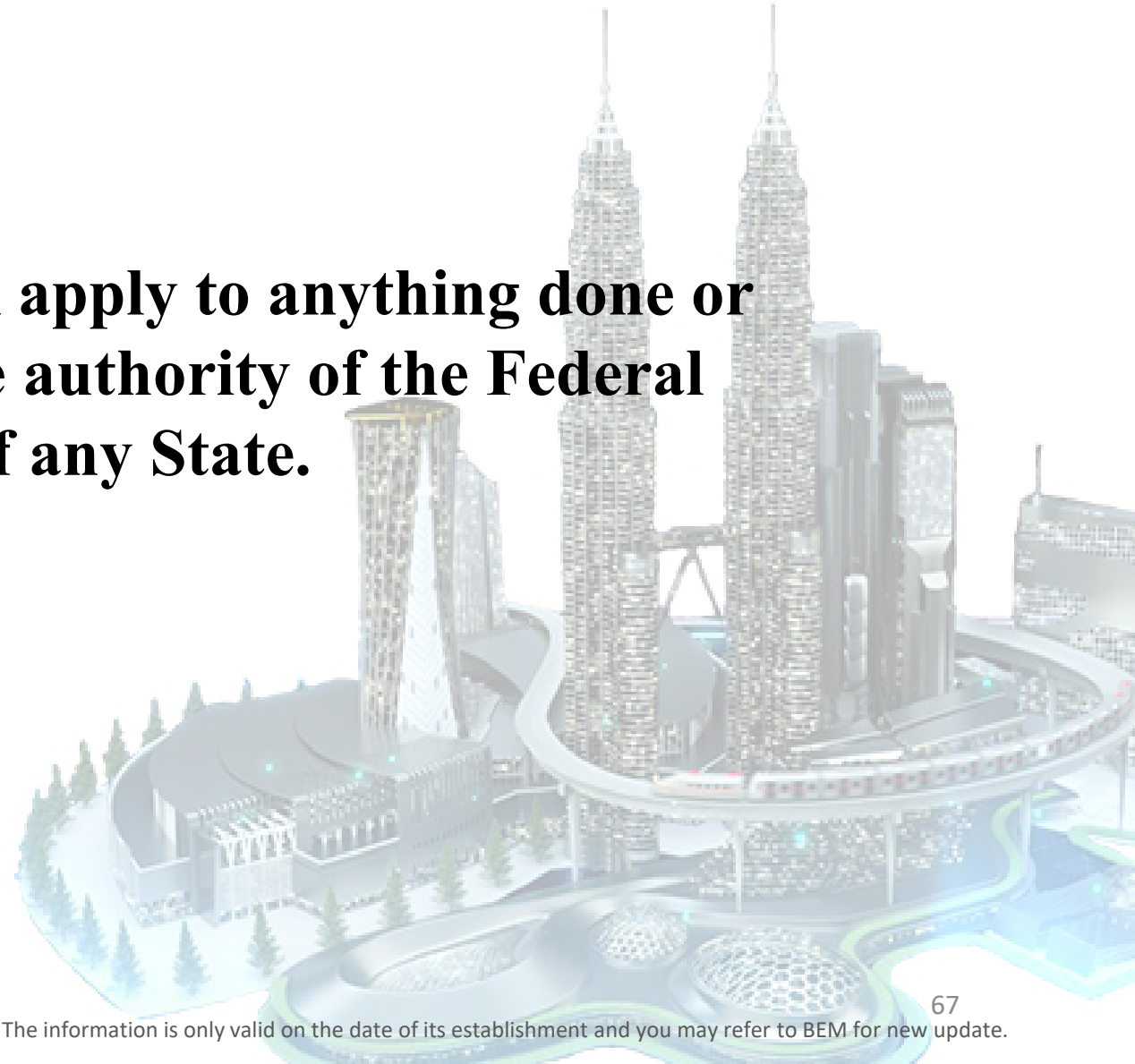




Part V - General

Section 27

Nothing in this Act contained shall apply to anything done or omitted to be done by or under the authority of the Federal Government or the Government of any State.





Part V - General

Subsection 28(1)

No action or proceeding shall be instituted or maintained in any court against the Board, Disciplinary Committee, Appeal Board, Investigating Committee or any committee appointed by the Board, any members of the Board, Disciplinary Committee, Appeal Board, Investigating Committee or any such committee, or any person authorized to act for or on behalf of the Board for any act or omission done in good faith in the discharge of any of its or his functions, powers and duties under this Act or any regulations made under this Act.



Part V - General

Section 29

The Board may appoint an advocate and solicitor to institute and conduct proceedings on its behalf.





Outline of Presentation

Part #1

OVERVIEW OF THE REGISTRATION OF ENGINEERS ACT 1967

By: Datuk Paduka Ir. Hj. Keizrul bin Abdullah

Part #2

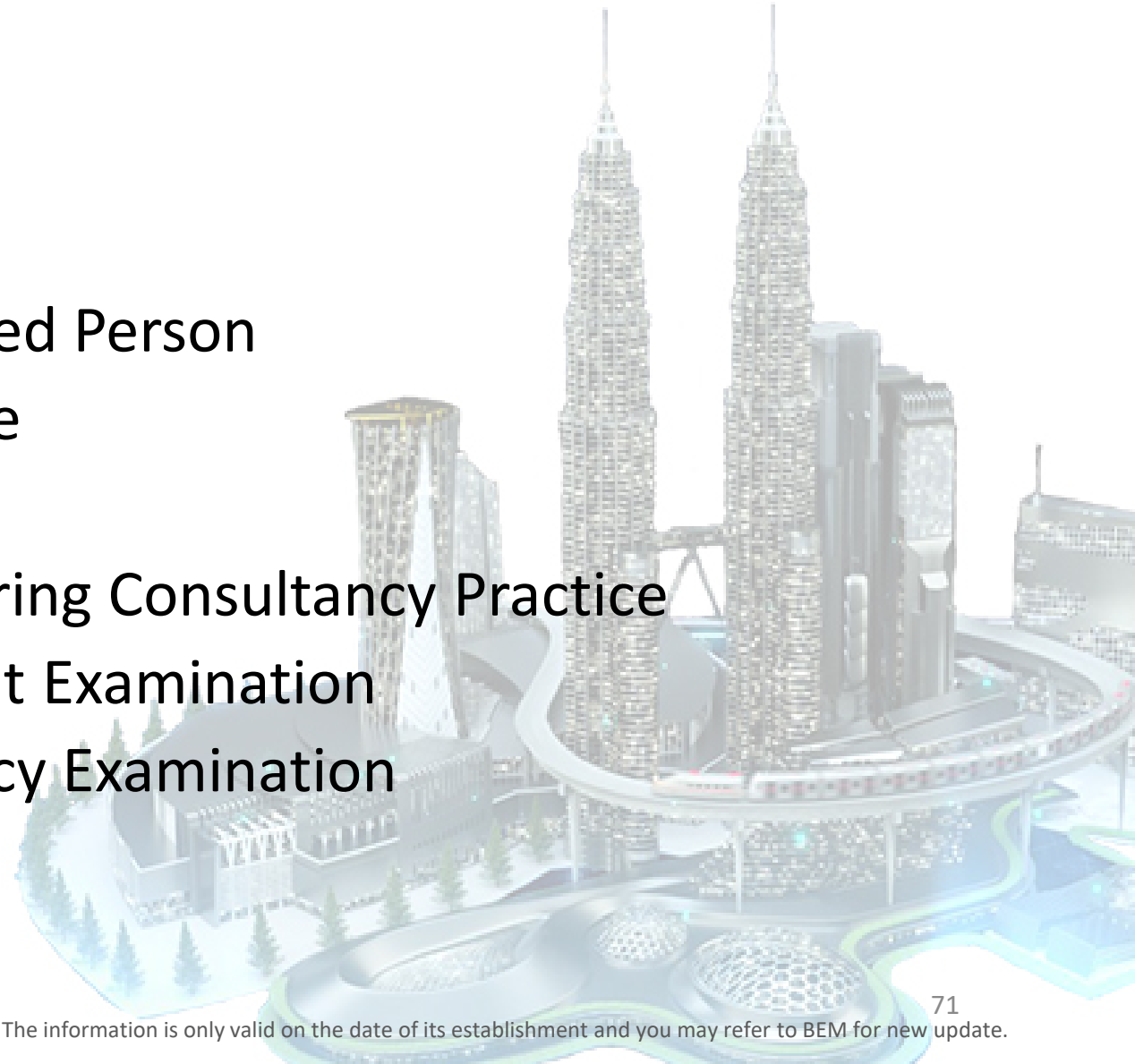
OVERVIEW OF THE REGISTRATION OF ENGINEERS ACT 1967

By: Ir. Hj. Ashari bin Mohd Yakub



Registration of Engineers Regulations 1990 (Revised 2015)

Part I	Preliminary
Part II	Administration
Part III	Registration of Registered Person
Part IIIA	Investigating Committee
Part IV	Code of Conduct
Part V	Registration of Engineering Consultancy Practice
Part VI	Professional Assessment Examination
Part VIA	Professional Competency Examination
Part VII	Revocation





Part I

Registration of Engineers Regulations 1990 (Revised 2015)

Come into operation on 31st July 2015

Reg. 1(1) These regulations may be cited as the Registration of Engineers Regulations (Amendment) 2015.

Reg. 2 Interpretation

- Board - means the Board of Engineers established by section 3(1) of the Act;
- President - means the President of the Board appointed under section 3(2) of the Act;
- Registrar - means the Registrar of Engineers appointed under section 6(1) of the Act
- Secretary - means the Secretary appointed by the Board under regulation 9.



Part II Administration

- Reg. 3(1) The Secretary shall convene a meeting of the Board whenever requested to do so by the President or in writing by not less than five members of the Board.
- Reg. 4(1) Not less than fourteen day's notice in writing shall be given specifying the place, date and time of a meeting and the business to be conducted in such meeting.
- Reg. 4(1A) Notwithstanding subregulation (1), in any exceptional circumstances, the President may request the Secretary to give not less than three days notice in writing to convene a meeting.



Reg. 5

A resolution shall be proposed and seconded before put to the vote. Voting shall be by show of hands or by secret ballot as may be decided by the President or the member presiding. A declaration by the President or the member presiding that a resolution has been carried by a particular majority shall be conclusive, and an entry to that effect in the minutes of the meeting shall be conclusive evidence thereof without proof of the number or proportion of votes recorded infavour of or against such resolution.

Reg.6

Votes shall only be given by members present and voting.



Reg. 8(1)

The Board may from time to time appoint committees from amongst its members or persons whom the Board considers suitable; and the Board may at any time dissolve any committee so appointed.





Reg. 8(3) The Registrar and the Secretary shall be *ex-officio* members of all committees.





- Reg. 9 (1) The Board may appoint a person to act as Secretary to the Board.
- (2) The Secretary shall keep the minutes of all meetings of the Board and its committees and shall send notices of meetings and perform such other functions as may be determined by the Board.
- Reg. 10 All payments received shall be deposited to the credit of the account of the Board with a bank approved by the Board, provided that the Secretary may keep as petty cash a sum not exceeding five thousand ringgit.



Reg. 14

The accounts of the Board shall at least once every year be audited.

Reg. 15

The financial year of the Board shall end on 31st December.





Part III

Registration of Registered Person

Reg. 16(1)

Every person desirous of being registered as a registered Person under the Act shall make an application to the Board in the form as specified on the Board's website.

Reg. (18)

Every application for registration as a registered Person shall be accompanied with –

(a) processing fee as specified in Schedule II, which is not refundable; and

(b) a registration fee as specified in Schedule II, which shall be refunded to the applicant who is unsuccessful in his application,

and the fees must be in the form of money order, bank draft, cheque or any other form as determined by the Board, made payable to the Board.



Reg. 18(2A) A Graduate Engineer shall submit an application for registration as a Professional Engineer within one year –

- (a) from the date he is informed by the Board that he has passed the Professional Assessment Examination as mentioned in regulation 38; or
- (b) from the date he becomes a corporate member of the Institution of Engineers (Malaysia).

(2B) Notwithstanding subregulation (2A), if an application period has lapsed, a Graduate Engineer may, within a reasonable time, apply for an extension of time to submit an application for registration as a Professional Engineer to the Board and the Board may extent the time as it thinks fit.



Reg. 19(1) A registered Person shall be issued with a certificate of registration in any form as may be determined by the Board duly signed by the President and the Registrar and sealed with the common seal of the Board.





- Reg. 20(1) A registered Person desirous of renewing his registration under section 13(2) of the Act shall -
- (a) submit to the Board -
 - (i) an application for renewal of registration in the form as specified on the Board's website on or before the date as specified in Schedule II; and
 - (ii) a renewal-fee as specified in Schedule II in the form of money order, bank draft, cheque or any other form as determined by the Board, made payable to the Board; and
 - (b) satisfy such conditions as determined by the Board.



Reinstatement

Reg. 21 Any registered Person, other than a Graduate Engineer whose name has been removed from the Register pursuant to section 16(*b*) of the Act for failure to renew his registration shall, when notifying the Registrar of his desire to be reinstated pursuant to section 17(2) of the Act, pay a reinstatement fee as specified in Schedule II.



Practical Experience

Reg. 22(1)

The practical experience that a Graduate Engineer is required to obtain under section 10(1)(b) of the Act so as to be entitled to apply for registration as a Professional Engineer shall be carried out to the satisfaction of the Board, for a period of at least three years, and shall include the following:

(a) the Graduate Engineer must undergo -

- (i) at least two years of general training that will provide a sound basis for professional development; and
- (ii) at least one year of professional career development and training providing wide exposure to the various managerial and technical expertise in engineering practice,

where at least one year of the training must be obtained in Malaysia under the supervision of a Professional Engineer in the same branch of engineering as that practised by the Graduate Engineer, although Professional Engineers in other related branches of engineering may be accepted with the prior approval of the Board



Part III A Investigating Committee

- Reg. 22A (1) Any person who seeks to make a complaint against a registered Person or an Engineering consultancy practice which renders the exercise of the powers of the Board expedient, shall make the complaint in writing to the Registrar, who shall then refer that complaint to the Board.
- (2) Where the Board has received a complaint in pursuance of sub-regulation (1) and it is satisfied that there may be sufficient grounds for the complaint, it shall appoint an Investigating Committee to investigate the complaint.



Hearing by the Disciplinary Committee or Board

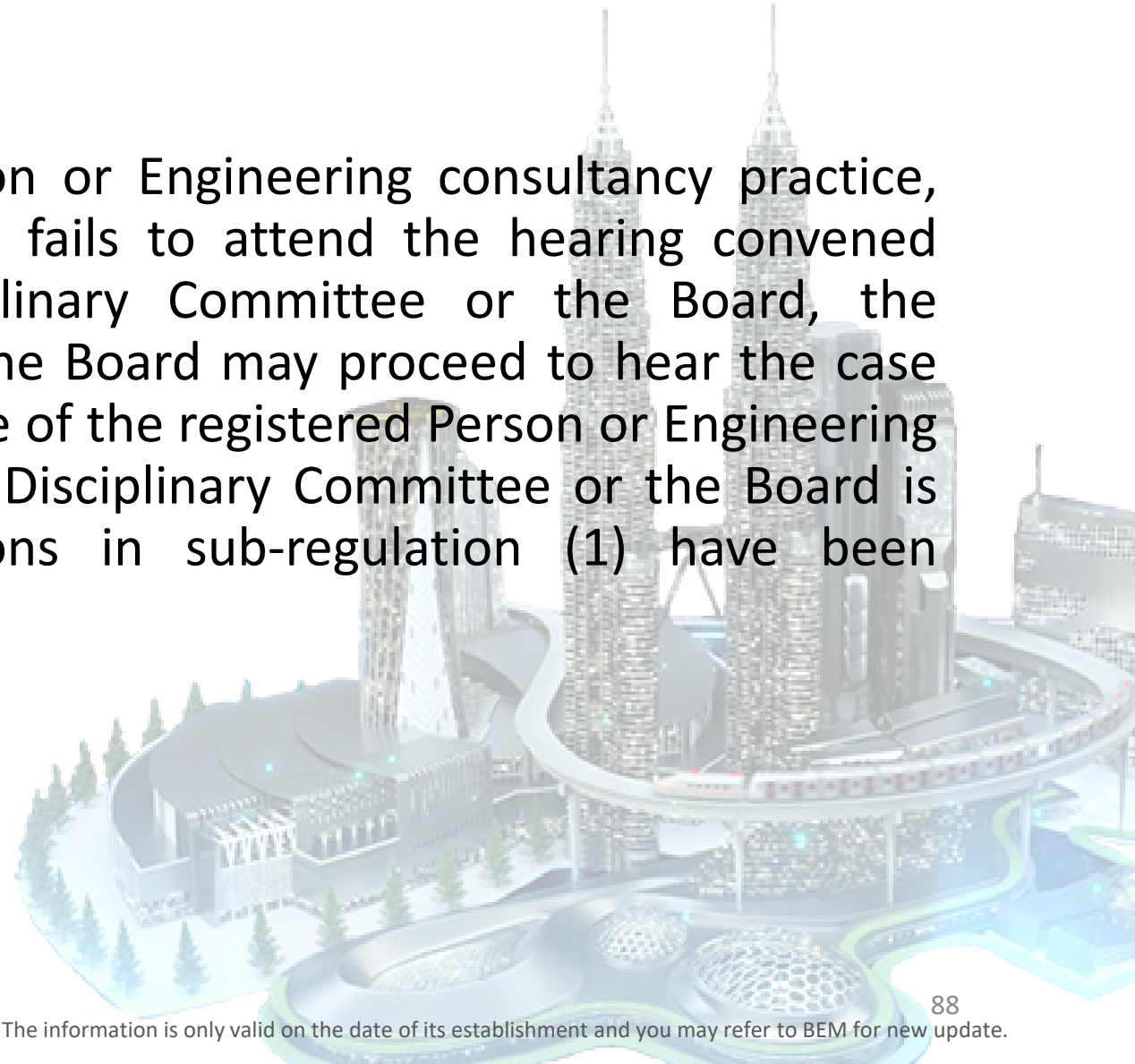
- Reg. 22C (1) Upon receipt of a report from the Investigating Committee and its recommendations, if any, the Disciplinary Committee or the Board, as the case may be, shall –
- (a) cause the charge to be forwarded by registered post to the registered Person or Engineering consultancy practice at his or its last known address;
 - (b) request the registered Person or the Engineering consultancy practice to attend a hearing to be convened by the Disciplinary Committee or the Board in pursuance of section 15 or 7 of the Act; as the case may be; and
 - (c) inform the Engineering consultancy practice or registered Person that in compliance with subparagraph 7A(6)(a)(ii) or subsection 15(2) of the Act, respectively, an opportunity to be heard shall be given to it or him, where –



- (i) in the case of the Engineering consultancy practice, it may be heard by a representative appointed in writing or by counsel;
- (ii) in the case of the sole proprietor, or the partner, director, shareholder or employee of the Engineering consultancy practice, he may be heard either personally or by counsel; or
- (iii) in the case of the registered Person, he may be heard either personally or by a person appointed by him.



Reg. 22C (2) Where the registered Person or Engineering consultancy practice, without reasonable excuse, fails to attend the hearing convened respectively by the Disciplinary Committee or the Board, the Disciplinary Committee or the Board may proceed to hear the case notwithstanding the absence of the registered Person or Engineering consultancy practice, if the Disciplinary Committee or the Board is satisfied that the provisions in sub-regulation (1) have been complied with.





PART IV

CODE OF CONDUCT

What is a code of conduct?

- A set of internally enforced rules or regulations that members of a profession must follow.
- The main intention is to ensure public safety, prevent exploitation of the client, and preserve the integrity of the profession.
- For registered person --->CODE OF CONDUCT
Given in Part IV of the Registration of Engineers Regulations 1990 (Revised 2015)
- Failure to observe --> infringement of the Registration of Engineers Act 1967 (Revised 2015)



Conduct of registered person

Reg. 23 Every registered Person shall conduct himself honourably, responsibly, ethically and lawfully.





Responsibility to employer, client or profession

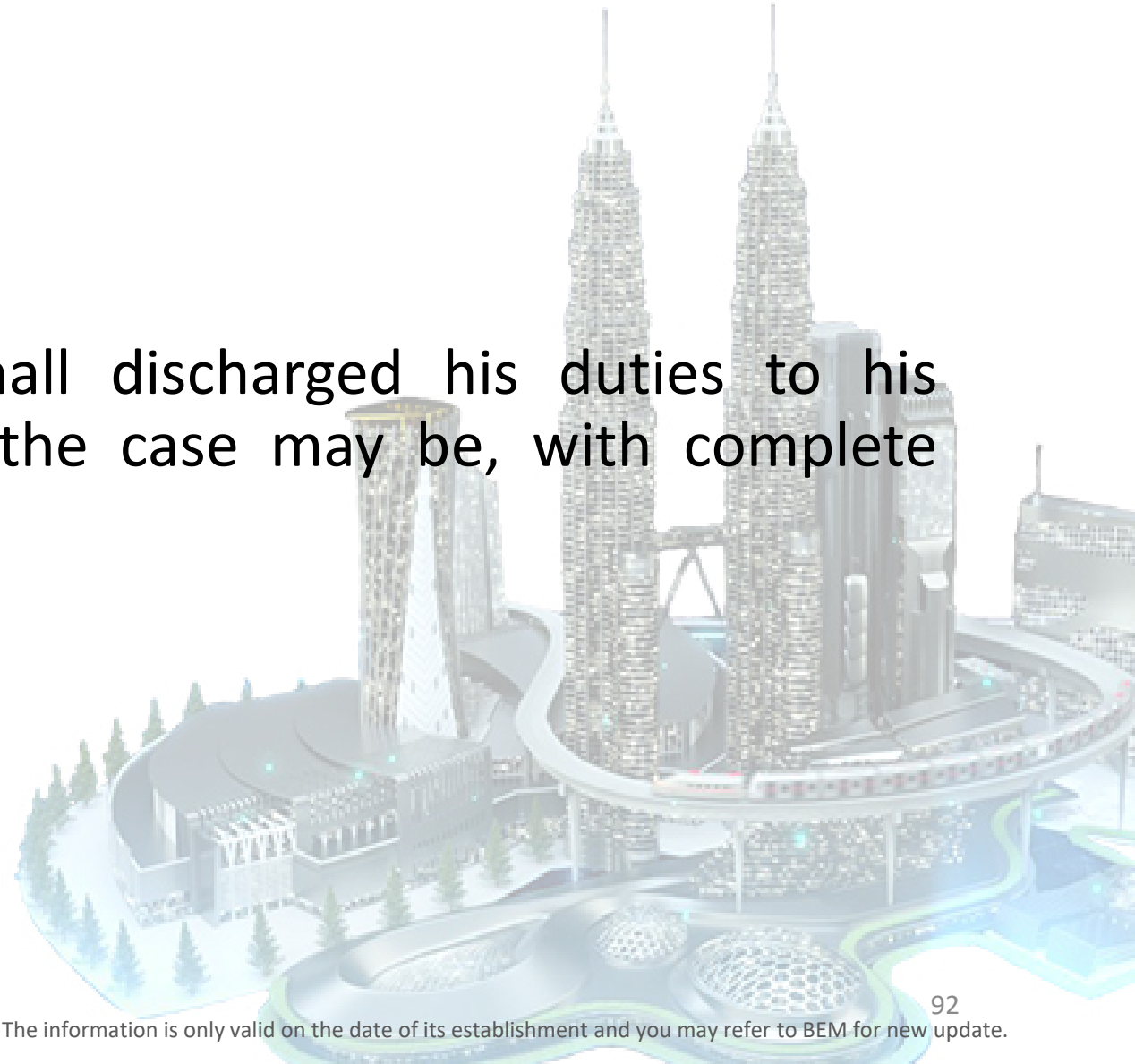
Reg. 24 A registered Person shall –

- (a) discharge his professional duties with due skill, care, diligence and good faith;
- (b) at all times hold paramount the safety, health and interest of the public; and
- (c) take reasonable steps to reduce foreseeable adverse effects of professional engineering services on the environment.



Discharge of duties with complete

Reg. 25 A registered Person shall discharged his duties to his employer or client, as the case may be, with complete fidelity.





Reputation etc. of a registered Person not to be injured

Reg. 26 A registered Person shall not maliciously injure or attempt to maliciously injure whether directly or indirectly, the professional reputation, prospects or business of another registered Person.





Canvassing and advertising prohibited

Reg. 27 A registered Engineer shall not —

- (a) canvass or solicit professional employment;
- (b) offer any gift or other valuable consideration, or pay a commission or brokerage fee in order to secure professional employment;
- (c) except as permitted by the Board, advertise in any manner or form in connection with his profession; or

(Refer to Board's Circular No. 005)



Canvassing and advertising prohibited

Reg. 27 A registered Engineer shall not —

- (d) provide professional engineering services to any person, unless the scope of such services are clearly defined in a written agreement between both parties; or
- (e) offer, give, solicit or receive, either directly or indirectly, any contribution which may be reasonably construed as having the effect of intent to influencing the award of a contract.



Canvassing and advertising by an ECP

Reg. 27 (A) An Engineering consultancy practice shall not —

- (a) canvass or solicit to provide professional engineering services except as permitted by the Board;
- (b) offer any gift or other valuable consideration, or pay a commission or brokerage fee in order to provide professional engineering services;



Canvassing and advertising by an ECP

Reg. 27 (A) An Engineering consultancy practice shall not —

- (c) except as permitted by the Board, advertise in any manner or form any advertisement in connection with the engineering profession;
- (d) provide professional engineering services to any client, unless the scope of the services are clearly defined in a written agreement between both parties; or



Canvassing and advertising by an ECP

- Reg. 27 (A) An Engineering consultancy practice shall not —
- (e) offer, give, solicit or receive, either directly or indirectly, any contribution which may be reasonably construed as having the effect of intent to influencing the award of a contract.



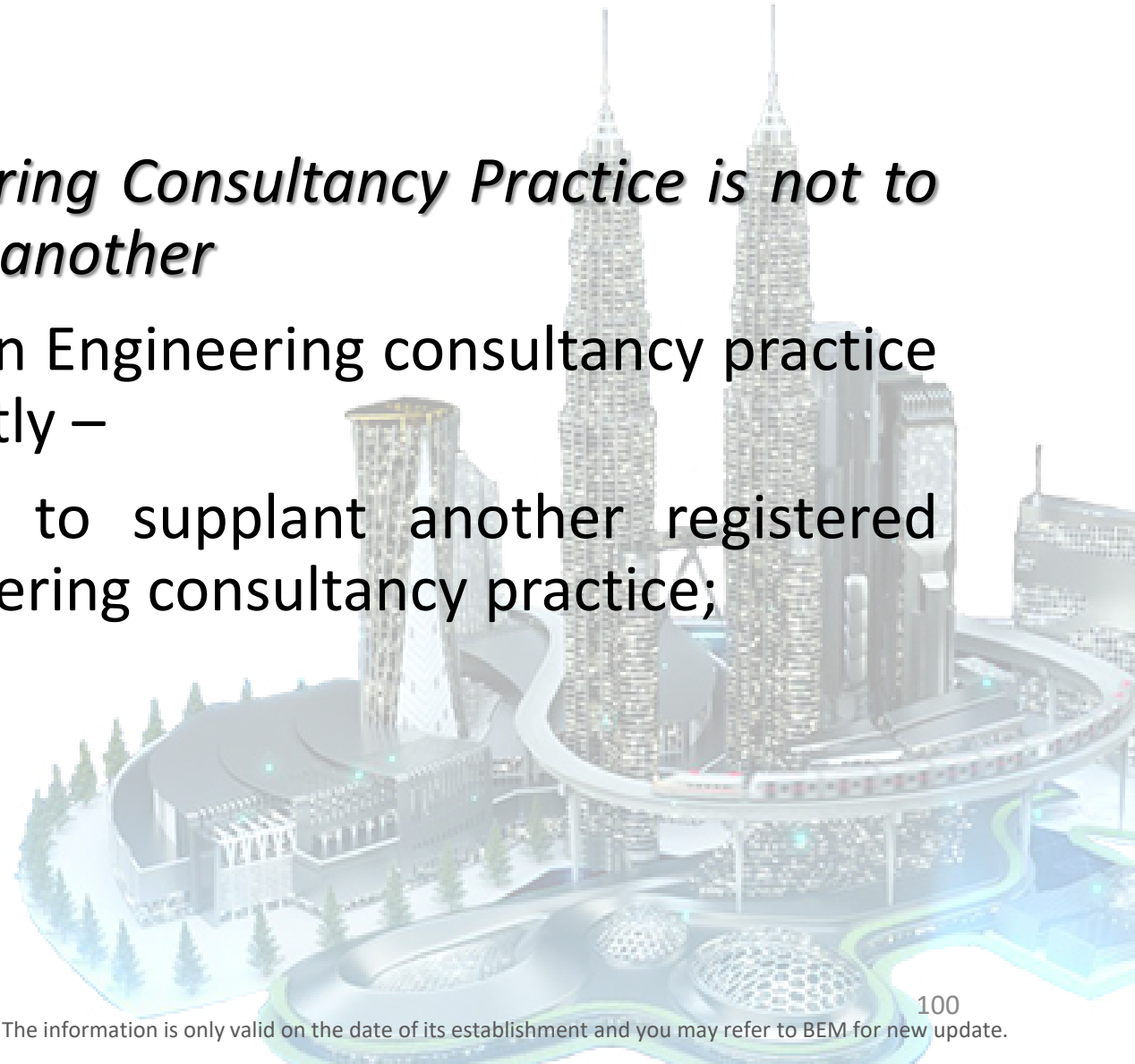
Restriction on making payments or placing contracts

Reg. 29 A registered Person or an Engineering consultancy practice shall not be a medium of payment made on his client's behalf unless he is so requested by his client nor shall he, in connection with work on which he is employed, place contracts or orders except with the authority of and on behalf of his client.



A registered Engineer or an Engineering Consultancy Practice is not to intervene or to take over the work of another

- Reg. 31 A registered Engineer or an Engineering consultancy practice shall not directly or indirectly –
- (a) supplant or attempt to supplant another registered Engineer or an Engineering consultancy practice;





A registered Engineer or an Engineering Consultancy Practice is not to intervene or to take over the work of another

Reg. 31 A registered Engineer or an Engineering consultancy practice shall not directly or indirectly –

(b) intervene or attempt to intervene in or in connection with engineering work of any kind which to his knowledge has already been entrusted to another registered Engineer or an Engineering consultancy practice; or



A registered Engineer or an Engineering Consultancy Practice is not to intervene or to take over the work of another

Reg. 31 A registered Engineer or an Engineering consultancy practice shall not directly or indirectly –

(c) take over any work of that other registered Engineer or an Engineering consultancy practice acting for the same client unless he has –

(i) obtained the consent of that other registered Engineer or an Engineering consultancy practice; or



A registered Engineer or an Engineering Consultancy Practice is not to intervene or to take over the work of another

Reg. 31 A registered Engineer or an Engineering consultancy practice shall not directly or indirectly –

- (c) take over any work of that other registered Engineer or an Engineering consultancy practice acting for the same client unless he has –
 - (ii) been formally notified by the client that the services of that other registered Engineer or an Engineering consultancy practice have been terminated in accordance with the provisions of any contract for professional engineering services entered into between that other registered Engineer or an Engineering consultancy practice and the client, provided always that in the case of dispute over non-payment of fees or quantum of any outstanding fees under the contract, the client may request the Board to be the stakeholder.



A registered Engineer or an Engineering Consultancy Practice is not to intervene or to take over the work of another

Reg. 31 A registered Engineer or an Engineering consultancy practice shall not directly or indirectly –

- (c) take over any work of that other registered Engineer or an Engineering consultancy practice acting for the same client unless he has –
 - (ii) been formally notified by the client that the services of that other registered Engineer or an Engineering consultancy practice have been terminated in accordance with the provisions of any contract for professional engineering services entered into between that other registered Engineer or an Engineering consultancy practice and the client, provided always that in the case of dispute over non-payment of fees or quantum of any outstanding fees under the contract, the client may request the Board to be the stakeholder.

(Refer to Circular No 008 Procedure for a registered Engineer or ECP taking over the work of another registered Engineer or ECP)



Restriction on being a director, member or shareholder of contracting or manufacturing company etc.

- Reg. 32
- (1) Except with the prior approval of the Board, a registered Engineer in an Engineering consultancy practice shall not be a director or executive of or substantial shareholder in or agent for any contracting or manufacturing company or firm or business related to building or engineering.
 - (2) If such approval is given, such registered Engineer shall not undertake any contract work wherein he is engaged to provide professional engineering services in such project unless it is in respect of a "design and build" project.



Disclosure of interest

Reg. 32 Every registered Engineer while acting in his professional capacity shall disclose in writing to his client of the fact if he is a director or member of or substantial shareholder in or agent for any contracting or manufacturing company or firm or business or has any financial interest in any such company or firm or business, with which he deals on behalf of his client.

refer to Circular No. 001 – Code of Conduct of registered person



PART V REGISTRATION OF ENGINEERING CONSULTANCY PRACTICE

Form of Application

- Reg. 34
- (1) A sole proprietorship, partnership or body corporate desirous of being registered as an Engineering consultancy practice under section 7A or 7B of the Act shall submit an application to the Board in the form as specified on the Board's website.
 - (2) Every application for registration as an Engineering consultancy practice shall be accompanied with —
 - (a) a processing fee as specified in Schedule II, which is not refundable; and
 - (b) a registration fee as specified in Schedule II, which shall be refunded to the applicant who is unsuccessful in its application,and the fees must be in the form of money order, bank draft, cheque or any other form as determined by the Board, made payable to the Board.



Paid up capital and equity

- Reg. 34A (1) A body corporate registered as an Engineering consultancy practice under section 7A of the Act shall have –
- (a) a minimum paid up capital of fifty thousand ringgit;
 - (b) at least seventy percent of its share equity held by Professional Engineers with Practising Certificate; and
 - (c) the remaining share equity may be held by –
 - (i) any person; or
 - (ii) any body corporate; or
 - (iii) any person and body corporate.



Paid up capital and equity

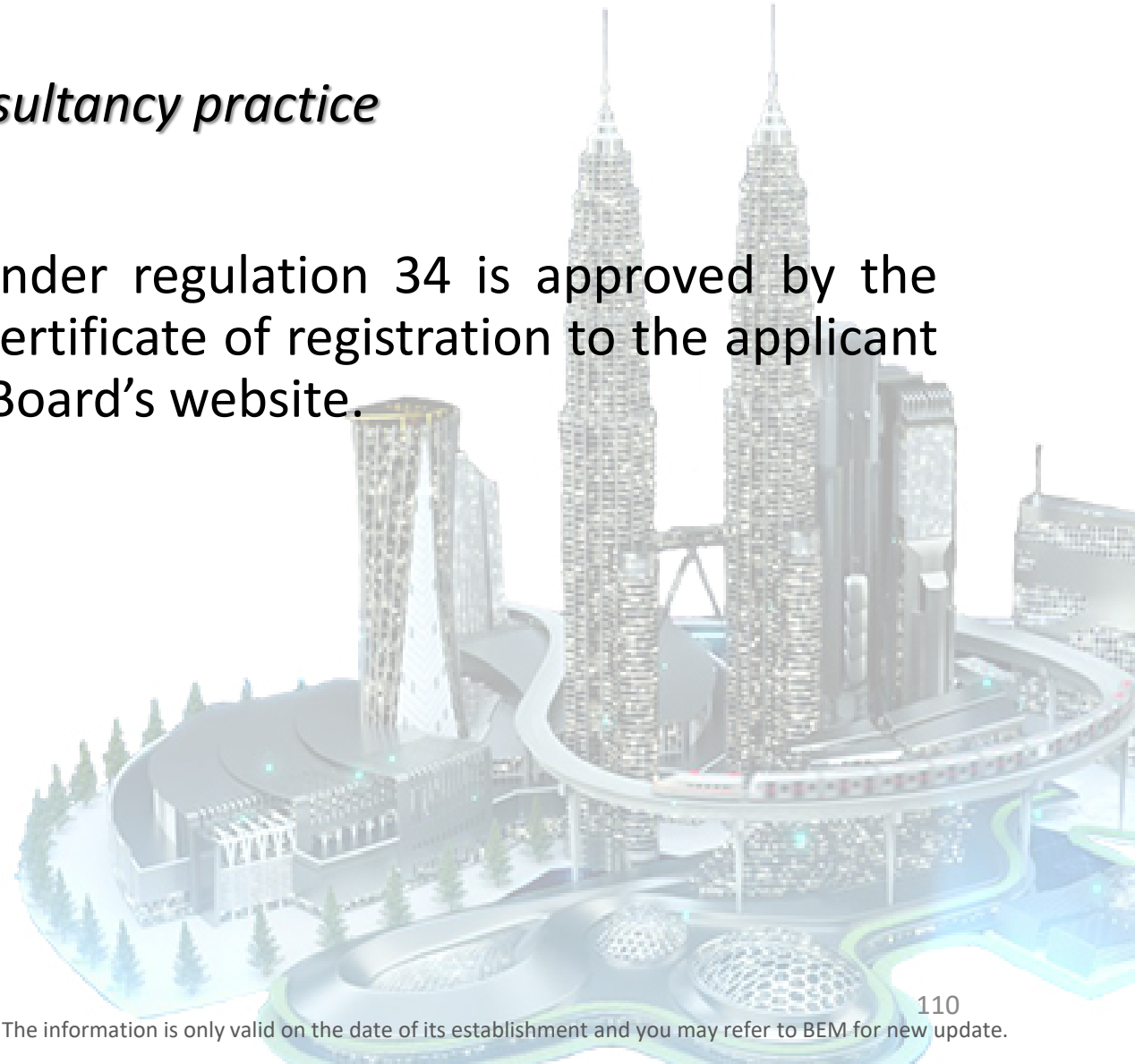
Reg. 34A (2) A body corporate registered under section 7B of the Act shall have –

- (a) a minimum paid up capital of one hundred and fifty thousand ringgit;
- (b) at least sixty percent of its share equity held by Professional Engineers with Practicing Certificate with combination of service comprising Architects or Professional Quantity Surveyors;
- (c) minimum share of ten percent shall be held by the Professional Engineers with Practicing Certificate; and
- (d) the remaining share equity may be held by –
 - (i) any person; or
 - (ii) any body corporate; or
 - (iii) any person and body corporate.



Certificate registration for Engineering Consultancy practice

Reg. 35 When the application made under regulation 34 is approved by the Board, the Board shall issue a certificate of registration to the applicant in the form as specified on the Board's website.





Renewal of certificate of registration and reinstatement fee

- Reg. 36 (1) An Engineering consultancy practice desirous of renewing its registration under section 13(2) of the Act shall —
- (a) submit to the Board —
 - (i) an application for renewal of registration in the form as specified on the Board's website on or before the date as specified in Schedule II; and
 - (ii) a renewal fee as specified in Schedule II in the form of money order, bank draft, cheque or any other form as determined by the Board, made payable to the Board; and
 - (b) satisfy such conditions as determined by the Board



PART VI PROFESSIONAL ASSESSMENT EXAMINATION

Form of application to sit for Professional Assessment Examination

Reg. 37 Every Graduate Engineer having the practical experience as mentioned in regulation 22 and desirous of sitting for the Professional Assessment Examination for the purpose of applying to be registered as a Professional Engineer shall submit to the Board his application in the form as specified on the Board's website and accompanied by a fee for the Professional Assessment Examination as specified in Schedule III.



Professional Assessment Examination

Reg. 38 The Professional Assessment Examination that a Graduate Engineer has to pass under section 10(2)(i)(b) of the Act in order to be entitled to be registered as a Professional Engineer shall consist of –

- (a) a professional interview conducted by not less than two examiners appointed by the Board;
- (b) a written paper on any relevant subject related to the practical experience which he has obtained;
- (c) a written paper on his understanding of the Code of Professional Conduct; and
- (d) any other examination, written or otherwise, to be determined by the Board.



Professional Competency Examination

- Reg. 38A (1) The Professional Engineer who intend to be registered as Professional Engineer with Practicing Certificate under section 10D of the Act, shall pass the Professional Competency Examination.
- (2) Every Professional Engineer who intends to sit for the Professional Competency Examination shall submit to the Board the application for as specified on the Board's website and accompanied with the fee for the Professional Competency Examination as specified in Schedule III.

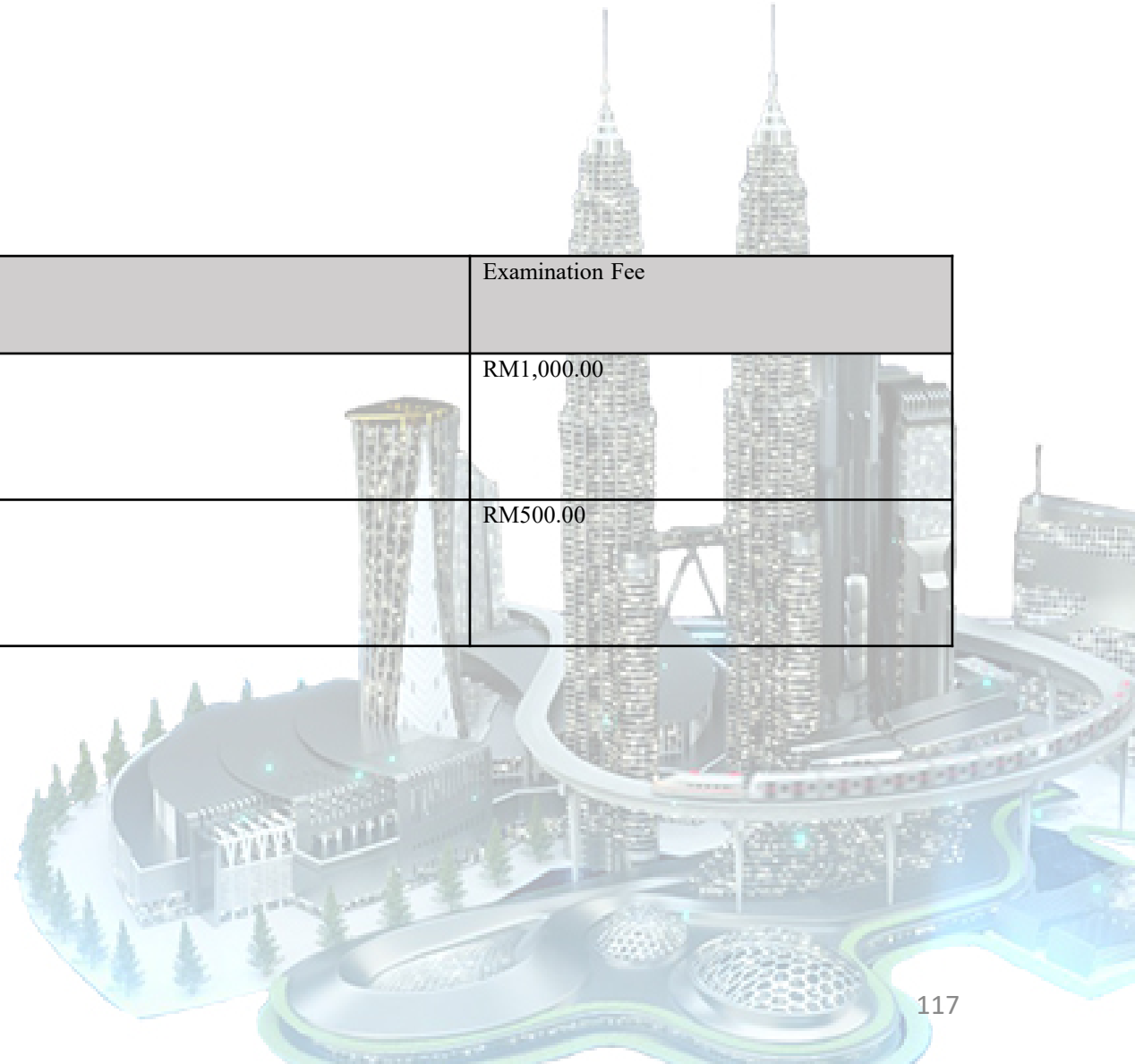
SCHEDULE 11

	<i>Processing Fee</i>	<i>Registration Fee</i>	<i>Renewal Fee</i>	<i>Date of yearly renewal of registration</i>	<i>Reinstatement Fee</i>
Graduate Engineer	RM50.00	Not applicable	Not applicable	Not applicable	Not applicable
Engineering Technologist	RM50.00	Not applicable	Not applicable	Not applicable	Not applicable
Inspector of Works	RM50.00	** RM50.00	RM30.00	31 January of the third year following the year of expiration of registration	RM180.00

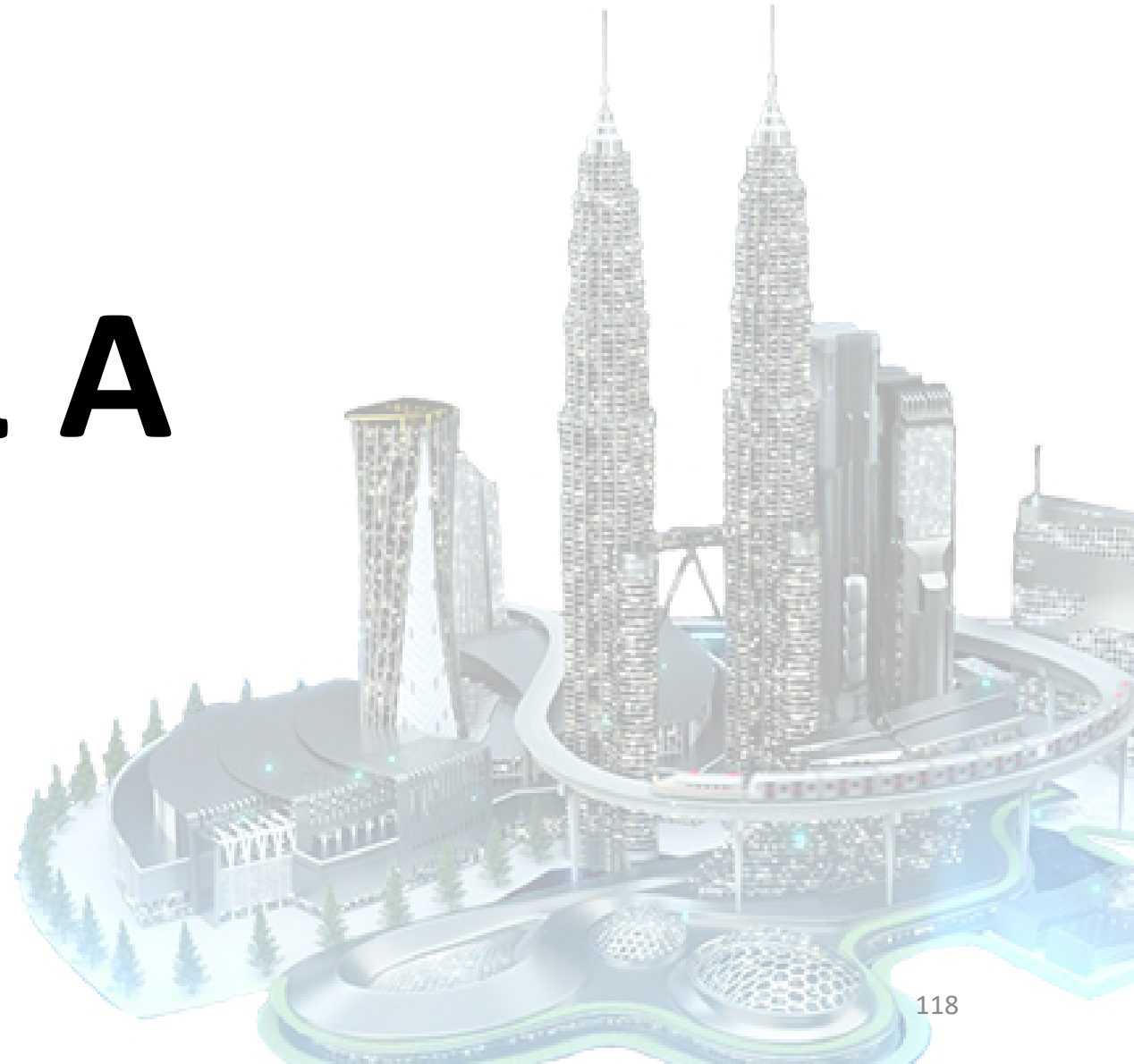
	<i>Processing Fee</i>	<i>Registration Fee</i>	<i>Renewal Fee</i>	<i>Date of yearly renewal of registration</i>	<i>Reinstatement Fee</i>
Professional Engineer	RM50.00	** RM300.00	RM200.00 (Age below 60 years)	31 January of the year following the year of expiration of registration	RM1,250.00
			RM100.00 (Age 60 years and above)		RM1,150.00
Professional Engineer with Practicing Certificate	RM50.00	** RM200.00	RM400.00	31 January of the year following the year of expiration of registration	RM1,450.00
Accredited Checker	RM50.00	** RM200.00	RM200.00 (Age below 60 years)	31 January of the year following the year of expiration of registration	RM1,250.00
			RM100.00 (Age 60 years and above)		RM1,150.00

SCHEDULE III

	Processing Fee	Examination Fee
Professional Competency Examination	RM100.00	RM1,000.00
Professional Assessment Examination	RM100.00	RM500.00



Q & A



THANK YOU

“Committed To Engineering Excellence”

BOARD OF ENGINEERS MALAYSIA

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