

# PPC FUNCTION & DEVELOPMENT UNDER REA

Presented by:

***Ir. K. Sundraraj***

*BEM Board Member*

*Chairman of Professional Practice Committee*



**Session 1: 5<sup>th</sup> July 2023**



**Grand Ballroom,  
Le Meridien Hotel, Kota Kinabalu**



## BEM AWARENESS ROADSHOW 2019\_Session 2 (GE, ET & IOW)

Topics presented:

- BEM Registration of ET & IOW
- Safety Supervision Works at Construction Site



Kuching\_31.07.19



Kota Kinabalu\_02.08.19

# Outline of Presentation

- *Overview of REA & Amendments*

- *Composition of Committee*

- *Procedure for Complaints*

- *Conduct of Hearing*

# Overview of REA & Amendments

# Amendments to the REA

REGISTRATION OF ENGINEERS ACT 1967 (ACT 138)	REMARKS
<b>1967*</b>	The draft bill passed by Parliament (Act No. 66 of 1967)
<b>1972</b>	The Act came into force(Act A132 )
<b>1973</b>	Minor Amendments
<b>1974</b>	Introduction of a “body corporate” to practice as Consulting Engineer with 100% shares & Board of Directors are PEs
<b>1987</b>	Introduction of “multi-disciplinary practice”, Citizenship requirements & temporary registration of foreign engineers
<b>2002</b>	Introduction of “Accredited Checkers”
<b>2007</b>	Introduction of “ <u>Disciplinary Committee</u> ”
<b>2015</b>	Introduction of “PE with PC, Eng. Technologist & IOW”.
	No Citizenship requirements Revision to registration of firms/companies.

# BEM Website

The screenshot shows the homepage of [bem.org.my](http://bem.org.my/web/guest/home). The page features a grid of navigation tiles and content sections:

- PROFESSIONAL PRACTICE**: Image of hands drawing on blueprints.
- SCALE OF FEES**: Image of a building under construction.
- ACCREDITATION**: Image of a person in a library.
- PUBLICATION**: Image of a person holding a magazine in front of a city skyline.
- EXAMINATION**: Image of rolled-up blueprints.
- MyCPD**: Image of a smiling construction worker.
- DOWNLOAD Engineering**: Large blue tile with the word "Engineering" and "SECOND EDITION".
- GALLERY**: Image of a globe and electronic devices.
- STATISTICS**: Text link.
- POLL**: Text link with the question "Does this portal meet your".
- TAG CLOUD**: Text link with the tag "#Professional Practice".

At the bottom, there is a navigation bar with the following links: Registered Engineers, Consultancy Practice, New Applicant, Government, Student / Parent.

# CONTENTS OF REA 1967 (Revised 2015)

The Act (Revised 2015) comprises :

❖ Arrangement of Sections

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



## Part II – Board of Engineers

### Subsection 4(1) REA

The functions of the Board shall be:

(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;

(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;

(f) to **determine and regulate the conduct and ethics** of the engineering profession;

*(Regulations IV Code of Conduct & reference to BEM Circular No. 001 Code of Conduct of Registered Person)*

## Part III – Registration of Engineers

### Subsection 7A(5) REA

If the Board finds -

- (a) the Engineering Consultancy Practice or sole proprietor or any partner, director or shareholder has **breached, or failed** to comply with or carry out, any of the terms, conditions or restrictions imposed by the Board upon registration of that Engineering Consultancy Practice ;
- (b) The composition of the partners, board of directors or shareholders of the Engineering Consultancy Practice **does not comply** with section 7B or subsection (3);
- (c) The Engineering Consultancy Practice has **breached** any of the requirements of subsection (4);

## Part III – Registration of Engineers

### Subsection 7A(5) REA (Cont.)

The Board may, subject to subsection (6) by written notice to the Engineering Consultancy Practice, **order-**

(aa) *the issuance of a **written warning or reprimand** to;*

(bb) *the imposition of a **fine not exceeding fifty thousand ringgit** on;*

(cc) *the **suspension** of the registration for a period **not exceeding two years** of;*

(dd) *the **cancellation of the registration** of;*

(ee) ***Any combination** of the sanctions set out in paragraphs (aa) to (dd) on, the Engineering consultancy practice.*

## Part IIIA – Disciplinary Committee

### Subsection 14B & 14C

#### 14(B) The Disciplinary Committee-

- (a) Shall **conduct hearings of any misconduct or complaint** against any registered Person referred to it by the Investigating Committee;
  
- (b) May **make any or any combination of the orders** specified in **section 15** against a registered Person under such circumstances as set out in that section.

# Part IIIA – Disciplinary Committee

## Subsection 15(1)

The Disciplinary Committee may make any or **any combination of the orders specified in paragraphs (a) to (d)** of subsection (1A) against a registered Person under any of the following:

- (a) if he is **convicted of any offence**, including offences involving false or negligent certification, fraud, dishonesty or moral turpitude in Malaysia or elsewhere;
- (b) if he offers or accepts any **commission** which in the opinion of the Disciplinary Committee is an illicit commission;
- (c) if whilst acting in his professional capacity, he at the same time **without disclosing the fact in writing** to his client, is a sole proprietor, partner, 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;

## Part IV- Cancellation, Removal, Reinstatement

### Subsection 15(1) (Cont.)

- (d) if his registration under this Act has been obtained by **fraud or misrepresentation**;
- (e) if his qualification under section 10 has been **withdrawn or cancelled** by the Authority through which it was acquired or by which it was awarded;
- (f) if he is found to be of **unsound mind**;
- (fa) if he is found to be **incapable** or no longer able to perform his professional duties effectively;
- (fb) if he becomes a **bankrupt**;

## Part IV- Cancellation, Removal, Reinstatement

### Subsection 15(1) (Cont.)

- (g) if he is found by Disciplinary Committee to have **contravened, or failed to comply** with this Act or any regulations made thereunder;
- (h) if he **fails to observe** any conditions or restrictions subject to registered;
- (i) if he is **found guilty** by the Disciplinary Committee of any act or conduct which in the opinion of the Disciplinary Committee is infamous or disgraceful;
- (j) if he procures, or assists in procuring, or is knowingly a party to procuring, by **fraud or misrepresentation**, the approval of the Board for a sole proprietorship, partnership or body corporate to be registered as an Engineering consultancy practice;

## Part IV- Cancellation, Removal, Reinstatement

### Subsection 15(1) (Cont.)

- (k) if he conceals or assists in **concealing** from the Board the existence of any facts or circumstances which, if known, would entitle the Board to cancel the registration of a sole proprietorship, partnership or body corporate, in which he is a sole proprietor, partner, director or shareholder, as an Engineering consultancy practice;
- (l) if he **contravenes**, or fails to perform, or assists in the contravention of, any terms, conditions or restrictions imposed by the Board when registering a sole proprietorship, partnership or body corporate as an Engineering consultancy practice under section 7B or subsection 7A(3);

## Part IV- Cancellation, Removal, Reinstatement

### Subsection 15(1) (Cont.)

- (m) if he causes or permits or suffers any sole proprietorship, partnership or body corporate in which he is a sole proprietor, partner, director or shareholder **to practise** as an Engineering consultancy practice prior to its registration by the Board;
- (n) if he causes or permits or suffers any Engineering consultancy practice in which he is a sole proprietor, partner, director or shareholder to **continue to practise** as an Engineering consultancy practice after the Board has suspended or cancelled its registration under paragraph 7A(5)(cc) or (dd), respectively; or
- (o) if he **fails to discharge** his professional duties diligence.

## Part IV- Cancellation, Removal, Reinstatement

### Subsection 15(1A) REA

(1A) The orders referred to in subsection (1) are –

- (a) the issuance of a **written warning or reprimand**;
- (b) the imposition of a **fine** not exceeding **fifty thousand ringgit**;
- (c) the **suspension** of registration for a period not exceeding **two years**;
- (d) the **cancellation** of registration.

## Part IV- Cancellation, Removal, Reinstatement

### Subsection 15(2) &15(3) REA

- (2) The Disciplinary Committee shall not make **any order** under subsection (1A), based upon any of the circumstances set out in subsection (1) except for circumstances in paragraphs (1)(a), (e), (f) and (fb), unless an opportunity of being heard either personally or by a person appointed by the registered Person has been given to the registered Person against whom the Disciplinary Committee intends to make the order.
  
- (3) The Disciplinary Committee or Board may, if it deems fit, **suspend the registration** of any registered Person or Engineering consultancy practice, respectively, for a period not exceeding six months **pending any investigation** by an Investigating Committee under this Act and during the period of such suspension he or it shall not exercise any of the rights or privileges accorded to him or it under this Act.

## Part V – General

### Subsection 19(1) & (2) REA

- (1) Any person, sole proprietorship, partnership or body corporate-
- (c) who having been registered has had his or its name **removed from the Registered** pursuant to an order made by the Disciplinary Committee or Board under subsection 15 (1A) or 7A(3), respectively;
- (e) who is **not satisfied with an order of the Disciplinary Committee or Board** made under subsection 15(1A) or 7A(5), respectively,

may **within twenty-one days** of being notified of the refusal, conditions, removal or order, **appeal to the Appeal Board** constituted under **section 20** and the Appeal Board may thereupon make such orders as it may deemed just or proper.

- (2) The Disciplinary Committee or Board shall give effect to any order made by the Appeal Board forthwith.

# Composition of Committee

# Composition of Permanent Investigation Committee

## Subsection 24B (1) & (4)

- (1) For the purposes of subsection 15(3), the Board shall appoint an **Investigating Committee** which shall consist of the following members:
  - (a) a **Chairman** who shall be a registered Professional Engineer with Practising Certificate; and
  - (b) **two other members**, one of whom shall be a Professional Engineer with Practising Certificate.
  
- (4) Upon completion of its investigation, the Investigation Committee shall submit a **report together with its recommendations**, if any, to the **Board or Disciplinary Committee** for its consideration.

# Composition of Permanent Investigation Committee

## Permanent Investigation Committee 2023

Board renew\_the appointment of **Permanent Investigation Committee** listed below for 2 years (1.1.2023 – 31.12.2024) :

- Dato' Ir. Fong Tian Yong, (Civil)
- Dato' Ir. Kok Soo Chon, (Electrical)
- Ir. Wong Shu Leong (Electrical)
- Ir. Lai Sze Ching (Mechanical)

## Composition of Disciplinary Committee

### Subsection 14A(1) & (2) and 14C(2) REA

- 14(1) The Board shall appoint a **Disciplinary Committee** (DC) which shall consist of the following members:
- (a) a **Chairman** who is a registered PEPC;
  - (b) a registered PE; and
  - (c) a registered PEPC
- 14(2) The members of the DC shall have been registered as **Professional Engineers** for a period of not less than **seven years** prior to their appointment to DC.
- 14C(2) Subject to the provisions of this Act, the Disciplinary Committee may **regulate its own procedures** in such manner as it deems fit.

# Composition of Disciplinary Committee

## Disciplinary Committee 2023

Board renew\_the appointment of **Disciplinary Committee** listed below for 2 years (1.1.2023 – 31.12.2024):

- Datuk Paduka Ir. Hj. Keizrul bin Abdullah, Civil  
**(Chairman)**
- Tan Sri Ir. Hj. Zaini bin Omar, Electrical
- Dato' Sri Ir. Dr. Roslan bin Md Taha, Civil
- Dato' Ir. Dr. Mohd Asbi bin Othman, Civil
- Ir. Chen Thiam Leong, Mechanical
- Ir. Prem Kumar, Electrical

# Composition of Appeal Board

## Subsection 20 REA

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

### Appeal Board 2023

The Composition of BEM Appeal Board:

#### Appeal Board Chairman

1. YA Dato' Khadijah binti Idris,

#### Appeal Board Members

1. YBhg. Tan Sri Ir. Prof. Dr. Mohd Zulkifli bin Mohd Ghazali
2. YBhg. Dato' Ir. Chew Swee Hock

# Complaints received by BEM

## Q & A

**Q : Is a Complaint necessary?**

**A :** The Federal Court in its judgement dated 1<sup>st</sup> August 2008 on the case of **Lembaga Jurutera Malaysia v Leong Pui Kun** {Appeal No. 02-49-2006(W)} ruled that *"The Board may act under Section 15(1) of the REA on its own volition **without the need for a formal complaint** to be lodged or a **complainant** to prosecute an errant engineer."*

## Q & A

**Q :** What if there is a Complaint?

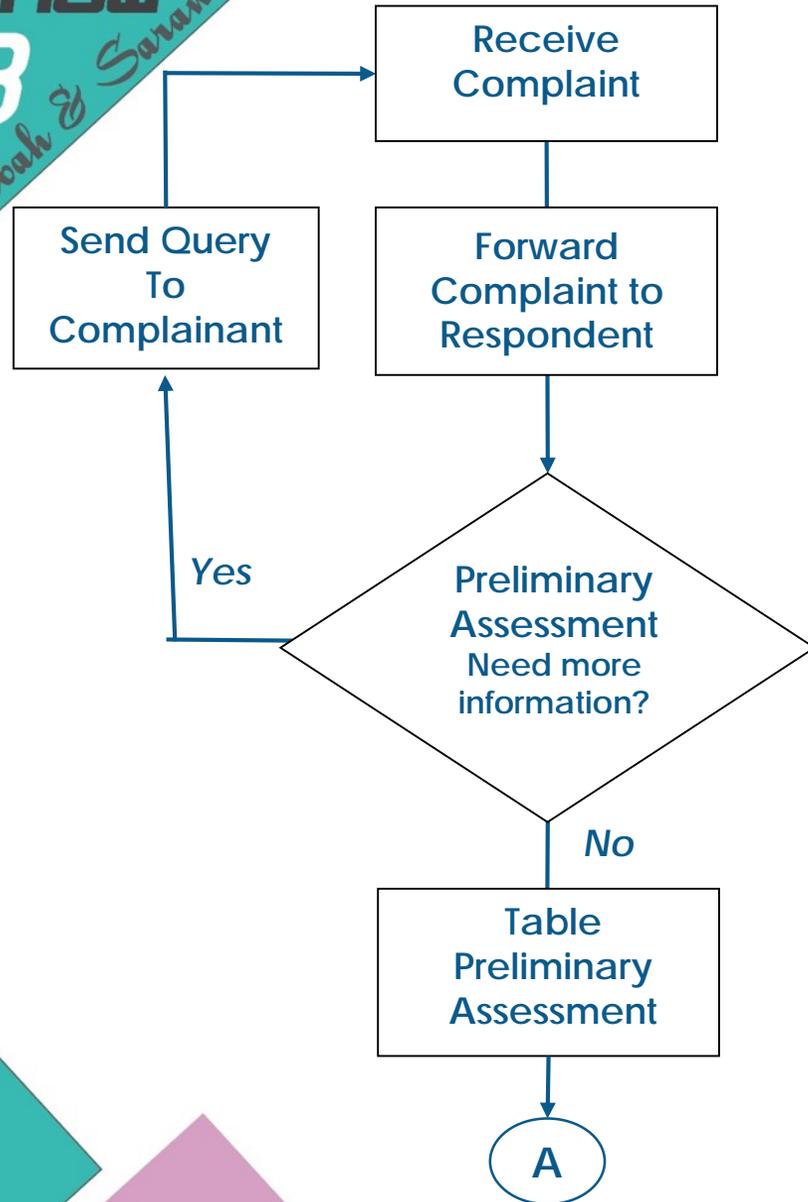
**A :** Regulation 22(A)(1)

Any person who seeks to make a complaint against a registered Person or an ECP 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**.

**A :** Regulation 22(A)(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.

## Flowchart on Complaint Received by BEM



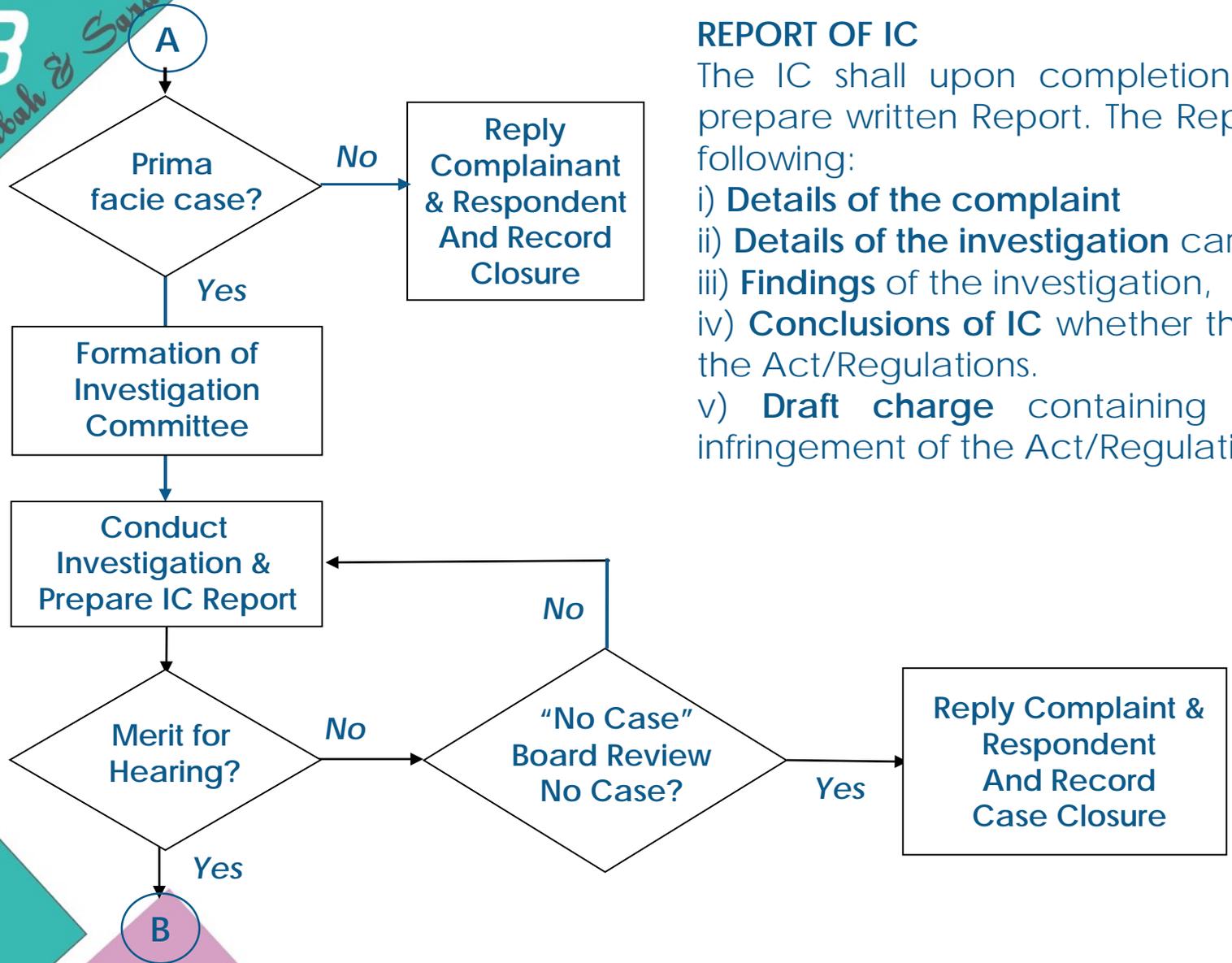
### Receive Complaint/Query

- The complaint shall be made in the **designated BEM form, and signed**, using the BEM Form (BEM/Form/ PPC/01) or in writing which requires Board's action (Regulation 22A(1)).
- Upon receipt of a complaint, the Registrar shall refer it to the **ED or a PPC member to assess before tabling it to the PPC.**

The PPC shall study the complaint in order to reach a **conclusive decision to categorize the complaint** as follows:

- **Category I** : unfounded complaint.
- **Category II** : no *prima facie* case but the Respondent needs to be advised on good practice.
- **Category III** : *prima facie* case of an offence committed by a registered Person or ECP under the Act.
- **Category IV** : complaint against a person or an ECP not registered with the Board, relating to an offence under the Act.

## Flowchart on Complaint Received by BEM

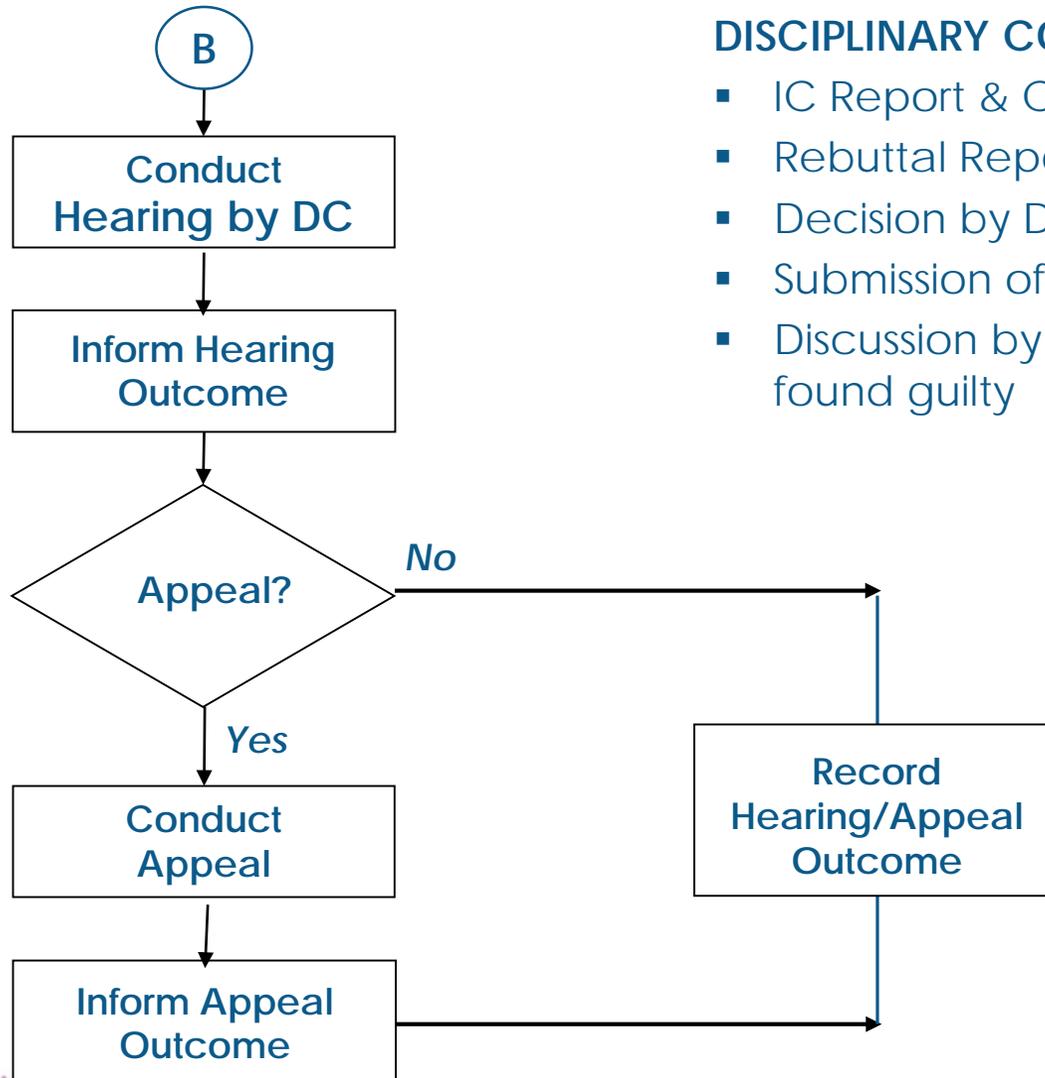


### REPORT OF IC

The IC shall upon completion of its investigation, prepare written Report. The Report shall contain the following:

- i) **Details of the complaint**
- ii) **Details of the investigation** carried out
- iii) **Findings** of the investigation,
- iv) **Conclusions of IC** whether there is any breach of the Act/Regulations.
- v) **Draft charge** containing the facts on any infringement of the Act/Regulation discovered.

## Flowchart on Complaint Received by BEM



### DISCIPLINARY COMMITTEE HEARING

- IC Report & Charges
- Rebuttal Report
- Decision by DC/Board guilty/not guilty
- Submission of mitigating factors
- Discussion by DC/Board on penalty imposed if found guilty

# Conduct of Hearing

## Conduct of Hearing

### Pre-Hearing

Q : What are the Preparations required prior to the Hearing?

A : Subsection 22B(3) Regulation

The IC shall upon completion of its investigation of the complaint, **submit** to the Board for matters under subsection 7A(5) of the Act, or to the Disciplinary Committee for matters under subsection 15(1) of the Act, for consideration –

- (a) a report of its investigation;
- (b) its recommendations, if any; and
- (c) a draft of the charge containing the facts of the complaint alleged to have been committed by the registered Person or ECP, if **the IC is satisfied that there are grounds for the complaint** against the registered Person or ECP.

## Conduct of Hearing

### Pre-Hearing

#### The 'Charge'

- The **contents** of a Charge should include :
  - The particulars of the registered Person or ECP
  - The particulars of the offence / misconduct
  - Where and when or for which project did it occur?
  - Which Section of the Act or which Regulation has been infringed / contravened?
  - Punishable under which Section of the Act?  
{ Subsection 15(1A) for a registered Person or Subsection 7A(5) for an ECP }
- The Charge must be **specific**
  - e.g. if only 5 houses in a housing project of 100 houses are having settlement issues, need to be specific which are the 5 houses

## Conduct of Hearing During the Hearing

### Section 14B

The Disciplinary Committee -

- (a) shall **conduct hearings** of any misconduct or complaint against any registered Person **referred** to it by the IC;

**Q : What are the Preparations required prior to the Hearing?**

**A : Subsection 14C(2)**

- (2) Subject to the provisions of this Act, the Disciplinary Committee may **regulate its own procedures** in such manner **as it deems fit**.

### GUIDELINES FOR THE CONDUCT OF HEARING CONVENED UNDER THE REGISTRATION OF ENGINEERS ACT 1967

#### i. ABBREVIATION/TERMINOLOGY

Hearing	:	An opportunity to be heard either personally or by counsel
Act	:	The Registration of Engineers Act 1967 and the various revisions
Regulations	:	The Registration of Engineers Regulations 1990 and its revisions
Board	:	Board of Engineers Malaysia
DC	:	Disciplinary Committee
IC	:	Investigating Committee
ECP	:	Engineering Consultancy Practice
Chairman	:	Chairman of the hearing
Respondent	:	The ECP or Engineer being complained of
Complainant	:	The person making the complaint (if any)
Secretary	:	Secretary of the Board
Registrar	:	Registrar of the Board
CV	:	Curriculum Vitae

#### ii. PREAMBLE

The Federal Court in its judgment dated 1<sup>st</sup> August 2008 on the case of Lembaga Jurutera Malaysia (Board of Engineers Malaysia) v Leong Pui Kun (Appeal No. 02-49-2006(W)) ruled on the following:

- (a) The proceedings of statutory tribunals conducting an inquiry are by no means bound by the strict rules which apply to criminal trials.
- (b) Every administrative body is the master of its own procedure and need not assume the trappings of a court.
- (c) The disciplinary proceedings under the Act are not adversarial proceedings. They are inquisitorial or investigatory proceedings.
- (d) The Board may act under Section 15(1) of the Act on its own volition without the need for a formal complaint to be lodged or a complainant to prosecute an errant engineer.

#### 1.0 INTRODUCTION

The Board has the general discretion to regulate its own procedure and to conduct a hearing in whatever way it deems appropriate, provided it is not in breach of any specific provision of the Act or Regulations, and it does not result in denial of natural justice. These guidelines have been prepared to assist the Board to regulate the conduct of a hearing convened under the Act.

#### 2.0 DETAILS

	Action	Responsibility
2.1	The Board or the DC shall conduct a disciplinary hearing convened under the appropriate Section(s) of the Act against the Respondent.	Board / DC
2.2	The Registrar/Secretary will record the names of the Board members present. In the absence of the President of the Board, the members present shall elect a Chairman of the hearing.	Registrar / Secretary

# Conduct of Hearing

## GUIDELINES FOR THE CONDUCT OF HEARING CONVENED UNDER THE REGISTRATION OF ENGINEERS ACT 1967

### Preamble

The **Federal Court** in its judgment dated August 2008 on the case of Lembaga Jurutera Malaysia (Board of Engineers Malaysia) v Leong Pui Kun (Appeal No. 02-49--2006(W)) ruled on the following:

- (a) The proceedings of statutory tribunals conducting an inquiry are by **no means bound** by the strict rules which apply to criminal trials.
- (b) Every administrative body is the master of its own procedure and need not assume the trappings of a court.
- (c) The disciplinary proceedings under the Act are **not adversarial proceedings**. They are **inquisitorial or investigatory proceedings**.
- (d) The Board may act under Section 15(1) of the Act on its **own volition** without the need for a formal complaint to be lodged or a complainant to prosecute an errant engineer.

## Conduct of Hearing

### Post Hearing

Q : Actions required after the Hearing.

#### Chairman of the Disciplinary Committee

- To prepare a **report giving the grounds** on which the Disciplinary Committee has made its decision(s)
- The report may include a **dissenting view** if the decision was not unanimous
- The report should be **signed** by all members of the Disciplinary Committee
- In the event the Respondent makes an appeal to the Appeal Board, the **Grounds of Decision** will have to be made available to both the Respondent and the Appeal Board

# List of Hearing Cases and Penalties Imposed

LIST OF HEARING CASES WHERE THE RESPONDENT HAS BEEN FOUND GUILTY BY THE BOARD/DISCIPLINARY COMMITTEE (DC) AND PENALTIES IMPOSED UNDER THE REGISTRATION OF ENGINEERS ACT 1967

**TABLE 1 – 10 YEARS PUBLICATION**

PENALTY: WRITTEN REPRIMAND AND/OR WARNING

**TABLE 2 – 20 YEARS PUBLICATION**

PENALTY: SUSPENSION AND/OR FINE

**TABLE 3 - PERMANENT**

PENALTY: CANCELLATION OF REGISTRATION

# List of Hearing Cases and Penalties Imposed

The screenshot shows the website for the Board of Engineers Malaysia. At the top, there are logos for the Malaysian government and BEM, along with the text 'BOARD OF ENGINEERS MALAYSIA' and a search bar. Below this is a horizontal navigation menu with the following items: HOME, ABOUT US, REGISTRATION, PROFESSIONAL PRACTICE, ACT & REGULATIONS, INTERNATIONAL MOBILITY, RESOURCE CENTRE, and CONTACT US. A dropdown menu is open under 'ACT & REGULATIONS', listing several categories: Explanatory Note, Circulars & Guidelines (with sub-items BEM and Others), Public Notice, Complaint Against Engineer (with sub-items Complaint Form and Online Complaint Form), Stakeholder (with sub-item Requirements & Procedures), Certificate of Completion & Compliance (CCC) (with sub-items CCC Forms, Guideline, List of Submission, OSC Online, Local Authority, CCC Online Submission, and Announcement), Scale of Fees (SOF) (with sub-items SOF 1998, SOF (Rev. 2003), SOF - Housing Development, SOF - Housing Development (Rev. 2003), BEM Form 1999, Form CSA2014-Engineering, and BEM Form 2009), **Hearing Decision List** (circled in red), and Whistleblower (with sub-items Whistleblower Policy and Whistleblower Form). At the bottom of the page, there is a footer with the URL 'bem.org.my/web/guest/list' and a list of user types: Registered Engineers, Consultancy Practice, New Applicant, Government, and Student / Parent.

# List of Hearing Cases and Penalties Imposed

**TABLE 1 – 10 YEARS PUBLICATION**  
 (to be removed after 10 years of publication)  
**PENALTY: WRITTEN REPRIMAND AND/OR WARNING**

No	Respondent	Contravened REA 1967/ RER 1990	Date of Order	Penalty
1.0	Ir.Edward Chan Hoy Weng (PE No. 7495)	Regulation 23	8.07.2013	Written Warning and Reprimand
2.0	Ir. Lum Peng Fatt (PE No. 6885)	Regulation 24	12.08.2014	Written Reprimand
3.0	Ir. Cheah Chin Huat (PE No. 5167)	Regulations 23, 24 & 25(1)	30.01.2015	Written Reprimand
4.0	Ir. Nasruddin bin Mat Yusof (PE No. 8268)	Regulation 23 and 24	13.05.2015	Written Warning
5.0	5. Ir. Kenneth Yeoh Tew Kwang (PE No. 1471)	Section 7A	20.7.2016	Written Reprimand
6.0	Ir. G Mogan a/l Gurusamy (PEPC No. C111638)	Regulation 23	20.12.2018	Written Reprimand

# List of Hearing Cases and Penalties Imposed

**TABLE 2 – 20 YEARS PUBLICATION**  
 (to be removed after 20 years of publication)  
**PENALTY: SUSPENSION AND/OR FINE**

No	Respondent	Contravened REA 1967/ RER 1990	Date of Order	Penalty
1.0	Ir. Tee Swee Hock (PE No. 5690)	Regulation 31	14.08.2007	6 months suspension (14.8.2007 until 13.2.2008)
2.0	Ir. Mohd Hasan bin Sulaiman (PE No. 7901)	Regulation 23	23.05.2008	i. Written Reprimand ii. Fine of RM4,000.00
3.0	Ir. Ng Kok Chong (PE No. 6818)	Regulation 24	26.5.2009	2 weeks suspension (26.5.2009 until 8.6.2009)
4.0	Ir. Herman Lee (PE No. 4248)	Section 15(1)(m)	17.12.2009	Fine of RM2,000.00
5.0	Ir. Wong Fook Kan (PE No. 7666)	Regulation 25(1)	17.5.2010	1 month suspension (17.5.2010 until 16.6.2010)
6.0	Ir. Lee Peng Thiam (PE No. 10454)	Regulation 32(1)	10.8.2010	i. Written Warning ii. Fine of RM2,000.00

# List of Hearing Cases and Penalties Imposed

**TABLE 3 - PERMANENT  
PENALTY: CANCELLATION OF REGISTRATION**

No	Respondent	Contravened REA 1967/ RER 1990	Date of Order	Penalty
1.0	Wong Yuen Kean (PE No. 1434)	Rule 26 of Rules 1972 (corresponding to Rule 24 of RER 1990)	20.8.2004	Cancellation of PE Registration <b>Appeal Board (29.07.2005) upheld Board's decision.</b>
2.0	Sik Chok Yuen (GE No. 890A)	Section 7(1)(aa)(iii) & Section 8(1)	9.6.2006	i. Cancellation of GE Registration ii. Fine of RM5,000.00
3.0	Ridzuan bin Abd Malik (PE No. 8375)	Section 15(1)(fb)	21.8.2009	Cancellation of PE registration <b>Appeal Board (9.12.2009) upheld DC's decision</b>
4.0	Ir. Tan Chee Pheng (PE No. 6775)	Regulations 24 & 23	12.6.2013	Cancellation of PE registration <b>Appeal Board (13.1.2015) upheld DC's decision.</b>  Board reinstated Ir. Tan CP as a PE under Section 17(3) (18.03.2019)

## Complaints and Disciplinary Actions

YEAR	NEW COMPLAINTS	INVESTIGATION COMMITTEE (IC) FORMATION*	POLICE CASE	NO CASE* (Based on IC findings)	DISCIPLINARY COMMITTEE* (DC)
2018	51	14	10	14	9
2019	59	26	12	5	22
2020	38	25	8	4	19
2021	50	18	2	11	15
2022	57	19	7	16	14

**Note:**

- 1) *\*The above figure includes cases brought forward from previous years and may not necessarily include all prima facie cases concluded by PPC on the same year.*
- 2) *DC proceedings in 2020 & 2021 were interrupted temporarily due to Covid19 pandemic*

# Complaints and Disciplinary Actions

## PENALTY IMPOSED (2015-2022)

ORDER TYPES	2015	2016	2017	2018	2019	2020	2021	2022	TOTAL
Cancellation	0	6	3	3	2	1	1	-	16
Fine & Reprimand	1	3	5	2	6	4	9	4	34
Fine & Suspension	-	-	-	-	-	1	-	-	1
Fine, Suspension & Reprimand	2	-	1	2	1	1	-	-	7
Fine	-	-	-	-	-	-	1	-	1
Suspension & Reprimand	1	-	-	-	-	-	-	-	1
Warning/ Reprimand	2	1	-	1	3	4	2	3	16



# Q & A



# THANK YOU



*"Committed To Engineering Excellence"*

BOARD OF ENGINEERS MALAYSIA

Tingkat 11 & 17, Blok F Ibu Pejabat JKR  
Jalan Sultan Salahuddin, 50580 Kuala Lumpur

<http://www.bem.org.my>

[enquiry@bem.org.my](mailto:enquiry@bem.org.my) or [complaint@bem.org.my](mailto:complaint@bem.org.my).

Tel: 03-26912090; Fax: 03-26925017