


19th & 20th November 2024
The Pacific Sutera Hotel Kota Kinabalu

Navigating Legislative Changes Updates to the REA 1967

Presented by:

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Member, Engineers' Act Committee
13th November 2024

8th August 2024



Unified Public Consultation

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☆ CADANGAN PINDAAN PERINTAH FI (ANALISIS DAN LAPORAN) 1979




Regulator☆ Department of Agriculture

Period13/08/2024 - 30/09/2024 (Due in 34 days)

StageForum

CategoryAgriculture

☆ CONSULTATION ON PROPOSED AMENDMENT TO REGISTRATION OF ENGINEERS ACT 1967




Regulator☆ Board Of Engineers Malaysia

Period08/08/2024 - 09/09/2024 (Due in 13 days)

StageFinal

CategoryAdministration / Services / Development

☆ PUBLIC CONSULTATIONS ON THE AMENDMENTS OF SECTION 31 ANIMALS ACT 1953 [ACT647]



Regulator☆ Department of Veterinary Services.

Period01/08/2024 - 01/10/2024 (Due in 35 days)

StageForum

CategoryVeterinary

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CADANGAN PINDAAN AKTA
PENDAFTARAN JURUTERA 1967
[Akta 138]

LEMBAGA JURUTERA MALAYSIA



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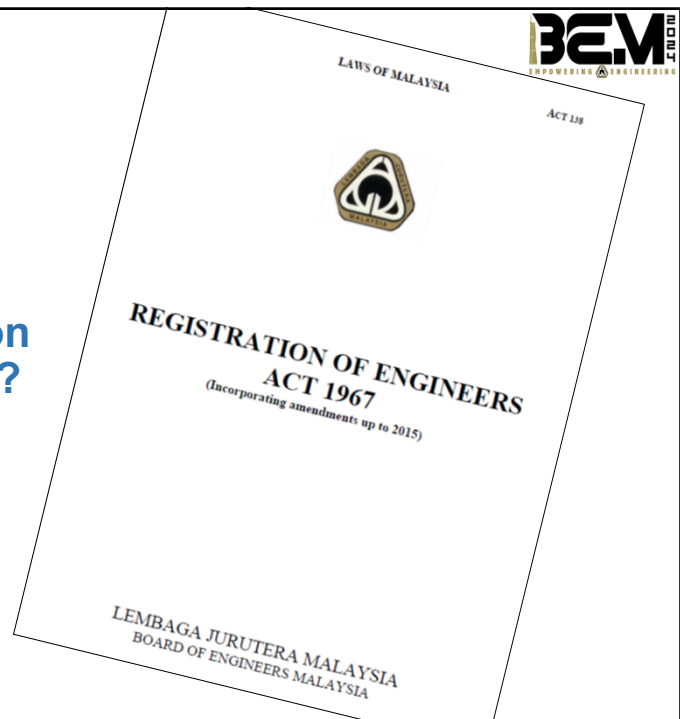
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SKOP CADANGAN PINDAAN AKTA 138

- i. Komposisi Ahli Lembaga
- ii. Kategori pendaftaran
- iii. Skop praktis Jurutera Profesional
- iv. Tindakan Disiplin oleh Jawatankuasa Disiplin
- v. Kuasa penyasatan dan penguatkuasaan
- vi. Lembaga Rayuan
- vii. Lembaga Semakan
- viii. Denda kesalahan menyalahi Akta 138

What is the Registration of Engineers Act 1967?



Registration of Engineers Act 1967

REGISTRATION OF ENGINEERS ACT 1967

Act of Parliament

First enacted as Act 66 (of 1967)

The Registration of Engineers Act is 57 years old this year


Why did Parliament enact the REA 1967?

Before 1967 there was no Engineers Act
similar to the Laws in the UK (which until
today there is no Engineers Act)

The Act was enacted in
Malaysia due to a building
failure in Kuala Lumpur in the
1960s.




What is the Purpose of the REA 1967?



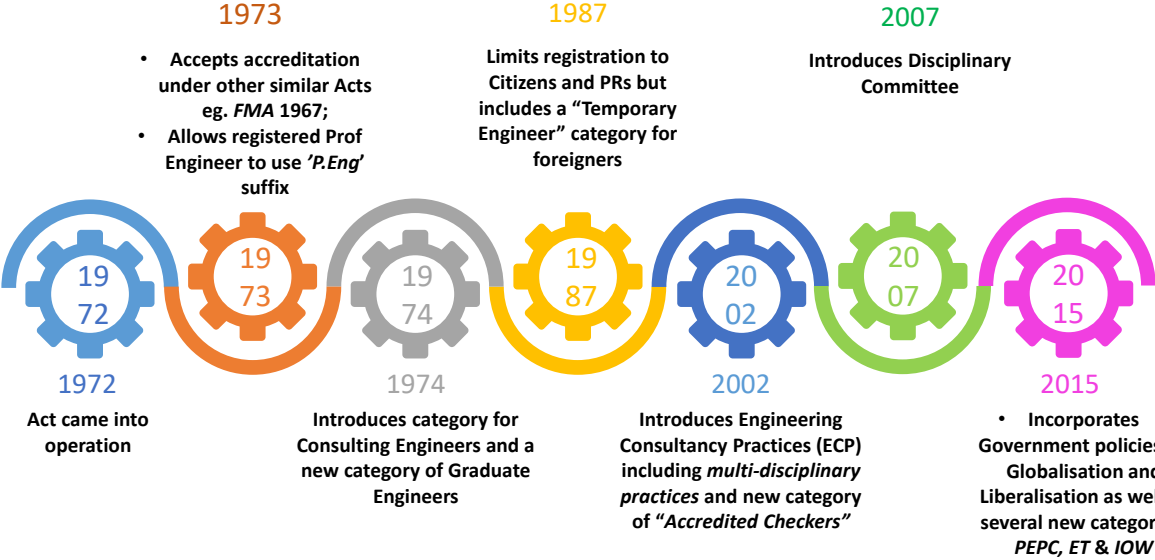
To **protect the public** by **legislative control** so that the practice of engineering, which has a bearing on public safety, health and welfare, can only be carried out by licensed professional engineers.

To **create a regulatory body** with mandate to carry out licensing of professional engineers and regulation of the profession

To **set regulations** pertaining to the practice of engineering; qualifications for licensing; and code of professional conduct for registered engineers;



REGISTRATION OF ENGINEERS ACT 1967 – History of Amendments



1972
Act came into operation

1973
• Accepts accreditation under other similar Acts eg. FMA 1967;
• Allows registered Prof Engineer to use 'P.Eng' suffix


1974
Introduces category for Consulting Engineers and a new category of Graduate Engineers

1987
Limits registration to Citizens and PRs but includes a "Temporary Engineer" category for foreigners

2002
Introduces Engineering Consultancy Practices (ECP) including *multi-disciplinary practices* and new category of "Accredited Checkers"

2007
Introduces Disciplinary Committee

2015
• Incorporates Government policies on Globalisation and Liberalisation as well as several new categories; PEPC, ET & IOW



Process to Amend the REA 1967

- Like all Acts of Parliament, the REA 1967 is a living document
- It will be amended from time to time to reflect current Government policies, new challenges, changes in societal norms and new technology
- Sometimes, a new amendment may result in consequential changes to an existing section
- For this purpose, the Board is continually reviewing the REA & RER
- When a sufficient number of amendments have been compiled, the Board will begin the process of seeking Parliament's approval
- The first stage is to prepare a Regulatory Impact Assessment (RIA)

Process to Amend the REA 1967

- There will be a stakeholders' consultation with relevant Ministries and Departments
- The proposed amendments will be tabled to the Jawatankuasa Dasar Kementerian Kerja Raya (JDKKR)
- Then there is a first round line by line review on the proposed amendments with the KKR Legal Advisor before submitting it to the Parliamentary Draughtsman Division of the AG Chambers
- A Cabinet Memorandum (MJM) will be prepared explaining the rationale for the amendments and incorporating the views from relevant Ministries

Process to Amend the REA 1967

- On the approval of the Cabinet, the Bill incorporating the amendments will join the queue with other Bills to be debated in Parliament
- If Parliament passes the Bill, it will be enacted as an Act of Parliament with a new corresponding number
- The final stage in the process will be the Royal Assent by the YDP Agong
- Finally, the amendments will come into operation on a date to be announced in the Government Gazette

Updates to the REA 1967

Updates to REA 1967

- i. Composition of the Board
- ii. Categories of Registration
- iii. Scope of Practice for Professional Engineer
- iv. Disciplinary Action by Disciplinary Committee
- v. Investigation and Enforcement Powers
- vi. Appeal Board
- vii. Review Board
- viii. Quantum of Fines under REA 1967

Updates to REA 1967

(i) COMPOSITION OF THE BOARD (Section 3)

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 + 2 members who shall be PEs and PEPCs, 5 of whom shall be from a nomination list submitted by the Council of IEM;
- c) one member on the nomination of the Board of Architects from among members of that Board ; and
- d) one member on the nomination of the Board of Quantity Surveyors from among members of that Board

Updates to REA 1967

(i) COMPOSITION OF THE BOARD (Section 3)

a) Increase the size of the Board by 2 members → from 17 to 19

- *Size of Board has been 17 members from the onset (1967)*
- *Since then, the functions and responsibilities, as well as the scope of work of the Board have increased tremendously*
- *In the new amendments → several new categories of registered Persons and new powers of investigation and enforcement*
- *For the new categories of registration → more exams and more assessment of qualifications*

Updates to REA 1967

(i) COMPOSITION OF THE BOARD (Section 3)

Subsection 3(2)

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

- a President who shall be a Professional Engineer (PE) or a Professional Engineer with Practising Certificate (PEPC);
- not > 14 + 2 members who shall be PEs and PEPCs + Prof Registered Persons, 5 of whom shall be from a nomination list submitted by the Council of IEM;
- one member on the nomination of the Board of Architects from among members of that Board ; and
- one member on the nomination of the Board of Quantity Surveyors from among members of that Board



Updates to REA 1967

(i) COMPOSITION OF THE BOARD (Section 3)

b) Board to be more inclusive

- *Presently the Board consists of 15 Professional Engineers, 1 Architect and 1 Quantity Surveyor*
- *There will now be 2 more categories of professional registered Persons → Professional Engineering Technologists & Professional Building Surveyors*
- *To be more inclusive, the Board has decided that the 2 new positions can be filled by any professional registered Persons i.e. Professional Engineer, Professional Engineering Technologist or Professional Building Surveyor*



Updates to REA 1967

(i) COMPOSITION OF THE BOARD (Section 3)

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 + 2 members who shall be PEs, PEPCs and PRPs, ~~3~~ 3 of whom shall be from a nomination list submitted by the Council of IEM;
- c) one member on the nomination of the Board of Architects from among members of that Board ; and
- d) one member on the nomination of the Board of Quantity Surveyors from among members of that Board

Updates to REA 1967

(i) COMPOSITION OF THE BOARD (Section 3)

c) Reduce the number in the IEM Nomination List → from 5 to 3

- *When the Act was formulated in 1967, it prescribed that half of the 14 registered Engineers should be from a nomination list submitted by the Council of IEM*
- *The drafters of the Act had the foresight to include a role for civil society to have a say in the composition of the Board*
- *This role was given to IEM because, in 1967, IEM was the only local civil society organization (CSO) established by and representing Malaysian engineers*
- *In 1987, there were more engineering CSOs and the REA was amended to reduce the number in the IEM nomination list from 7 to 5*
- *Presently, there are > 50 engineering CSOs and the number is increasing by the year*

Updates to REA 1967

(i) COMPOSITION OF THE BOARD (Section 3)

c) Reduce the number in the IEM Nomination List → from 5 to 3

- **In May 2023, Board received requests and held engagements with **ACEM:****
- *Review S.3(2)(b) and delete "5 from IEM nomination list"*
- *Over representation of 1 institution may invite block vote based on the institution's interest rather than the interest of the engineering profession*
- *Make it open to any related stakeholder*
- *Request to specify seat allocation for ACEM in new Amendments*

Updates to REA 1967

(i) COMPOSITION OF THE BOARD (Section 3)

c) Reduce the number in the IEM Nomination List → from 5 to 3

- In May 2023, Board received requests and held engagements with **IEM:**
 - *Maintain S.3(2)(b) "5 from IEM nomination list"*
 - *Request 1 more seat for Engineering Technologist and Engineering Technicians as IEM is signatory for IETA, AIET and IEA*
 - *IEM can collect data from its members and their views will be submitted to Board as IEM's voice*
 - *IEM has expertise/manpower to assist Board in term of opinion/ research, etc.*

Updates to REA 1967

(i) COMPOSITION OF THE BOARD (Section 3)

c) Reduce the number in the IEM Nomination List → from 5 to 3

- In May 2023, Board received requests and held engagements with **MySET:**
 - *Composition of Board currently does not represent Engineering Technologist although this category has been in REA since 2015, and there will be a new category of Engineering Technician*
 - *MySET could play the role to represent these groups as MySET consist of several industries*
 - *Give MySET the opportunity to be involved in Board's composition*

Updates to REA 1967

(i) COMPOSITION OF THE BOARD (Section 3)

c) Reduce the number in the IEM Nomination List → from 5 to 3

- During these engagements, BEM clarified its position as follows:
- *BEM is a statutory authority and not a society or an association*
- *In a society, members have a say in who should represent them in the board*
- *As a statutory authority, BEM's primary role is to ensure the safety, health and interest of the public, and not the interest or welfare of registered Persons or any society/association*
- *The task of BEM Board members is to develop BEM policies that are geared towards achieving BEM's role and for the betterment of the engineering profession*
- *BEM Board members are not there to look after the interest of their organization, society or association*

Updates to REA 1967

(i) COMPOSITION OF THE BOARD (Section 3)

c) Reduce the number in the IEM Nomination List → from 5 to 3

- During these engagements, BEM clarified its position as follows:
- *BEM appreciates those engineering CSOs which have given dedicated services to BEM*
- *BEM hopes these CSOs will continue to serve in the various BEM committees and work groups, for the betterment of the engineering profession; and not in the hope that they will be 'rewarded' with some seats in the BEM Board*
- *Given the large number of engineering CSOs in the country (>50 and growing year by year), it would be impossible for BEM to accept all the requests from these organizations to each have a seat in the BEM Board*

Updates to REA 1967

(i) COMPOSITION OF THE BOARD (Section 3)

c) Reduce the number in the IEM Nomination List → from 5 to 3

- **The Board at its meeting on 31st July 2023 decided as follows:**
- *The intention of the drafters of the Act was that IEM, being the only local engineering CSO at that time, would be in the best position to identify the most suitable candidates to sit in the Board*
- *With the growth in the number of engineering CSOs since then, this basic premise for the IEM nomination list is now superfluous*
- *In addition, several engineering CSOs are urging BEM to include them in the REA as a nominating organization*
- *As an interim measure, the Board would reduce the number in the IEM nomination list from 5 to 3*
- *The Board notes that in the Architects Act 1967, PAM nominates 3 members*

(ii) Categories of Registration

Updates to REA 1967



(ii) CATEGORIES OF REGISTRATION (Section 5)

EXISTING CATEGORIES		NEW / AMENDED CATEGORIES	
A.	Professional Engineer		
B.	Graduate Engineer	B.	Graduate Engineer Engineer (amendment)
D.	Engineering Consultancy Practice	I.	Engineering Services Provider
E.	Accredited Checker		
F.	Professional Engineer with Practising Certificate		
G.	Engineering Technologist	J.	Professional Engineering Technologist
H.	Inspector of Works	K.	Assistant Engineer
		L.	Certified Assistant Engineer
		M.	Temporary Registered Person
		N.	Building Surveyor
		O.	Professional Building Surveyor

Updates to REA 1967



(ii) CATEGORIES OF REGISTRATION (Section 5)

Prefix & Suffix

Registered Person	Prefix	Suffix
Professional Engineer with Practising Certificate	Ir.	P.Eng. PC (new)
Professional Engineer	Ir.	P.Eng.
Graduate Engineer	-	Grad. Eng. (amended)
Inspector of Works	-	IOW (new)
Engineering Technologist	-	Eng.Tech.
Professional Engineering Technologist	Ir. (new)	P.Eng.Tech. (new)
Assistant Engineer	-	Asst.Eng. (new)
Certified Assistant Engineer	-	Cert.Asst.Eng. (new)
Building Surveyor	-	Bldg. Surv. (new)
Professional Building Surveyor	BSr. (new)	P.Bldg. Surv. (new)

- To amend the renewal of registration for IOW from once in 3 years to annual i.e. ending on the 31st December of the year
- To amend paragraph 7A(3)(c)(iv) replacing the person responsible for the day-to-day management of the ECP to the Director responsible for engineering decisions in the ECP

(iii) Scope of Practise for Professional Engineer

Updates to REA 1967

(iii) SCOPE OF PRACTICE FOR PROFESSIONAL ENGINEER (Section 7(1))

- a) Allow the Professional Engineer to carry on business to perform professional engineering services

Pre 2015

Subsection 7(1)

No person shall, unless he is a Professional Engineer-

- a) practice, carry on business or take up employment which requires him to carry out or perform professional engineering services for designated engineering works subject to section 8;

Updates to REA 1967

(iii) SCOPE OF PRACTICE FOR PROFESSIONAL ENGINEER (Section 7(1))

- a) Allow the Professional Engineer to carry on business to perform professional engineering services

In 2015 revision

Subsection 7(1)

No person shall, unless he is a Professional Engineer-

- a) ~~practice, carry on business or~~ take up employment which requires him to carry out or perform professional engineering services ~~for designated engineering works subject to section 8;~~

Updates to REA 1967

(iii) SCOPE OF PRACTICE FOR PROFESSIONAL ENGINEER (Section 7(1))

- a) Allow the Professional Engineer to carry on business to perform professional engineering services

2024 proposal

Subsection 7(1)

No person shall, unless he is a Professional Engineer-

- a) ~~carry on business or~~ take up employment which requires him to carry out or perform professional engineering services **subject to subsection 8A(1);**

Updates to REA 1967

(iii) SCOPE OF PRACTICE FOR PROFESSIONAL ENGINEER (Section 7(1))

- a) Allow the Professional Engineer to carry on business to perform professional engineering services

2015 revision

Subsection 8A(1)

A Professional Engineer may submit plans or drawings to any person or authority in Malaysia where such plans or drawings are in relation to an equipment, a plant or a specialized product invented or sold by him or his employer.

Updates to REA 1967

(iii) SCOPE OF PRACTICE FOR PROFESSIONAL ENGINEER (Section 7(1))

- a) Allow the Professional Engineer to carry on business to perform professional engineering services

2024 proposal

Subsection 8A(1)

Notwithstanding subsection 8(1) a Professional Engineer who is residing in Malaysia and who has a prescribed number of years experience in his discipline of engineering may submit plans, engineering surveys, schemes, proposals, reports, designs, studies or drawings to any person or an authority in Malaysia ~~where such plans or drawings are in relation to an equipment, a plant or a specialized product invented or sold by him or his employer~~ except as prescribed by the Board.

Updates to REA 1967

(iii) SCOPE OF PRACTICE FOR PROFESSIONAL ENGINEER (Section 7(1))

- a) Allow the Professional Engineer to carry on business to perform professional engineering services

359th Board meeting on 27th June 2024 had approved the following 'except as prescribed by the Board' in relation to Section 8A(1) to be incorporated in the RER 1990

- (i) To any Authority in Malaysia unless otherwise determined by the respective Authority*
- (ii) Construction works related to 'Certificate of Completion and Compliance' under the latest amendments to the Street, Drainage and Building Act 1974*
- (iii) Construction works related to infrastructure projects such as Highway/Bridge, Dams/Reservoir, Ports and Airports, and related works*
- (iv) Temporary works and alternative design for construction works*
- (v) Act as Independent Checker for a design carried out by a PEPC*

Updates to REA 1967

(iii) SCOPE OF PRACTICE FOR PROFESSIONAL ENGINEER (Section 7(1))

- a) Allow the Professional Engineer to carry on business to perform professional engineering services
- b) The same entitlements will be given to the Professional Engineering Technologist and the Professional Building Surveyor
- c) With this entitlement, the Professional Engineer, the Professional Engineering Technologist and the Professional Building Surveyor will be required to carry out their business through an Engineering Services Provider

(iv) Disciplinary Action by Disciplinary Committee

Updates to REA 1967

(iv) DISCIPLINARY ACTION BY DISCIPLINARY COMMITTEE (Section 15(1)) 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 circumstances:

- (a) if he is convicted of any offence, ~~including offences~~ involving false or negligent certification, fraud or dishonesty ~~or moral turpitude~~ in Malaysia or elsewhere;
- (fb) if ~~he~~ a Professional Registered Person becomes a bankrupt;
- (p) If he is the Director described in paragraph 7A(3)(c)(iv) of an ECP which has been found guilty of committing an offence under this Act.

(v) Investigation and Enforcement Powers

Updates to REA 1967

(v) INVESTIGATION AND ENFORCEMENT POWERS (New Part VI)

To provide the Board with Investigation and Enforcement powers

- *Presently although the REA provides for severe penalties (including possible jail sentences), there are no provisions to investigate or to enforce*
- *The Board has to depend on PDRM and the Public Prosecutor for infringements against the REA, when their (PDRM & PP) main focus is on the CPC*
- *Such powers will be modelled based on Act 520 (CIDB)*
- *Investigation powers will include the power to enter with warrant, search and seize evidence including computerized data*
- *Enforcement powers will allow the Board (with the approval of the DPP) to prosecute cases in Court*
- *Such powers are intended primarily for the Board to take action against unregistered persons who infringe on the Act*
- *There will also be provisions for the Board to compound an offence*

(vi) Appeal Board

Updates to REA 1967

(vi) APPEAL BOARD (Section 19)

Subsection 19(1)

Any person, sole proprietorship, partnership or body corporate :

- a) who has been refused registration by the Board;
 - b) who has been registered but is subject to any conditions or restrictions imposed by the Board under section 7B, subsection 7A(3) or 10D, or s.4(1)(b);
 - d) who has been refused and has subsequently applied to have his or its registration extended to cover additional branches of engineering and has had his or its application refused; or
 - 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 21 days appeal to the Appeal Board

To be transferred to a new Review Board

Updates to REA 1967

(vi) APPEAL BOARD (Section 19)

- a) As the penalties from a disciplinary hearing are punitive in nature, the Appeal Board (chaired by a High Court Judge) is the appropriate forum to review the decisions of the Disciplinary Committee / Board under Subsection 15(1A) dan 7A(5)
- b) The powers to hear appeals against a decision of the Board with regards to registration will be transferred to a new Review Board
- c) Members of the Appeal Board are appointed by the Yang DiPertuan Agong:
 - i) a Chairman who shall be a High Court Judge,
 - ii) ~~2~~ 4 other persons,
 - iii) The Quorum of the Appeal Board shall consist of a Chairman and 2 other persons

(vii) Review Board

Updates to REA 1967

(vii) REVIEW BOARD (New)

- a) The Review Board shall hear appeals against the decisions of the Board with regards to Registration
- b) Members of the Review Board to be appointed by the Minister :
 - i) 2 past Board members and 4 Professional Registered Persons who shall have served in the relevant committees of the Board;
 - ii) The Quorum of the Review Board shall consist of a Chairman who shall be a past Board Member and 2 other members.

(viii) Quantum of Fines under REA 1967


Updates to REA 1967

(viii) QUANTUM OF FINES UNDER REA 1967

The amount of fines under the REA 1967 to be increased as follows:


- a) Section 15(1A) on registered Persons and ECPs from RM50,000 to RM100,000;
- b) Section 24 on individuals or companies from RM50,000 to RM100,000;
- c) Section 25 on general penalties from RM10,000 to RM100,000
 - *The last increase in the quantum of fines was made under the 2007 revision*
 - *Adequate fines will deter both registered and unregistered Persons and companies from infringing on REA 1967*
 - *The new amounts are on par with the amounts prescribed under Act 117 (Architects Act 1967)*

Regulatory Impact Assessment (RIA)



Regulatory Impact Assessment (RIA)

- RIA → a document created before a new or amended Act or Regulation is introduced
- Purpose → to provide a detailed and systematic appraisal of the potential impacts of a new regulation in order to assess whether the regulation is likely to achieve the desired objectives
- In 2013, the Government through the Malaysia Productivity Corporation (MPC) had made it compulsory that any laws to be enacted or amended will have to go through a RIA process to increase transparency, equality and accountability (*Pekeliling Am Bilangan 1 Tahun 2013*)



Regulatory Impact Assessment (RIA)

- There are 7 elements of RIA as defined in MPC's *"Best Practice Regulation Handbook"*
 1. Problem Statement
 2. Objective
 3. Options
 4. Impact Analysis
 5. Consultation
 6. Conclusion and Recommendation
 7. Strategy for Implementation

Regulatory Impact Assessment (RIA)



- Consultation process under RIA is more structured
 - Dialogue
 - Townhall
 - Stakeholder engagement via Unified Public Consultation (UPC) portal
 - Proposed amendments published in UPC Portal for public view from 8th August 2024 to 9th September 2024
 - 2,083 responses received
 - From an initial analysis of responses/comments → Top 3 comments
 - Prefix of “Ir.” given to Professional Engineering Technologist (795)

Comments From UPC



I'm opposed and absolutely disagree with the amendment that allow Professional Engineering Technologist to carry 'Ir. title', it will bring confuses and very dangerous to public safety when the title is misused. BEM please think rationally. 'Ir.' must be exclusively used by Professional Engineers (PEPC & PE) only. Why technologist graduate can get Ir.? Why not just let MBOT govern the technologist? Ir. = ingenieur. Years ago pure engineering graduate also not allow to use 'Engr.' Very unfair

Comments From UPC



I object to allowing technologist to carry the title Ir. This will create unnecessary confusion. They can be awarded other titles such as PTs etc to differentiate them from Professional Engineers

While I appreciate the effort to recognize the role of "Teknologis Kejuruteraan Profesional," I suggest reconsidering the use of the prefix "Ir." for this category. The "Ir." designation is well-established for Professional Engineers and carries specific connotations regarding qualifications and responsibilities. To preserve the clarity and distinctiveness between Professional Engineers and Engineering Technologists, I propose introducing a new, unique prefix for "Teknologis Kejuruteraan Profesional". This would help maintain the integrity of both roles while avoiding potential confusion among the public and industry professionals

Comments From UPC



To be honest, I not sure why there are two bodies offer registration of technologist professional tittle, Professional Technologist from MBOT and now one more Teknologis Kejuruteraan Profesional from BEM. I dun think this is a healthy way to boost the nation professional sector as this is really just making public confuse, why we need two bodies to do something similar? Will this just be the wasting of money?

Some more I strongly suggest use other prefix for Teknologis Kejuruteraan Profesional if this professional tittle being approved afterward, as this could let the public and any other bodies/authorities recognized the professional tittle easily and not get confuse with that. "Ir." should not be used for Teknologis Kejuruteraan Profesional as now it is the prefix for PEPC and PE already.

There should have a clear separation in between Bachelor of Engineering and Bachelor of Engineering Technology.

Strongly recommend not to use " Ir." for Teknologis Kejuruteraan Profesional or else it will just making more confusion in future.

Comments From UPC



Good proposal to create professional pathway for registered Engineering Technologist. Recommend the usage of 'Ir' and introduction of Professional Engineering Technologist.

Prefix 'Ir.' and introduction of 'P.EngTech' will provide pathway for registered Eng.Tech to pursue professional registration which is important for a graduate who have acquired an accredited engineering technology degree. Hence, this proposal is fully supported.

Regulatory Impact Assessment (RIA)



- **Consultation on proposed amendments published in UPC Portal for public view from 8th August 2024 to 9th September 2024**
- **Top 3 comments**
 - **Prefix of "Ir." given to Professional Engineering Technologist (795)**
 - **Entitlement of Professional Engineer on submission (767)**

Comments From UPC



What is the rationale for having the Professional Competency Examination (PCE) if all Professional Engineers (PE) can submit plans? Those who work on Road Safety Audits (RSA), Traffic Impact Assessments (TIA), and Environmental Impact Assessments (EIA) can always take specialist papers that only involve the common non-construction or special technical papers not the common civil paper. By right the civil should be submitting on TIA, RSA and EIA as the technical paper in civil didn't even cover a bit of these three scopes.

The most important one is the Board should seriously review the current situation where Professional Engineers with Practising Certificates (PEPC) have not gone through the PCE. They should be required to take this exam to uplift the professional standards in our country.

6

Comments From UPC



BEM must be clear with work scope and responsibility of P.Eng. Clause (b) is not useful as we do not know what is the work scope which cannot be covered by P.Eng as determined by the Board. It simply means at the Board's discretion.

As of now, it is very easy to pass PAE exam via any routes. No technical essays and reports are required. And also number of years of experience before application is only 3 which is so minimal. As examiner for PI, I notice that there is a wide range of experience from the applicants. Some are clearly very good in their knowledge and some just so marginal that I wanted to cry out. So, to expect P.Eng to be able to carry out good design without supervision and to be able to impart knowledge and to lead and guide the engineers is a far cry from reality.

And with PCE exam being so tough, why do people even want to take PCE when both categories of engineers can carry out the same responsibilities and work scope?

Please take your time to review your policies and make clearer amendments; not one that can be twisted at the whims and fancies of the Board.

6

Comments From UPC



TOTALLY AGREE with amendment of the ACT 138 to allow PE to practice and submit to all **RELEVANT** Authority.

The **REAL** reason for the introduction of PEPC is due TO **LIBERALISATION**. Therefore, for **MALAYSIAN**, PAE exam is **ALREADY** sufficient to examine an engineer who **HAS** worked under a PE/PEPC mentor in **MALAYSIA** for more than 3 to 5 years and to be **EXAMINED** By Another PE/PEPC which is **APPROVED** by the BEM on whether HE is ready to **PRACTICE**. MORE exam will only cause further strain to our YOUNG engineers who find this path too **LONG** and bleak **FUTURE**. **MALAYSIA**, at this juncture requires all **EXPERTISE** and we are **ONLY** placing **ROAD** Block to this **PROGRESS** to a **DEVELOPED COUNTRY**. We **STRONGLY** advise BEM to table this **AMENDMENT** as soon.

1

Comments From UPC



Just to bring the discussion here,


As everybody knows, 90% (maybe more) of current PEPC in **Malaysia** today were automatically entitled it without taking any examination in 2015. Without arguing about their competency, do we need to validate their competency level with those who have taken the examination after 2015?

If the answer is no need to validate (due to acceptable reasons), then there would be no any different in term of competency level between those engineer which automatically entitled for PEPC in 2015 with our current PE. Correct?


Thus,

The scope amendment for PE with slight restrictions is quite relevant & significant to be executed as soon as possible.


3




Regulatory Impact Assessment (RIA)



- Consultation on proposed amendments published in UPC Portal for public view from 8th August 2024 to 9th September 2024
- Top 3 comments
 - Prefix of “Ir.” given to Professional Engineering Technologist (795)
 - Entitlement of Professional Engineer on submission (767)
 - Reduction of IEM nomination list from 5 to 3 (594)



Comments From UPC



I object to reduce IEM reps from 5 to 3 in the Board of Engineers. This is not right as IEM has 50k members and represents most of the professional engineers in Malaysia. IEM is also represent Malaysia internationally e.g. IPEA, AFEO, etc. Normal engineers can have their opinion heard through IEM as IEM' s office bearers are voted in by members.

Comments From UPC




Henceforth, I strongly object to the reduction of members composition from IEM and stands a more professional viewpoint to ensure the mess practitioners' voices are taken into consideration for policy makers and addresses public concern. IEM is not merely one of the many "associations" or "societies". This is the organization consists of the members who are internationally recognized and accepted. Even though through out the years, its professional accreditation function has been shared by BEM, its primary role to filter competent PE is still vital and cannot be replaced. IEM's voices will be further "diluted" with the proposition to increase the Board members from 17 to 19. Which I also object to this idea.

Comments From UPC




- 1) Agreed to the reduction of representative from IEM in the Board
- 2) Board should also take representative from other professional learned society
- 3) Board composition must not be limited to only Professional Engineers. Need representative from Engineering Technologist and Engineering Technician.
- 4) Board composition must also open to non Building & Construction industry



Regulatory Impact Assessment (RIA)

- Consultation on proposed amendments published in UPC Portal for public view from 8th August 2024 to 9th September 2024
- Board will review responses/comments with assistance of AI



Summary

- BEM is continually reviewing the REA & RER to ensure that they are in line with current Government policies, meeting the challenges of climate change, new technology and changes in societal norms
- The on-going amendments include a number of new categories of registration with their accompanying titles and entitlements, the composition of the Board, new powers of investigation and enforcement, the creation of a new Review Board and for infringements against the REA, an increase in fines to RM100,000
- Now at the stage of RIA, the amendments will likely be tabled in Parliament in 2025



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Q & A





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THANK YOU

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