

# **AMENDMENTS TO THE REGISTRATION OF ENGINEERS ACT 1967**

**What is the purpose ..... What is the point .....**

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Chairman of Engineers Act Committee  
Board of Engineers Malaysia (BEM)**

**22nd. October 2015**

**BOARD OF ENGINEERS MALAYSIA (BEM)**

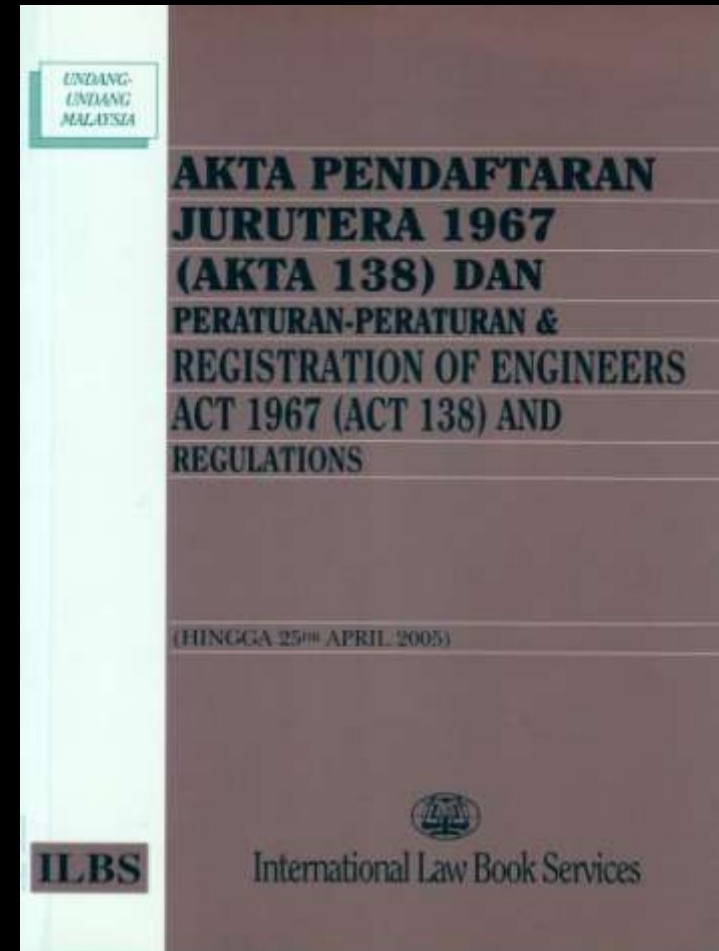


# The Registration of Engineers Act

The history .....

# The Registration of Engineers Act 1967

- An Act of Parliament passed in 1967 to regulate the “**practice of engineering**”
- The Board of Engineers Malaysia was formed in 1972 when it came into force.
- The “**Engineers’ Act**” is the most important legal document governing all “**Engineers**” and the provision of “**professional engineering services**”.



However how many registered engineers or those who intend to be registered have read this piece of legislation .....

# OVERVIEW OF PREVIOUS AMENDMENTS

	REGISTRATION OF ENGINEERS ACT 1967 (ACT 138)	REMARKS
LIST OF AMENDMENTS	1967*	The draft bill passed by Parliament
	1972	The Act came into force
	1973	
	1974	Introduction of a “body corporate” to practise as consulting engineer with <u>100% shares &amp; Board of Directors are Professional Engineers</u>
	1987	<u>Malaysian citizenship/PR requirements</u> & temporary registration of foreign engineers
	2002	Introduction of “multi-disciplinary practice” & Introduction of “Accredited Checkers”
	2007	Introduction of “Disciplinary Committee”
TOTAL NO. OF AMENDMENTS	6	

The current amendments is to “undo” the amendments in 1974 & 1987 .....

# What does it mean to be Registered under the Engineers Act 1967 ?

## SIGNING OF FORM A – Graduate Engineers

“ I agree to abide by the Registration of Engineers Regulations 1990, including the Code of Professional Conduct.”

## SIGNING OF FORM B1 – Professional Engineers

“ I agree to abide by the Registration of Engineers Regulations 1990, including the Code of Professional Conduct.”

## STATUTORY DECLARATION

The above two declarations in Form A & B1 are Statutory Declaration and each form has a **WARNING at the end on PENALTY**

The registered engineer accepts a specific code of conduct and ethical behaviour. Failure to comply will result in .....

# Who is the Board of Engineer Malaysia

The Board exists because of the Act or is it vice-versa .....

# What is the Difference Between BEM, ACEM and IEM ?

## BOARD OF ENGINEERS MALAYSIA (BEM)

The Board of Engineers Malaysia (BEM) is a statutory body constituted under the Registration of Engineers Act 1967. Its primary role is to regulate the practise of engineering under the Act. It registrars 15,000 Professional Engineers and 55,000 Graduate Engineers.



## ASSOCIATION OF CONSULTING ENGINEERS MALAYSIA (ACEM)

A professional trade organisation registered under the Registrar of Companies comprising of 700 members who are Directors, CEOs, Chairmans or Owners of Engineering Consulting Practises employing 20,000 people in this knowledge-based industry.



## INSITIUTION OF ENGINEERS MALAYSIA (IEM)

A professional & learned body registered under the Registrar of Society to promote science & profession of engineering in any of its disciplines, to facilitate the exchange of information & ideas related to engineering, and with a membership comprising of 32,000, inclusive of 12,000 students.



# BOARD OF ENGINEERS MALAYSIA (BEM)

All members of the Board are appointed by the Minister of Works

**BEM**

Permanent Staff

President

Secretary & Registrar

14 members who shall be Professional Engineers

1 member from Board of Architect

1 member from Board of Quantity Surveyor

Many functions of the Board is undertaken by the Standing Committees under the Board.

Working Groups under a Standing Committee are sometime formed to address specific issues in depth.

Members of Standing Committee & Working Groups are appointed by the Board

## Standing Committees of BEM

Examination & Qualification

Quality

Application

Accredited Checkers

Management

Engineering Accreditation Council

Scale of Fees

Training & Education

Engineers Act

Information Technology

National Monitoring

Publications

Professional Practice

The accreditation of the undergraduate engineering degree is under the purview of the BEM's **Engineering Accreditation Council**

The Professional Assessment Examination (PAE) is under the purview of BEM's **Examination & Qualification Committee**



# What is the purpose of the Act ?

To protect .....

# The Fundamental Issue for an Act's Existence

The registration of Engineers Act does not state the *raison d'être* of its existence. It was not written in any official documents of BEM.

Do the public require such an Act ?

**Why do engineers need such an Act ?**

Was the purpose to “keep track” the nos. of engineers as Malaysia develops ?

**Is it to look after the profession of engineering ?**

Was it to ensure that engineers are protected from unscrupulous Clients ?

**Or is it to ensure that engineers are “fairly” paid for their services ?**

Can it be the engineering must be done by registered Engineers & no one-else ?

..... etc. etc.

..... etc. etc.

**Or a sense of idealism to safeguard & protect the public ?**

..... etc. etc.

..... etc. etc.

The Act has not clearly explained this fundamental issue of its existence.

**Or have we lost sight why an Act should be enacted or exist .....**

# What is in the Legislation of Other Countries

United Kingdom & Australia (execept Qsld)	There is no Engineers Act
Singapore	<p>The Professional Engineers Board too, does not state its purpose. However it has issued a policy statement;</p> <p>“The mission of the Professional Engineers Board is to <u>safeguard life, property and welfare of the public</u> by setting and maintaining high standards for registering professional engineers and by regulating and advancing the practice of professional engineering.”</p>
Queensland, Australia	<p>The Professional Engineers Act state the following objectives;</p> <p>(a) to <u>protect the public</u> by ensuring professional engineering services are provided by a registered professional engineer in a professional and competent way and;</p> <p>(b) to maintain public confidence in the standard of services provided by registered professional engineers; and</p> <p>(c) to uphold the standards of practice of registered professional engineers</p>
Canada, Council of Professional Engineers	<p>In its “Issues Policies” it has stated;</p> <p>Level 1 Policy Statement: In Canada, <u>the protection of the public</u> requires that the practice of engineering be regulated by the engineering profession. The public shall not be confused or misled by the misuse of the words “engineer” and “engineering”.</p>

# Working Group of BEM Recommendations

The issue of regulating the profession was discussed in August 2005 and a number of recommendations were made as follows;

- (a) that current and future registration of Professional Engineer be made a one-off permanent registration, without need for annual renewal, and this category of registration carries all entitlements of a Professional Engineer
- (b) that the revamped Act introduces a yearly renewable Practice Certificate for those Professional Engineers who want to practice.

The above early concepts would have created of a two-tier registration of professional engineers;

- |         |   |
|---------|---|
| Tier 1: | Professional Engineers will still keep the title “Ir.”  |
| Tier 2: | Professional Engineers with the title “Ir.” with Practice Certificate renewable yearly based on Continuous Professional Development (CPD) |

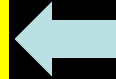
Part of the above recommendations in 2005 are now part of the amended Engineers Act .....

# CONCEPT OF TWO-TIER REGISTRATION

**BOARD OF ENGINEERS**

**Graduate Engineer**

**Engineering Technologist**



**Professional Engineer**



**Professional Engineer with Practicing Certificate**

1<sup>st</sup> tier of registration

2<sup>nd</sup> tier of registration

Licence → Practicing Cert  
Mandatory → Professional Competency Examinations

# CONCEPT OF TWO-TIER REGISTRATION

## Reason for 2-Tier registration :

- **Approx. 85% of all Professional Engineers (P.Eng.) are registered under Civil, Mechanical & Electrical.**
- **Only a small fraction of this 85% (or approx. 2,000 to 3,000) are 'practising' or wish to be the 'Submitting Person'.**
- **Rest are employed in Contracting, Maintenance, Employees of Consultants, Government, Academia, Sales, etc.**
- **BEM issue "license" to P.Eng. → 'Submitting Person' under the Building Laws**

# CONCEPT OF TWO-TIER REGISTRATION

## Street, Drainage and Building Act 1974 (Act 133) Part I, 3. Interpretation

"principal submitting person" → means a qualified person who submits building plans to local authority for approval in accordance with this Act or any by-laws made thereunder and includes any other qualified person who takes over the duties and responsibilities of or acts for the first mentioned qualified person;

"qualified person" → means a Professional Architect, Professional Engineer or building draughtsman registered under any written law relating to the registration thereof;

# CONCEPT OF TWO-TIER REGISTRATION

## Street, Drainage and Building Act 1974 (Act 133) Part I, 3. Interpretation

"submitting person" → means a qualified person who submits plans other than building plans to the local authority or relevant statutory authority in accordance with this Act or any by-laws made thereunder and includes any other qualified person who takes over the duties and responsibilities of or acts for the first mentioned qualified person;

*With the amendments the “principal submitting person”, “qualified person” or “submitting person” shall only mean “professional engineers with a practising certificate in force” which have the entitlement as stated in the Engineers Act.*  
**Submitting Persons should take note.**



# CONCEPT OF TWO-TIER REGISTRATION

Reason for 2-Tier registration :

- The activities of P.Eng. acting as ‘Submitting Person’ → has a direct and critical impact on public safety and interest.
- They would need to be examined on their competency to be a ‘Submitting Person’.
- Those not involved as ‘Submitting Person’ need not sit for this exam (Professional Competency Exam) but can still retain their professional status and the title of “Ir.” through a “two-tier registration” system.

# BEM WORKING GROUP REVIEWED PURPOSE OF THE ACT

## (A fundamental issue of an Act's existence)

The Engineers Act was enacted in 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 set regulations pertaining to the practice of engineering; qualifications for licensing and code of professional conduct for Registered Engineers.

To maintain public confidence in the standard of engineering services provided by licensed professional engineers.



**Bukit Antarabangsa**



**Jaya Supermarket**

**The above recommendations in 2007 are now embodied in the amended Engineers Act .....**

# Is the Engineers' Act Over-regulating the Engineering Industry ?

That may stifle Malaysia's growth or do it need to be regulated .....

# BEM Regulates Everything on Engineering

**The Engineers Act states that;**

*“No person shall, unless he is a Professional Engineer, practise, carry on business or take up employment which requires him to carry out or perform professional engineering services,” and*

*“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”*

**As a result the Board can act on almost any person whose work has anything that can be construed by the Board as engineering.**

**The Board of Engineer registers engineer in over 90 engineering disciplines; from aeronautical, agriculture, automotive, bioengineering, chemical, civil, structural, electrical, electronics, mechanical, environmental, geotechnical, highway, hydraulics, industrial, material, mechatronics, microelectronics, mining, nuclear, petroleum, natural gas, transport, water etc. etc. etc.**

**Over-regulation can stifle the engineering industry .....**

# Is the Act Stifling the Engineering Industry ?

Repeal the Registration of Engineers Act. The UK, Australia & India for e.g. do not need to have an Engineers Act. The public in these countries are protected by other laws (and the justice system) in the country which is sufficient to safeguard & protect public interest.

Without any ACT it is an open market that does not restrict anyone calling themselves “Engineers”. Anybody in these countries can call themselves “Engineers”. In fact the tradesman are registered e.g. Plumbers and not Engineers. Yet the system functions.

Self-regulation and peer recognition appears to be working well. The Chartered Engineer status (equivalent to a P.E.) from the UK Institutions is highly regarded. For example M.Istruct Eng. is automatically recognise in Hong Kong & China by the local authorities.

The theory for open market is that consumers benefits i.e. it encourages competition & lower the costs of the services to be provided to the public.

Why not in Malaysia ? Is the public ready to accept self-regulation by Engineers ? Is our current Laws (and the justice system) sufficient to protect the public ?

The Engineers Act was in response to a building failure four decades ago. After more than 40 years of its existence; is Malaysia mature enough for self-regulation ?

**And yet other countries such as Canada, USA & New Zealand consider that an Engineers Act is still .....**

# Finding the Right Balance between *Laissez-faire* and Over-regulation

Governments are responsible for protecting the public interest and the collective good. To accomplish these crucial roles, they create legislation & regulations to ensure that the public interest will be served.

Because of the important role engineers play, governments have set certain limits for the profession, defining standards & expectations for the qualification & ethical behaviour of professional engineers. To govern the profession of engineering in Canada .....

- (1) Defines the range of activities which may be considered “engineering” including the scope of practice for engineers, and which professional activities are so critical to public safety and the public good that only a licensed engineer can undertake them;
- (2) Creates or recognizes provincial or territorial engineering licensing bodies, describing how they are to be governed and mandating them to carry out tasks like licensing and regulating the profession;
- (3) Outlines the regulations pertaining to the profession of engineering, such as who can use the term “engineer”, what academic qualifications are required to be a professional engineer and how professional misconduct should be handled.

# Then came along the issue of liberalization

Primarily Driven by the Government's Commitments in Free International Trade....

# MALAYSIA'S CURRENT COMMITMENTS IN INTERNATIONAL TRADE



*\* Under ASEAN membership*

**Malaysia's liberalization efforts are predominantly focused within Asia Pacific and nearby regions...**



# MALAYSIA'S INTERNATIONAL TRADE AGREEMENTS

## MULTILATERAL

### Global Trade Organizations

World Trade Organization  
(1957)

### Global Free Trade Agreements

General Agreement on Trade  
in Services (Jan 1995)

## REGIONAL

### Regional Free Trade Agreements

AFTA (Jan 1992)  
AFAS (Dec 1995)  
TPP (Under negotiations)  
EU (Under negotiations)

### Liberalization Framework

AFAS - Progressive  
liberalization of selective  
sectors (Dec 1995)

## BILATERAL

### Bilateral Free Trade Agreements

- ASEAN-China (Jul 2003)
- ASEAN – Japan (Oct 2003)
- ASEAN-Korea (Dec 2005)
- ASEAN-Australia/NZ (Jan 2010)
- ASEAN – India (Jan 2010)
- Etc.

### Bilateral Free Trade Agreements

- Malaysia-Japan (Dec 2005)
- Malaysia-Pakistan (Jan 2008)
- Malaysia-New Zealand (Oct 2009)
- Malaysia – Chile (Nov 2010)
- Malaysia – Aust (Under negotiations)
- Malaysia-USA (Under negotiations)
- etc

For the Services sector these have been identified by the Government under

IMP3 and NKEA (Strategic Reform Initiatives)....

# MALAYSIA'S COMMITMENTS IN ASEAN FOR SERVICES

## (Asean Framework Agreement on Services Timeline)

	IMP3 & NKEA PROMOTED SERVICES SECTOR		
	PRIORITY SECTORS		NON-PRIORITY SECTORS
SERVICE SECTOR	(1) ICT, (2) Tourism, (3) Healthcare	(1) Logistics	(1) <b>Business &amp; Professional Services</b> , (2) Distributive Trade, (3) <b>Construction</b> , (4) Education, (5) Oil, Gas & Energy
END DATE FOR LIBERLISATION	2010	2013	2015
FOREIGN EQUITY PARTICIPATION	- 49% by 2006 - 51% by 2008 - 70% by 2010	- 49% by 2008 - 51% by 2010 - 70% by 2013	- 30% by 2006 - 49% by 2008 - 51% by 2010 - 70% by 2015  * Construction not less than 51% by 2006

# PROFESSIONAL SERVICES INDUSTRY STRUCTURE

## PROFESSIONAL SERVICES

Central Product Classification (CPC)

### REGULATED SECTORS

(Governed by Acts of Parliament)

Legal (AG) – CPC 86190

Accounting (MOF) – CPC 862

Taxation (MOF) – CPC 863

**Architectural (MOW) – CPC 8671**

**Engineering (MOW) – CPC 8672**

Urban Planning (MOHLG) – CPC 8674

**Quantity Surveying (MOW) – None yet**

### UNREGULATED SECTORS

(Not governed by any Acts of Parliament)

**Integrated Engineering (MOW) – CPC 8673**

Landscape architecture (MOHLG) CPC 8674

**The professional services sector consists of various sub-segments that play a crucial role in economic growth...**

# MALAYSIA'S CURRENT COMMITMENTS

	PROFESSIONAL SERVICES SECTOR (Foreign Equity)
<b>AFAS Threshold for Equity</b> (Asean Framework Agreement on Services)	2008 : 49% 2010 : 51% 2015 : 70%
<b>AFAS 8<sup>th</sup> Package</b>	<u>Multi-disciplinary Practice</u> : 30% open to anybody/persons (Architectural, Engineering & Quantity Surveying)  <u>Single-disciplinary Practice</u> Architectural (CPC 8671) : 0% Engineering (CPC 8672) : 0% Integrated Engr (CPC 8673) : Unregulated Quantity Surveying(None yet) : 0%
<b>Cabinet Decision</b> 14 November 2008	2012 : 100%
<b>Budget 2012 Announcement</b> by YAB Prime Minister 7 October 2011	Architectural : 100% by 2012 Engineering : 100% by 2012

**Till to-date the professional acts have not been amended to reflect Malaysia's commitments ....**

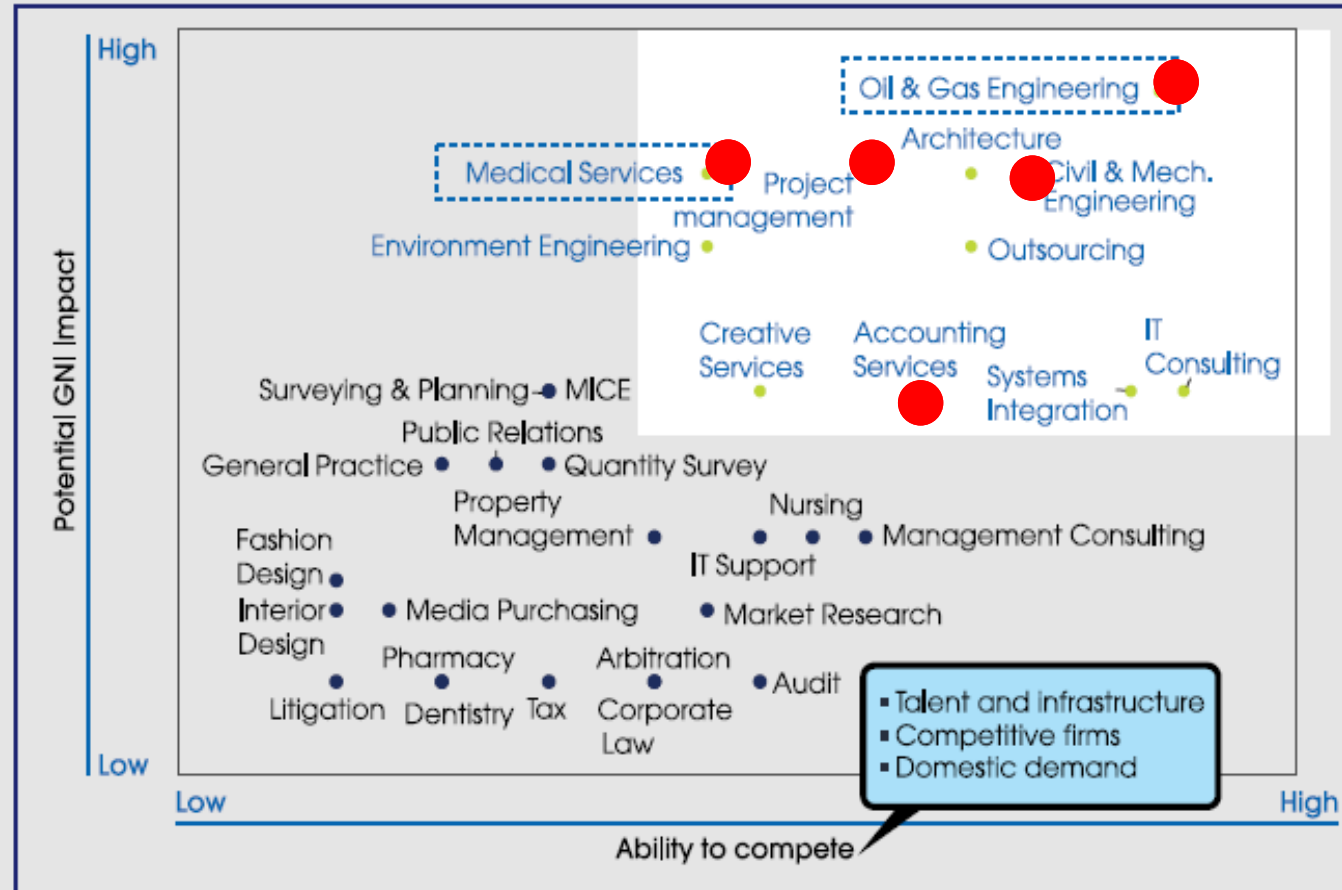
For the Professional Services the Government has conducted two recent studies by EPU and PEMANDU(ETP) which reached similar conclusions

Why liberalize and a case for change ...

# PROFESSIONAL SERVICES GROWTH AREAS

There are 11 high-potential business services sub-segments

  Addressed by other NKEAs



● **HIGH IMPACT**

- Civil & Mech. Engr
- Oil & Gas Engr
- Environmental Engr
- Architecture
- Information Tech.
- etc.

- Talent and Infrastructure
- Competitive firms
- Domestic demand

Sourced from ETP Roadmap & EPU study reached similar conclusions

**One of the high growth sectors is accredited professional services sector that comprise engineering, architecture, medical ...**

# PROFESSIONAL SERVICES INDUSTRY IN A NUTSHELL

## CURRENT STATE OF THE INDUSTRY

### 1 Sector lacks

capacity to  
compete on a  
bigger scale

- Professional services sector are predominantly made up of small firms

### 2 Restrictions on foreign professional services firms

- There are many restrictions against foreign firms practicing in Malaysia

### 3 Restrictions on foreign professionals

- Foreign professionals are restricted to practice in many ways

**Amendments to the Professional Acts must focus on safeguarding & the protection of public safety & interest...**



# THE BALANCING ACT

## CONS

- Foreign providers crowd out domestic providers
- Potential outflow of money from Malaysia - with foreign providers and shareholders repatriating profits
- Increased risk of financial instability due to increased exposure to global economic events
- Risk of brain drain
- Risk of environmental degradation

## PROS

- Opportunity for Malaysia to compete internationally, -contributing to GDP growth and generating foreign exchange
  - Improves the overall business environment
1. Introduction of international best practices, better skills and technology
  2. Entry of foreign service providers can lead to better services for domestic consumers
  3. Improve the performance and competitiveness of domestic service providers
  4. Attract foreign direct investment into the country



**Finding the balance between liberalization and protectionism...**

# For Consulting Engineers the Market is Worldwide

Global construction output in 2010 was about USD \$6 trillion

Global GDP in 2008 was about USD \$61 trillion and construction output is 10% of the GDP which makes construction an important industry.

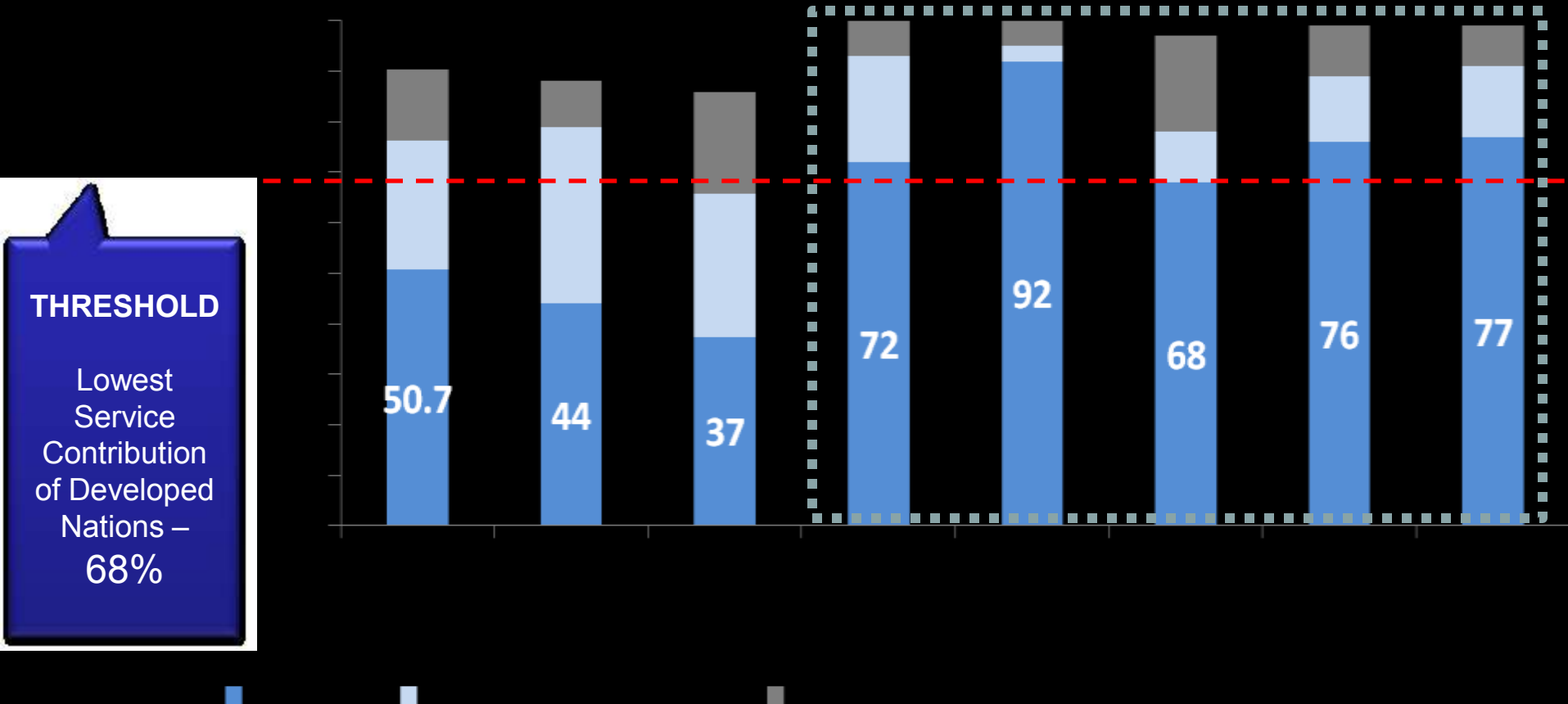
The professional engineering services demand is USD \$270 billion in 2010 and has risen to USD \$330 billion in 2013 which is mainly in the following areas;

Transport	54%
Industry & Commercial buildings & facilities	20%
Land development	14%
Drainage, water & waste	12%

The global market is all about Quality, Integrity, Sustainability, Innovation and Capacity Building

# END RESULT - SERVICE SECTOR BENCHMARKING

## Sectoral share (%) of GDP



Sourced from Global Competitiveness Report 2010 – 2011

Sources: The World Bank; Economist Intelligence Unit. Note: Data are for 2008 or the most recent year available.

**Contribution of services to GDP in Malaysia is low compared to the developed nations; we need to increase this by...**

For amendments to the Professional Acts the following Modes of access to be considered .....

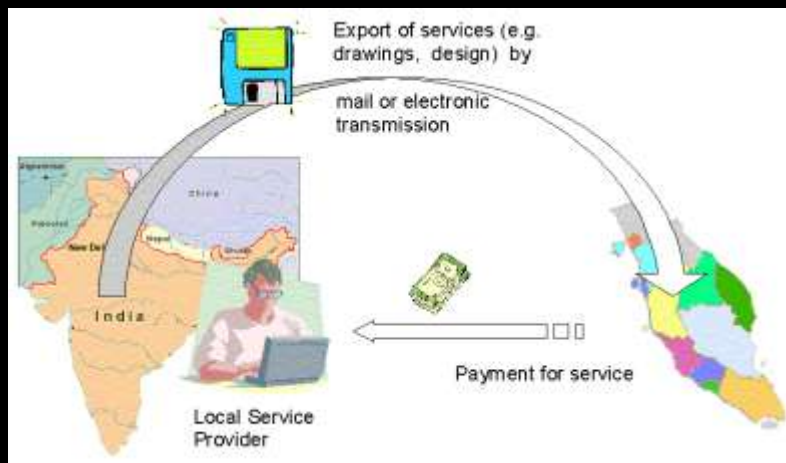
Mode 1	Cross-border trade
Mode 2	Consumption abroad
Mode 3	Commercial presence
Mode 4	Movement of natural persons

# The Supply of Professional Services

## Modes of Access

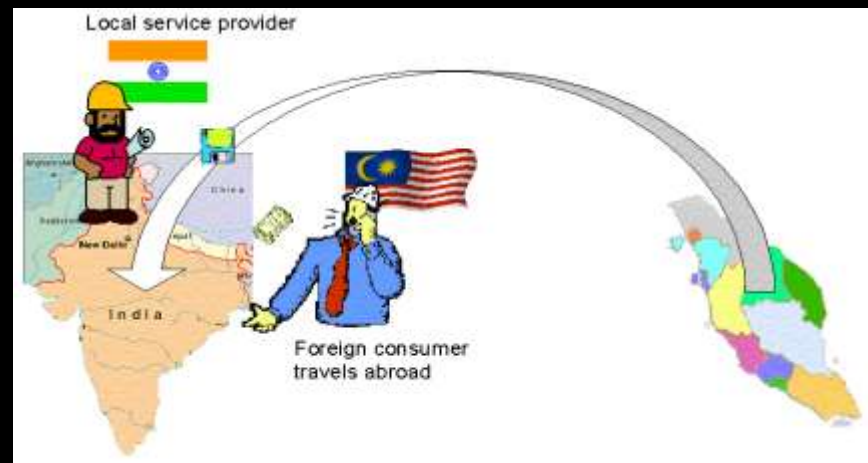
### Mode 1 – Cross Border Trade

Many design services/payment are electronically transmitted



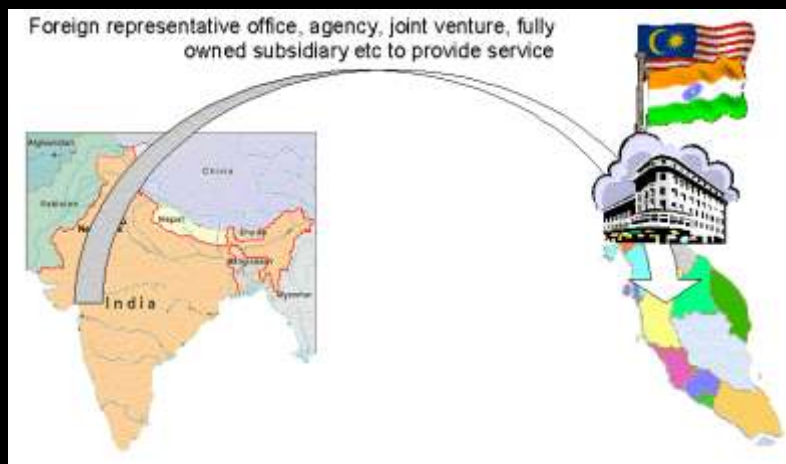
### Mode 2 – Consumption Abroad

Many Clients already appoint foreign firms



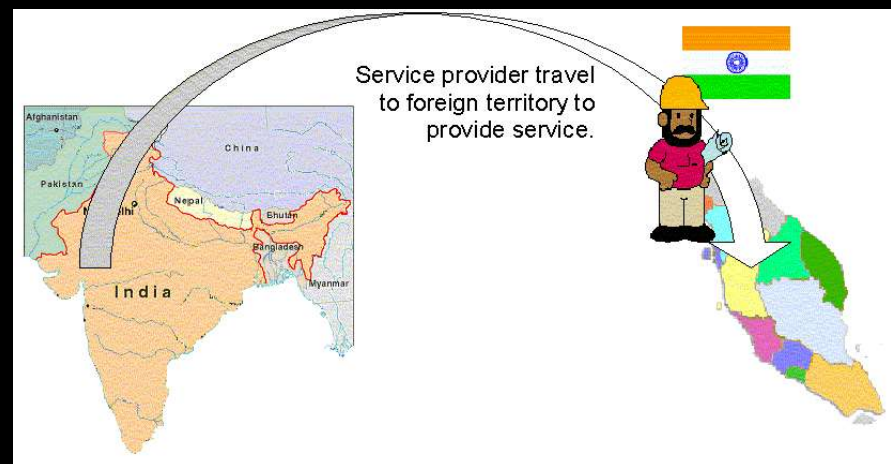
### Mode 3 - Commercial Presence

Currently not possible under the Professional Acts



### Mode 4 – Presence of Natural Person

Currently not possible under the Professional Acts  
(Except thro' temporary registration)



# GENERAL REQUIREMENTS CONSIDERED IN AMENDING THE PROFESSIONAL ACTS

GATS stipulates that measures relating to qualification requirements and procedures, technical standards and licensing requirements should not constitute unnecessary barriers to trade in services.

## Rules & procedures should be;

- Based on objective & transparent criteria, such as competence and the ability to supply the service.
- Not more burdensome than necessary to ensure the quality of service.
- In the case of licensing procedure not in themselves a restriction on the supply.

**Note:** Certification, licensing etc. of service suppliers may be based on MRA or may be accorded autonomously.

# What needs to be done for the Registration of Engineers Act

Taking the next step...

# CURRENT SECTIONS IN THE PROFESSIONAL ACTS TO BE AMENDED IN VIEW OF LIBERALIZATION

**Professional services involved movement of natural persons and commercial presence will require the Acts to be amended namely in two areas;**

## Registration of Professional Engineers

Sections of the ACT to be amended to automatically recognize the qualifications, experience and registration of a professional irrespective of citizenship status.

- Section 7                Restrictions on unregistered persons etc.
- Section 8                Only Professionals may submit plans, drawings etc.
- Section 10               Qualifications for registration
- Section 10A             Registration of Temporary Professionals

## Registration of Firms/Companies

Sections of the ACT to be amended in the registration of Companies to be less restrictive especially with regards to shareholdings and ownership.

- Section 7A               Single Disciplinary Practice (SDP)
- Section 7B               Multi-disciplinary Practice (MDP)



# **PUBLICATION OF THE ACT (Amendments 2015)**

## **REGISTRATION OF ENGINEERS ACT 1967**

(Incorporating amendments up to 2015)



**LEMBAGA JURUTERA MALAYSIA**  
BOARD OF ENGINEERS MALAYSIA

**The Act (Amendments 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**

# **PART I - PRELIMINARY**

## **Section 2. Interpretation (New definitions)**

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

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

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

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

# PART I - PRELIMINARY

## Section 2. Interpretation (**Definition deleted**)

~~"Temporary Engineer" means a person registered under section 10A;~~

# PART I - PRELIMINARY

## Section 2. Interpretation (New definitions)

The Engineers Act states that;

*"**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"*

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

# PART II – BOARD OF ENGINEERS

## Section 3(2). Establishment of Board of Engineers (New re-definition)

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 or a Professional Engineer with Practising Certificate
- (b) Not more than fourteen members who shall be Professional Engineers and Professional Engineers with Practising Certificate .....

**At least 50% or 8 members of the Board shall be Professional Engineers with a Practising Certificate in force.**

## PART II – FUNCTIONS OF THE BOARD

### Section 4.(1)(ed)(i) – Re-definition

The functions of the Board shall be :

the  
Professional Assessment Examination  
examinations the s

## **PART II – FUNCTIONS OF THE BOARD**

### **Section 4.(1)(ed)(ii) – New sub-section**

**The functions of the Board shall be :**

**the**  
**Professional Competency Examination**  
~~examinations or to cause examinations to be~~  
~~conducted by an institution recognized by the~~  
~~Board~~ ~~admission to the~~  
~~profession~~ **issuing a Practising Certificate to**  
**Professional Engineers**

# THE PROFESSIONAL COMPETENCY EXAMINATION

**The Professional Competency Examination (PCE) that is being developed → Construction/ Building Industry**

- **The PCE → for Professional Engineers (P.Eng.) in engineering disciplines of Civil, Mechanical and Electrical → ‘Submitting Person’ under the Building Laws ← BEM issue “license”.**
- **BEM will be developing PCE for other engineering disciplines eg. Chemical, Oil & Gas, Environmental, Aeronautical, Marine, etc in the future.**



# AMENDMENTS TO THE REA

## Professional Competency Examination

**EXISTING 1<sup>st</sup> TIER OF EXAMINATION RETAINED.**



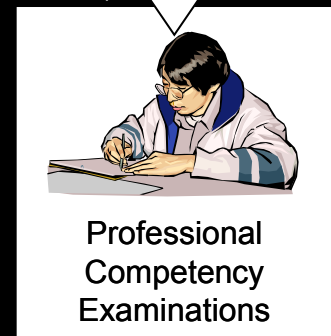
### Notes:

Registration with the BEM as Graduate Engineer or Engineering Technologist is straight-forward provided that conditions such as the basic qualifications are met (eg. Engineering degrees recognised under the Washington Accord or the Sydney Accord).

Registration as a Professional with BEM after passing the 1<sup>st</sup>. tier examination. However if foreign professionals can demonstrate the same applies to their home countries the Boards may consider them to be registered.

To 'practise' and supply professional engineering services BEM will issue licenses upon passing the Professional Competency Exams i.e. the 2<sup>nd</sup>. tier of registration. This is compulsory for all professional engineers wishing to supply professional engineering services. Such competency examinations are common in developed countries.

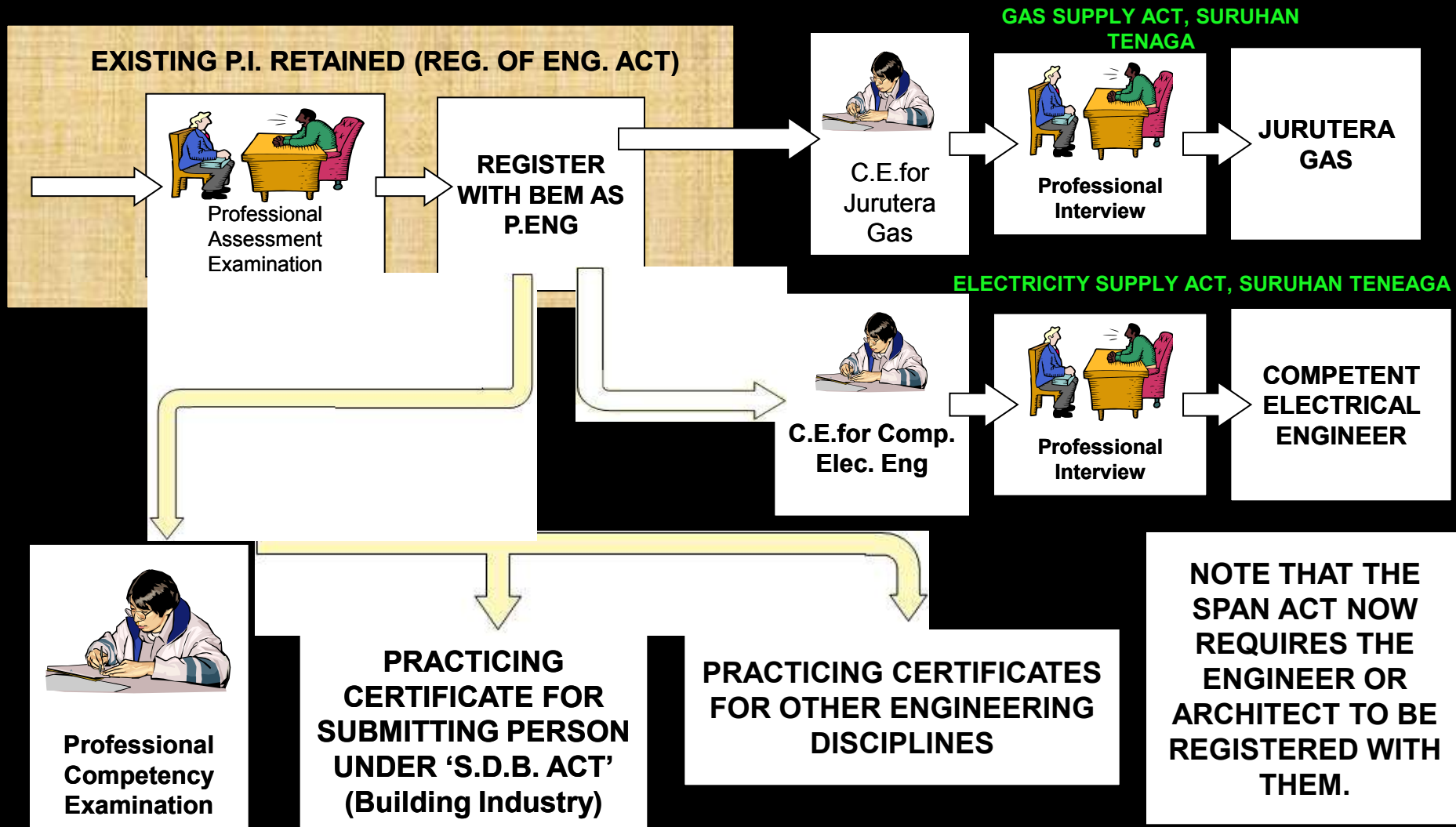
2 YEARS  
(ADVISABLE)



**LICENSED TO SUBMIT  
PLANS UNDER 'S.D.B.  
ACT'**

# ..... AND FOR ENGINEERS

## there are other Competency Examinations



# Amendments to Section 10 of the REA

Which will allow registration of natural persons.....

# **PART III – REGISTRATION OF ENGINEERS**

## **Section 10.(4) – Re-definition**

**Subject to this Act, ~~only a citizen or a permanent resident of Malaysia may qualify for registration as a Graduate Engineer or Professional Engineer~~ and no person shall be entitled to be registered as a Professional Engineer **and Professional Engineer with a Practising Certificate in force** unless he is at the time of application for registration, and has been for a period of not less than six months prior to the date of application, residing in Malaysia.**

# **PART III – REGISTRATION OF ENGINEERS**

## **Engineering Technologist**

### **Section 10C. – New sub-section**

- 10C(1)**      A person who holds any qualifications which is recognized by the Board shall be entitled on application to be registered as an **Engineering Technologist**
- 10C(2)**      A person who is registered as an Engineering Technologist under subsection (1) shall be entitled upon fulfilling the requirement as a Graduate Engineer under subsection 10(1) on application to be registered as a Graduate Engineer

# **PART III – REGISTRATION OF ENGINEERS**

## **Graduate Engineers**

### **Section 10.(1)(a) - Retained**

**Subject to this Act, a person who holds –**

- (a) the qualifications required for Graduate Membership of the Institution of Engineers (Malaysia) and which are recognised by the Board; or**
- (b) any qualification in engineering which is recognised by the Board,**

**shall be entitled on application to be registered as a Graduate Engineer.**

# **PART III – REGISTRATION OF ENGINEERS**

## **Professional Engineers**

### **Section 10.(2)(a)(ii) - New sub-section**

**To register as a Professional Engineer**

**(a) any person –**

**(i) who is registered as Graduate Engineer and has obtained the practical experience under paragraph (1)(b)**

**(ii) who –**

- (A) has passed a professional examination conducted by the Board;**
- (B) holds a professional qualification which the Board considers to be equivalent to the professional assessment examination conducted by the Board; or**
- (C) is a corporate member of the Institution of Engineers (Malaysia); and**

**(iii) who has complied with all the requirements of the Board;**

# **PART III – REGISTRATION OF ENGINEERS**

## **Prof. Engineers with Pract. Certificate**

### **Section 10D. - New Section**

A person shall be entitled on application to be registered as a Professional Engineer with **Practising Certificate** if –

- (a) the person is a registered Professional Engineer;
- (b) the person has passed a **Professional Competency Examination** conducted by the Board; and
- (c) the person has complied with all the requirements of the Board;



# **PART III – REGISTRATION OF ENGINEERS**

## **Inspector of Works**

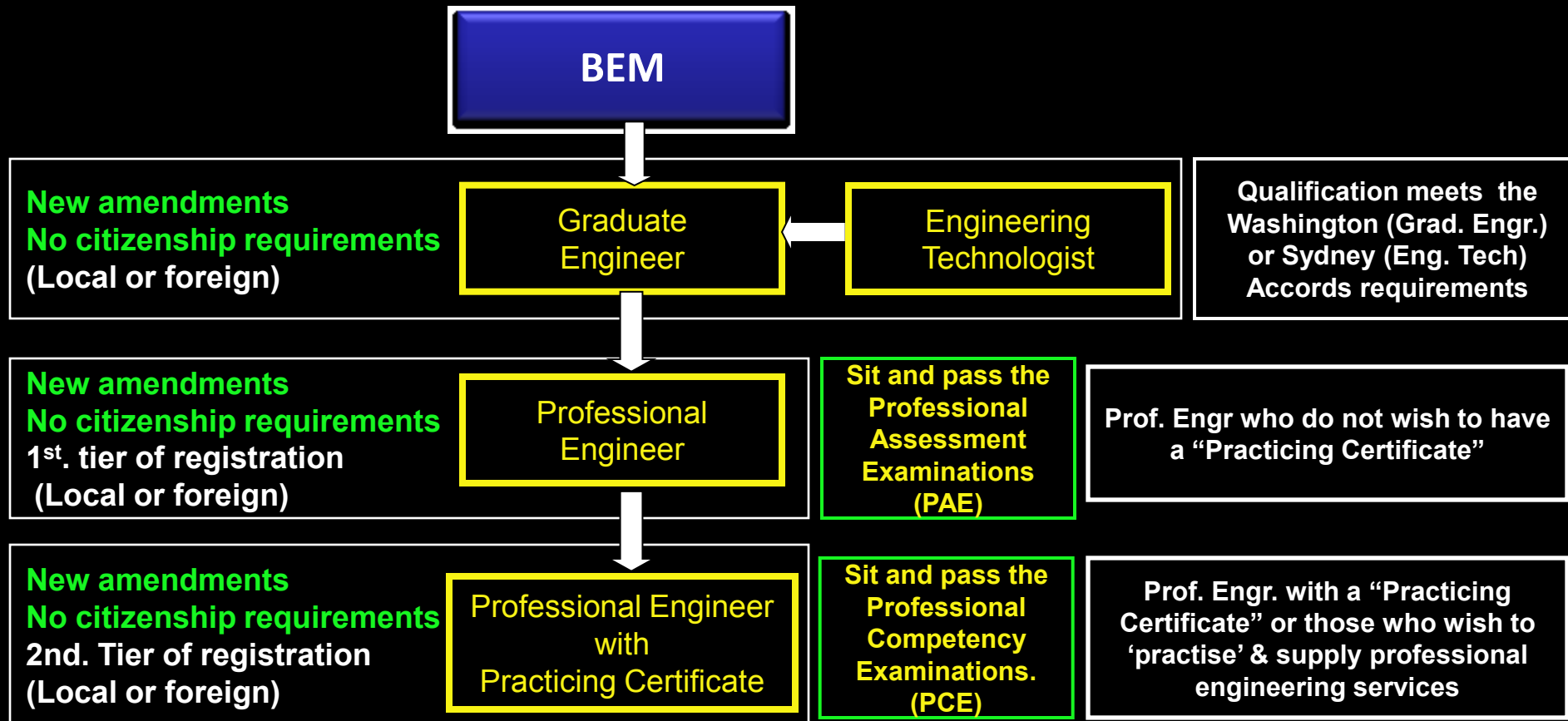
### **Section 10E. - New Section**

**A person who holds any qualification which is recognized by the Board shall be entitled on application to be registered as an Inspector of Works.**

# SUMMARY OF THE AMENDMENTS TO THE REA

## Registration of Natural Persons (Mode 4)

Section 10(4) of the Act amended for registration with the Board one need not be a Malaysian citizen or a Permanent Residence



This amendment “undo” the amendment to the Act in 1987 ....

# Amendments to Section 7A & 7B of the REA

Which will allow commercial presence.....

# **PART III – REGISTRATION OF ENGINEERS**

## **Engineering Consultancy Practice**

### **Section 7A.(3)(a) – Revised**

**The Board shall register ..... as Engineering Consultancy practice ... if –**

- (a) in the case of the sole proprietorship, the sole proprietor is a with a Professional Engineer with a Practising Certificate;**
- (b) in the case of the partnership, all the partners are Professional Engineers each with a Practising Certificate; or**

# PART III – REGISTRATION OF ENGINEERS

## Engineering Consultancy Practice

### Section 7A.(3)(c) - Revised

EXISTING ACT – Section 7A(3)(c)	AMENDED ACT – Section 7A(3)(c)
<p>The Board shall register ..... as an Engineering Consultancy practice ... if –</p> <ul style="list-style-type: none"><li>(i) it has a board of directors who are professional engineers;</li><li>(ii) has shares held by members of the board of directors mentioned in paragraph (i) solely or with any other persons who are Professional Engineers; and</li><li>(iii) has a minimum paid-up capital which shall be of an amount to prescribed</li></ul>	<p>The Board shall register ..... as an Engineering Consultancy practice ... if –</p> <ul style="list-style-type: none"><li>(i) it has a board of directors <u>who shall be subject to such conditions and qualifications as may be prescribed by the Board;</u></li><li>(ii) <u>its shareholdings shall be as prescribed by the Board; and</u></li><li>(iii) has a minimum paid-up capital which shall be of an amount to <u>be prescribed by the Board</u></li></ul>

# **PART III – REGISTRATION OF ENGINEERS**

## **Engineering Consultancy Practice**

### **Section 7A.(3)(c)(iv) - New sub-section**

- (iv) the day to day affairs of the body corporate shall be under the control and management of a person who -**
  - (A) is a Professional Engineer with a Practising Certificate;**
  - (B) is authorized under a resolution of the board of directors of the body corporate to make all final engineering decisions on behalf of the body corporate in respect of the requirements under this Act or any other law relating to the supply of professional engineering services by the body corporate**

# **PART III – REGISTRATION OF ENGINEERS**

## **Multi-disciplinary Practice**

### **Section 7B(1) - Amended section**

Where a body corporate carries on a practice of a combination of services; providing professional engineering services, architectural consultancy services or quantity surveying services, the Board may, subject to such conditions or restrictions as it may deem fit to impose, register that part of the practice providing professional engineering services.

# PART III – REGISTRATION OF ENGINEERS

## Multi-disciplinary Practice

### Section 7B.(2) - Revised

EXISTING ACT – Section 7B(2)	AMENDED ACT – Section 7B(2)
<p>The body corporate that applies for registration under subsection (1) must be incorporated under the Companies Act 1965 and –</p> <p>(a) has a board of directors comprising Professional Engineers, Professional Architects and/or registered Quantity Surveyors;</p> <p>(b) has shares held by the persons mentioned in paragraph (a) and any of the following persons and/or bodies corporate where – etc. etc.</p> <p>(c) has a minimum paid-up capital which shall be of an amount as prescribed</p>	<p>The body corporate that applies for registration under subsection (1) must be incorporated under the Companies Act 1965 and –</p> <p>(a) it has a board of directors <u>who shall be subject to such conditions and qualifications as may be prescribed by the Board;</u></p> <p>(b) <u>its shareholdings shall be as prescribe by the Board; and</u></p> <p>(c) It has a minimum paid-up capital which shall be of an amount to <u>be prescribed by the Board</u></p>



# **PART III – REGISTRATION OF ENGINEERS**

## **Multi-disciplinary Practice**

### **Section 7B.(2)(d) - New sub-section**

- (iv) the day to day affairs of the body corporate shall be under the control and management of a person who -**
  - (A) is a Professional Engineer with a Practising Certificate;**
  - (B) is authorized under a resolution of the board of directors of the body corporate to make all final engineering decisions on behalf of the body corporate in respect of the requirements under this Act or any other law relating to the supply of professional engineering services by the body corporate**

# AMENDMENTS TO THE ACT IN SUMMARY

## Commercial Presence (Mode 3)

As the BEM can register professional engineers of any nationality, the firms under which they provide the services may have 100% foreign equity

HOW PROFESSIONAL SERVICE IS PROVIDED	REGISTRATION WITH THE BOARD OF ENGINEERS MALAYSIA
<u>INDIVIDUAL ENGINEERS</u>	Engineers of any nationality can be registered with the Board.
<u>SINGLE DISCIPLINARY PRACTICE</u> Sole Proprietorship Partnership Body Corporate	100% foreign equity allowed with 30 % equity open to all and 70% for Professional Engineers with Practicing Certificate for body corporate (Prescribed in Regulations)
<u>MULTI-DISCIPLINARY PRACTICE</u> Body Corporate	100% foreign equity allowed with 30% equity open to all and 70% equity for Prof. Eng/Arch/QS (Existing Act already allow)
MANAGEMENT OF THE FIRM OF A BODY CORPORATE	At least 2/3s of the Directors in the Board of Directors must be Professional Engineers with Practicing Certificates (Prescribed in Regulations)

# AMENDMENTS TO THE ACT IN SUMMARY

## Commercial Presence (Mode 3)

Local or foreign engineers can register with BEM under Section 10 & hence can set-up a business entity registered with BEM.

Registration with Boards  
as a Business Entity

Engineering Consultancy  
Practice (Section 7A)

Multi disciplinary practice  
registered under Section 7B  
to follow the same format for  
equity and Board of Directors  
under Section 7A.

Sole Proprietorship

Must be Professional Engineer (local or  
foreign) with Practising Certificate (P.C.)

Partnership

Partners must be Prof. Engineer (local or  
foreign) with Practising Certificate (P.C.)

Body Corporate

70% equity for local or foreign P.E. with P.C.  
30% equity by any person/bodies

Equity prescribed in  
Regulations

Management of the Firm  
Board of Directors

At least 2/3s of Directors must be P.E. with  
Practising Certificate (local or foreign)  
Remaining 1/3 can be anybody/person  
and must named a P.E. with P.C. in charge

Composition of Board of  
Directors prescribed in  
Regulations

# EQUITY REQUIREMENTS

## SECTION 7A(3)(c)(ii) & REGULATION 34A(1)(b) & (c)

### Single Discipline

100% for P.E.  
with PC

1% to 29% for  
anybody or  
persons

99% to 71%  
for P.E. with  
PC

Max. 30% for  
anybody or  
persons

70% for P.E.  
with PC

## SECTION 7B(2)(b), (3) & REGULATION 34A(2)(b),(c) & (d)

### Multi-discipline

90% for P.E.  
with PC,  
Architects &  
Quantity  
Surveyors

Min. 10% for  
P.E. with PC

1% to 29% for  
anybody or  
persons

89% to 61%  
for P.E. with  
PC,  
Architects &  
Quantity  
Surveyors

Min. 10% for  
P.E. with PC

Max. 30% for  
anybody or  
persons

60% for P.E.  
with PC,  
Architects &  
Quantity  
Surveyors

Min. 10% for  
P.E. with PC

← Acceptable range of share holdings →

← Acceptable range of share holdings →

# COMPOSITION OF BOARD OF DIRECTORS

**SECTION 7A(3)(c)(i) &  
REGULATION 34B(1)(a), (b) & (c)**

**Single Discipline**

**All Directors  
are P.E. with  
PC**

**Max. 1/3 of  
Directors can  
be anybody  
or persons**

**2/3's of  
Directors are  
P.E. with PC**

← **Acceptable range of Board of Directors** →

**SECTION 7B(2)(a) &  
REGULATION 34B(2)(a),(b) & (c)**

**Multi-discipline**

**All Directors  
are for P.E.  
with PC,  
Architects &  
Quantity  
Surveyors**

**Min. 1 no. for  
P.E. with PC**

**Max. 1/3 of  
Directors can  
be anybody  
or persons**

**2/3's of  
Directors are  
P.E. with PC,  
Architects &  
Quantity  
Surveyors**

**Min. 1 no. for  
P.E. with PC**

← **Acceptable range of Board of Directors** →

# Exclusive entitlements of Registered Persons

Amendments to Section 7 & 8.....

# **PART III – REGISTRATION OF ENGINEERS**

## **Inspector of Works, Engineering Technologist & Graduate Engineers**

### **Section 7(2). - New Section**

**Notwithstanding subsections (1) and (1A) –**

- (a) a Graduate Engineer may, subject to section 8, take-up employment which requires him to perform professional engineering services;**
- (aa) an Engineering Technologist may, subject to section 8, take-up employment which requires him to perform professional engineering services;**
- (ab) an Inspector of Works may, subject to section 8, shall register with the Board to take-up employment which requires him to assist the Professional Engineer in the supervision of engineering works;**

# **PART III – REGISTRATION OF ENGINEERS**

**Professional Engineer &  
Professional Engineer with Pract. Cert.**

## **Section 7.(1)(a) - amended section**

**No person shall, unless he is a Professional Engineer -**

**~~practise, carry on business or~~**



# **PART III – REGISTRATION OF ENGINEERS**

**Professional Engineer &  
Professional Engineer with Pract. Cert.**

## **Section 7.(1A)(a) - new section**

**A person shall not, unless he is a Professional Engineer with a Practising Certificate -**

- (a) practise, carry on business or take up employment which requires him to carry out or perform professional engineering services for designated engineering works subject to the provisions in Section 8;**

# **PART III – REGISTRATION OF ENGINEERS**

## **Engineering Technologist & Graduate Engineers**

### **Section 7(1B). - New Section**

**A person shall not, unless he is a Graduate Engineer or Engineering Technologist be entitled to describe himself or hold himself out under any name, style or title using the abbreviation “Grad. Eng.” or “Eng. Tech.” after his name or in any way in association with his name.**

# **PART III – REGISTRATION OF ENGINEERS**

## **Professional Engineer & Professional Engineer with Pract. Cert.**

### **Section 7.(1)(aa) – Section retained**

**No person shall, unless he is a Professional Engineer -**

- (a) be entitled to describe himself or hold himself out under any name, style or title –**
  - (i) bearing the words “Professional Engineer”**
  - (ii) bearing any other word whatsoever in any language which **may be reasonably construed to imply he is a Professional Engineer**; or**
  - (iii) using the abbreviation “Ir.” before his name or the abbreviation “P.Eng.” after his name**

# **PART III – REGISTRATION OF ENGINEERS**

**Professional Engineer with Pract. Cert.**

## **Section 8.(1) – Amended section**

**Except as otherwise provided under any other written law, no person or body, other than a Professional Engineer with a Practising Certificate who is residing and practising in Malaysia or an ECP providing professional engineering services in Malaysia shall be entitled to submit plans, engineering surveys, drawings, schemes, proposals, reports, designs or studies to any person or authority in Malaysia.**

# **PART III – REGISTRATION OF ENGINEERS**

## **Professional Engineer**

### **Section 8A. - New section**

**Subject to this Act, any person who is a Professional Engineer shall be entitled to submit plans or drawings where such plans or drawings are in connection with equipment, plant or specialised product invented or sold by him or his employer. For the purpose of this section the expression “employer” shall not include a client.**

# ENTITLEMENTS OF REGISTERED PERSONS UNDER THE ENGINEERS ACT

ENTITLEMENTS	SECTION	ENGINEERING TECHNOLOGIST	GRADUATE ENGINEER	PROF. ENGR.	PROF. ENGR. (with Practice Cert.)
(a) Practise or carry on business which requires him to carry out or perform professional engineering services	Sect. 7(1)(a)	NO	NO	NO	YES
(b) Take up employment which requires him to carry out or perform professional engineering services	Sect. 7(1)(a)	YES	YES	YES	YES
(c) Use title "Professional Engineer" or the equivalent thereto in any other language	Sect. 7(1)(aa)	NO but use Eng. Tech.	NO but use Grad. Eng.	YES	YES
(d) Use "Ir." & "P. Eng" before or after the name	Sect. 7(1)(aa) (ii)	NO	NO	YES	YES
(e) Display sign, card or other device implying he is a Professional Engineer	Sect. 7(1)(b)	NO	NO	YES	YES
(f) Entitled to recover in any court any fee, charge, remuneration or other form of consideration for any professional engineering services rendered	Sect. 7(1)(c)	NO	NO	NO	YES

# ENTITLEMENTS OF REGISTERED PERSONS UNDER THE ENGINEERS ACT (Cont' d)

ENTITLEMENTS	SECTION	ENGINEERING TECHNOLOGIST	GRADUATE ENGINEER	PROF. ENGR.	PROF. ENGR. (with Practice Cert.)
(g) Entitle to use prescribed P.E. stamp	Sect. 7(1)(c)	NO	NO	YES	YES
(h) Entitled to use prescribed Practice Certificate	Sect. 7(1)(A)(i)	NO	NO	NO	YES
(i) Entitled to submit plans, engineering surveys, drawings, schemes, proposal, reports, designs or studies (only if he is residing in Malaysia)	Sect. 8(1)	NO	NO	NO	YES
(j) Entitled to (i) only in relation to the branch of engineering he is registered in	Sect. 8(2)	NO	NO	NO	YES
(k) Not prohibited to make valuations of any structure, plant, machinery & equipment, and making valuations for mining purposes, in connection with his professional practice	Sect. 8(3)	Prohibited	Prohibited	Prohibited	Not prohibited
(l) The right to be heard before the Board makes order of punishment under Section 15(1A)	Sect. 15(2)	YES	YES	YES	YES

# Liberalization does not mean deregulation

That is why safeguard measures are ...



# **SAFEGUARD MEASURES ARE NECESSARY**

## **THE RISKS OF LIBERALISATION**

**To safeguard local and national policies so that are not negatively affected**

**To protect the public against hazards of sub-standard services by foreign imports**

**To ensure that liberalisation promotes economic growth as originally intended**

**To ensure that local professionals can withstand any destabilizing and debilitating effects from the entry of foreign professionals.**

**To prepare capacity building programmes for local professionals**

**Safeguard measures in developed countries are even more comprehensive when compared to developing countries ...**

# Developed Countries Introduce Competency Examinations When they Liberalize as a “Safeguard” Measure

Paper from Engineers Australia to Department of Foreign Affairs & Trade on the Australia – Malaysia Free Trade Agreement October 2004

“There is no specific nationality, citizenship or residency requirements for registration by the National Engineering Registration Board or membership of Engineers Australia to practice as a professional engineer in Australia. However applicants must demonstrate awareness of national and local standards, rules and practices; and be assessed as meeting the National Competency Standards for Professional Engineers.”

Victoria – Building Act 1993 Requires building practitioners to be registered with the Building Practitioners Board which uses the test for competency.

Foreign Engineers to be Permitted to Practice in Taiwan, Jan. 14 2009

The Public Construction Commission in line with Taiwan’s membership of the WTO and the APEC Engineer agreement scheme ..... foreign engineers with which Taiwan has concluded an MRA will be permitted to participate in Taiwan’s engineering examinations ..... and on passing will be issued accredited engineer certification and may apply for a license to practice engineering in Taiwan.

A foreign engineer who has been licensed to practice in Taiwan will be able to conduct professional engineering work and signing of engineering documents jointly with local engineers or independently and undertake other professional activities ..... and all documents and drawings related to work undertaken in Taiwan must use Chinese as the primary language.

# SAFEGUARD MEASURES IN SUMMARY

## TO ENSURE THE QUALITY OF THE SERVICE & PROTECT PUBLIC INTEREST

### 1<sup>st</sup>. Safeguard Measure

Board register Graduates provided that their undergraduate degree meets the standards set

### 2<sup>nd</sup>. Safeguard Measure

Board registers Professionals provided they have obtained the required technical competence or obtained it through an accredited programme overseas

### 3<sup>rd</sup>. Safeguard Measure

Before the issue of a 'license' the Professional must demonstrate competence in understanding the national & local standards, rules, regulations & laws

### 4<sup>th</sup>. Safeguard Measure

The 'license' is renewable every year subject to the Professional have undergone Continuous Professional Development programmes accredited by the Board

## BOARD OF ENGINEERS

Basic undergraduate degree meets Boards' requirements

Pass the 1<sup>st</sup>. tier of examination (PAE)

Pass the 2<sup>nd</sup>. tier of examination i.e. the Competency Exams (PCE)

Issued a 'license' to supply services which is renewable every year. The license is not perpetual

Note: CPD also applies at the 1<sup>st</sup>. tier of registration

# Competency Examinations for Engineers in Malaysia ?

Is there a need or is the present Professional Engineers already “competent” ...

# A Return to the Basics of P. Eng. Registration

The following issues require an URGENT reassessment of the current basis of Professional Engineer registration:

**SEVERAL** major construction failures within 24 months.

**AWARENESS** of 'duty of care' under torts.

**SELF-REGULATION** under Certificate of Completion & Compliance (C.C.C.) replacing the CFO.

**COMMITMENT** to liberalization under FTAs & the hazards to the public of sub-standard

A PROFESSIONAL COMPETENCY EXAM TO COMPLEMENT CURRENT PROFESSIONAL ASSESSMENT EXAM IS NECESSARY TO ADDRESS THE ISSUES OF:

- \* **UPHOLDING** standards of professionalism.
- \* **MINIMUM** standards of proficiency & competency in the building industry.
- \* **SAFEGUARD** measure to protect the public against sub-standard foreign (and local) engineering service providers due liberalization

# STATEMENTS FROM PUBLIC FIGURES HAVE BEEN UNFORGIVING

The Minister of Work's Y.B. Dato' Shaziman statement to the public after the collapse of the roof at Kuala Trengganu stadium and the Jaya Supermarket collapse during demolition works

**Quote** “Bangunan lama pun roboh, bangunan baru pun roboh dan bangunan nak diroboh pun roboh” **Unquote** should be in the annals of engineering.

Even Tan Sri Lee Lam Thye in his statement to the press has this to say after many incidents in the construction industry

**Quote** “it raises many questions concerning the professional conduct of the various parties involved in construction” and “there must be a moral reawakening in the building industry”.  
**Unquote**

**Are these construction failures avoidable or are they “An Act of God” ?**

# PUBLIC OUTRAGE WAS SELF-EVIDENT ON THE CAUSE OF THE COLLAPSE !!!



Due to Ultraman wannabes ?

Or due to Ultraman himself ?



Cynicism was the order of the day .....



# ..... AND DURING THE DEMOLITION THE ROOF COLLAPSE AGAIN

Akibat  
pergaduhan  
pada runtuh  
pertama



Ultraman  
bertanggungjawab  
membersihkan  
stadium





# WITHER PROFESSIONALISM

## The Collapse of Professionalism

New Straits Times 4<sup>th</sup>. June 2009

The Professional Engineer



Where is Professionalism Heading?

New Straits Times

4<sup>th</sup>. June 2009

Quote “.... we also loose a little more of the trust that we still have for the expertise and ethics of the architects and engineers. It is time for the professional associations and the statutory bodies to step up and act on any failure to carry out their duties with due care and diligence in accordance with the laws and ethics that govern their professions.” Unquote

# Existing Professional Engineers should take note

The requirements to obtain the Practising Certificate ...

# **AMENDMENTS TO THE ENGINEERS' ACT TO ADDRESS THE COMPETENCY OF PROFESSIONAL ENGINEERS**

## **1<sup>ST</sup>. TIER OF PROFESSIONAL ENGINEERS**

### **THE PROFESSIONAL ASSESSMENT EXAMINATION (PAE) (Existing examination)**

The PAE in a nutshell;

“This examination tests a candidate on what he knows and not what he does not know”.

## **2<sup>ND</sup>. TIER OF PROFESSIONAL ENGINEERS**

### **THE PROFESSIONAL COMPETENCY EXAMINATION (PCE)**

The PCE is a new examination system to test the competency of professional engineers

“This examination tests a candidate on what he does not know and for which he ought to know”.

# EXISTING PROFESSIONAL ENGINEERS

**Trial Examinations was conducted on existing P.E.s & only two(2) P.E.s pass out of 47.**

- (1) If the Professional Competency Examination is to test a P.E. on what he does not know for which he ought to know can he then pass the examination ???**
- (2) The Act and Regulations have come into force on the 31st. July 2015, do you then need to sit and pass the P.C.E. ??? Today is 22<sup>nd</sup>. October 2015.**
- (3) To know the answers stay on and listen to the subsequent speakers**

# A SUMMARY OF THE PROFESSIONAL ENGINEER'S LIABILITIES

The Professional Engineer

Civil Law  
& Torts

Duty of care to the public



Public

Registration of  
Engineers Act

Breach of registration/ethics



BEM

Street, Drainage  
and Building Act

Breach of Regulations



Local Authorities

Contract  
Law

Fiduciary interest & duty of care to Client



Client



# TIME LINE

## THE AMENDMENTS TO THE REGISTRATION OF ENGINEERS ACT

- On the 20th. November 2014, the Minister of Works tabled the Bill to Dewan Rakyat of Parliament for 1<sup>st</sup>. Reading.
- On the 27th. November 2014, the Minister of Works tabled the Bill to Parliament for 2nd. Reading where it was debated at the Dewan. It was approved by Dewan Rakyat on the same date.
- On the 17/18th. December 2014, the Minister of Works tabled the Bill to Dewan Negara of Parliament for and it was approved on the same date after the debate.
- The Act has obtained Royal Assent on 14<sup>th</sup> February 2015 and subsequently gazetted on 28<sup>th</sup> February 2015.
- The Ministry of Works has appointed the DATE OF OPERATION AS 31<sup>ST</sup>. JULY 2015 for the Act and Regulations.